

Queensland Water and Land Carers Inc.  
Item for inclusion in the **Annual General Meeting**  
5<sup>th</sup> November 2020

Intent of the resolution is to enable the establishment of an endorsed Environmental Gift Fund and receive Deductible Gift Recipient status by the insertion of the following clause.

To consider, and if in favour, pass the following resolution

**Resolution:**

**Add the following clause 50 Establishment of the Public Fund to the constitution**

50. Establishment of the Public Fund

To establish and maintain a public fund to be called the QWaLC Fund for the specific purpose of supporting the environmental objects/purposes of Queensland Water and Land Carers Inc. The Fund is established to receive all gifts of money or property for this purpose and any money received because of such gifts must be credited to its bank account. The Fund must not receive any other money or property into its account and it must comply with subdivision 30-E of the Income Tax Assessment Act 1997.

A) Requirements of the Public Fund

The association must inform the Department responsible for the environment as soon as possible if:

- (1) it changes its name or the name of its public fund; or
- (2) there is any change to the membership of the management committee of the public fund; or
- (3) there has been any departure from the model rules for public funds located in the Guidelines to the Register of Environmental Organisations.

B) Ministerial Rules

The association agrees to comply with any rules that the Treasurer and the Minister with responsibility for the environment may make to ensure that gifts made to the fund are only used for its principal purpose.

C) Conduit Policy

Any allocation of funds or property to other persons or organisations will be made in accordance with the established purposes of the association and not be influenced by the preference of the donor.

#### D) Winding Up

In case of the winding-up of the Fund or the revocation of its endorsement as a deductible gift recipient, any surplus assets are to be transferred to another fund with similar objectives that is on the Register of Environmental Organisations and is a deductible gift recipient.

#### E) Statistical Information

(1) Statistical information requested by the Department on donations to the Public Fund will be provided within four months of the end of the financial year.

(2) An audited financial statement for the association and its Public Fund will be supplied with the annual statistical return. The statement will provide information on the expenditure of Public Fund monies and the management of Public Fund assets.

#### F) Management of the Public Fund

(1) The objective of the fund is to support the association's environmental purposes.

(2) Members of the public are invited to make gifts of money or property to the fund for the environmental purposes of the association.

(3) Money from interest on donations, income derived from donated property, and money from the realisation of such property is to be deposited into the fund.

(4) A separate bank account is to be opened to deposit money donated to the fund, including interest accruing thereon, and gifts to it are to be kept separate from other funds of the association.

(5) Receipts are to be issued in the name of the fund and proper accounting records and procedures are to be kept and used for the fund.

(6) The fund will be operated on a not-for-profit basis.

(7) A committee of management of no fewer than three persons will administer the fund. The committee will be appointed by the association. A majority of the members of the committee are required to be 'responsible persons' as defined by the Guidelines to the Register of Environmental Organisations.