

Rules of the Awakening Democracy Foundation Public Fund

Definitions

Act: the Income Tax Assessment Act 1997

ATO: Australian Tax Office

CAPaD: the Canberra Alliance for Participatory Democracy

Foundation: the Awakening Democracy Foundation Public Fund

Objective

The objective of the Awakening Democracy Foundation is to support the objectives of CAPaD by:

- (1) inspiring and activating participatory democratic practice through education;
- (2) undertaking and commissioning research to inform this education;
- (3) designing courses and resources to support teaching of civics to inspire people to participate in democracy.

General Rules

- (1) The name of the Public Fund is the Awakening Democracy Foundation Public Fund.
- (2) The objective of the Foundation is to support CAPaD's educational purposes.
- (3) 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 the relevant subdivision of the Income Tax Assessment Act 1997. [from CAPaD Constitution]
- (4) Members of the public are to be invited to make gifts of money or property to the Foundation for CAPaD's educational purposes.
- (5) A separate bank account is to be opened to deposit money donated to the Foundation, including interest accruing thereon, and gifts to it are to be kept separate from other of CAPaD's funds.
- (6) Money from interest on donations, income derived from donated property, and money from the realisation of such property is to be deposited into the Foundation bank account.
- (7) Receipts are to be issued in the name of the Foundation and proper accounting records and procedures are to be kept and used for the Foundation.
- (8) The Foundation will be operated on a not-for-profit basis. Moneys must not be distributed to members of the Foundation Committee or members of CAPaD except as reimbursement for out-of-pocket expenses incurred on behalf of the Foundation or proper remuneration for administrative services.
- (9) A committee of management of no fewer than three persons will administer the Foundation. The committee will be appointed by the CAPaD Committee. The CAPaD

Convener will Chair the management committee of the Foundation. A majority of the members of the management committee are required to be 'responsible persons' as defined by the Act and Tax Ruling TR 95/27 - Income tax: public funds (see notes below).

(10) The ATO is to be notified of any changes to the Foundation's Rules.

(11) The Foundation agrees to comply with any rules that the Treasurer and the Minister with responsibility for charities may make to ensure that gifts made to the Foundation are only used for its principal purpose.

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

Winding-up

In the event of the Foundation being wound up or dissolved, any surplus assets remaining after the payment of the Foundation's liabilities will be transferred to one or more funds, authorities or institutions, which have similar objects, and to which income tax deductible gifts can be made.

Notes to Rules

Responsible persons include: "church authorities, clergymen, school principals, judges, solicitors, doctors, and other professional persons, mayors, councillors, town clerks and members of parliament."

Version history

Version 1: adopted 3/11/2022.

Version 2: adopted 26/7/2023.