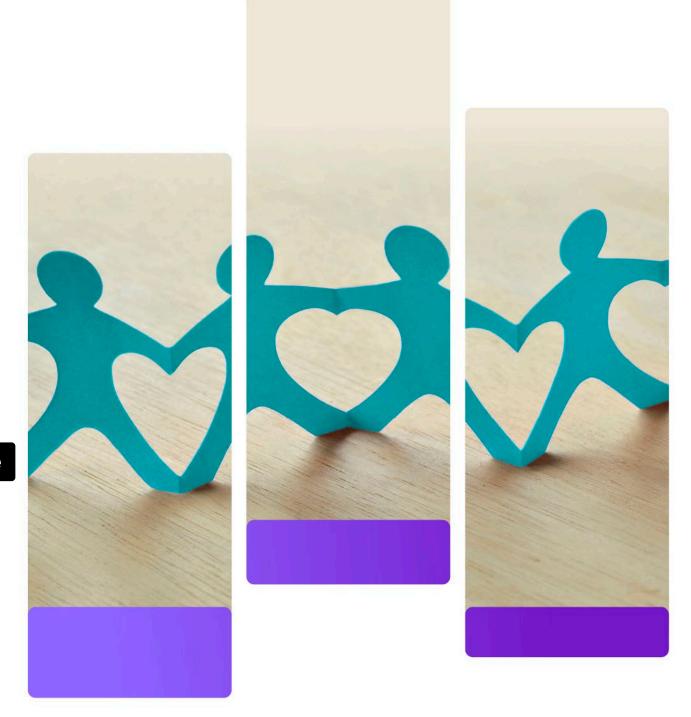


Not-for-profit Tax Intensive

13 March 2024

RACV City Club, Melbourne & Online

6 CPD hours



The Tax Institute gratefully acknowledges the generous assistance of members of the Organising Committee:

Paul Banister, CTA, Grant Thornton (Chair of Organising Committee)

Todd Bromwich, Hall & Wilcox

Bridgid Cowling, Arnold Bloch Leibler

Kaylene Hubbard, ATI, KPMG

Morag Ingham, CTA, Findex

Jennifer Moltisanti, Australian Taxation Office

Anne Robinson, Prolegis Pty Limited

Michelle Wilson, CTA, Tellery Group Pty Ltd

Rachel Vijayaraj, CTA, Brown Wright Stein Lawyers

Mariana von Lucken, CTA, HLB Mann Judd





Welcome

On behalf of The Tax Institute and the Not-for-profit Tax Intensive Organising Committee, I am thrilled to invite you to the second Not-for-profit Tax Intensive to be held on 13 March 2024.

Whether not-for-profits and charities are your professional focus or a slice of a wider professional practice, this Intensive will be relevant to you. The closer you are to NFPs, the more you'll realise that there's been a lot happening. As we head into a period of reform in the sector, this event should be on your "must attend" list!

Last year's popular Regulator Panel will again feature in 2024 – it's always great to hear from their perspective – and our outstanding line-up of speakers will focus on a range of key current and emerging issues. For 2024, we'll hear from those at the coalface – where CEOs and NFP leaders will provide their insights about industry trends and what's keep them awake at night.

The program includes:

- Prominent speakers
- Panel and technical sessions with an emphasis on "real-world" application
- · A "back-to-basics" focus covering the breadth of tax issues relevant to charities and not-for-profits
- A mixture of plenary and concurrent sessions covering state and federal taxation issues
- Opportunities to network and exchange ideas with peers and tax experts, including post event drinks.

The Organising Committee wishes to thank all our speakers for generously volunteering their time to share with you their knowledge and insights. I would also like to personally acknowledge the efforts of the Organising Committee, as well as the staff from The Tax Institute. Without the commitment, support and creativity of this core group, we would not have the impressive program outlined in this brochure.

We look forward to seeing you at the second Not-for-profit Tax Intensive in Melbourne.



Paul Banister, CTA
Chair, Intensive Organising Committee

Early bird pricing offer Register on or before 15 February 2024 to save!

Technical program

Day 1 Wednesday, 13 March 2024

Time AEDT	Session						
8:00-8:30am	Registration						
8:30-8:45am	Welcome and opening address Speaker: Paul Banister, CTA, Chair, Intensive Organising Committee						
8:45-9:00am	Welcome to Country Wurrendjeri Woi Wurrung Cultural Heritage Aboriginal Corporation						
9:00-10:00am	Session 1: Regulator Panel Panelists: Jennifer Moltisanti, Australian Taxation Office, Registrar Tricia Stroud, ORIC, Sue Woodward AM, ACNC Facilitator: Timothy Stokes, FTI, HWL Ebsworth Lawyers						
	Bringing together key voices affecting the not-for-profit sector, panelists will discuss: What attracts regulators attention Emerging issues Improving compliance What's new; and Preparing for key changes.						
10:00-10:30am	Morning tea						
10:30-11:30am	Session 2: Charity or some other ITE, that is the question Speaker: Bridgid Cowling, Arnold Bloch Leibler						
	New reporting requirements for not-for-profit organisations that are currently self-assessing as being income tax exempt are now in place, with first reporting required from 1 July 2024. For many organisations, this may be the first time that they have seriously reviewed their eligibility for income tax exempt status.						
	While the organisation's objects and mission may indicate that income tax exempt is the appropriate registration, it may be that the not-for-profit should be registered as a charity, and outside this new reporting regime. Navigating 'charitable purpose' is open to interpretation – there are many nuances that must be considered to ensure the correct registration outcome.						
	This practical session will not only detail the regulatory reporting changes, but also assist in identifying the signposts to guide practitioners to ensure they recommend the correct type of registration for their clients.						

Technical program

Day 1 Wednesday, 13 March 2024 continued

Time AEDT	Session							
11:30am-12:30pm	Session 3: Navigating the application of the Corporations Act to registered charities Speaker: Marla Cowen, Greenwoods & Herbert Smith Freehills							
	"The Corporations Act 2001 (Cth)" was amended in 2013 to streamline regulation of charitable companies limited by guarantee.							
	This session will consider how effective that has been, some stumbling blocks that remain and of which registered charities that are companies limited by guarantee should be aware, and recommendations for reform in this area.							
12:30-1:30pm	Lunch							
1:30 - 2:30pm	Session 4A: Structuring for social enterprises: issues to consider when diversifying NFP income streams Speaker: Timothy Stokes, FTI, HWL Ebsworth Lawyers As NFPs look to variously survive, thrive and/or grow, some will look to diversify income streams to protect against the uncertainty of fixed or static funding models (such as philanthropy or government grants). This may involve a journey of entrepreneurship, merger or consolidation, or some form of social enterprise. This session will explore what a commercial journey might look like for an NFP organisation, including ensuring all activities are permitted under the governing rules, potential changes to structure to facilitate growth and manage risk, and working with partners, be that in an informal collaboration, a joint venture or even approaching a merger.	inevitably inertia. This session focuses how to map out your philanthropy plan so that you can estarted, including addresses issues like: Approaches to benefiting different types of causes						
2:30 - 3:30pm	Session 5A: Employment Taxes – what NFPs need to know Speaker: Peter de Sousa, EY, Ric Samartgis, EY If you are considering setting up a Not for profit (NFP) or landed yourself on the board of an NFP, either as a self-assessed NFP or a charity registered under the ACNC, what should you consider when it comes to human capital? In this 101 session, we will delve into topics such as Employment Tax issues, Fringe Benefits Tax, Superannuation Guarantee, Payroll Tax and Work Cover. This will include a comprehensive examination of the primary issues associated with each topic and an exploration of existing exemptions, if any.	Session 5B: Mutuals – not for the faint hearted! Speaker: Kaylene Hubbard, ATI, KPMG, Morag Ingham, CTA, Findex The principle of mutuality holds that there is no gain if an amount is derived by a taxpayer from him or herself. So far, so straightforward. However, the closer advisers get to mutual entities the clearer it becomes that the taxation of these entities is anything but straightforward. This session will address some of the common misconceptions about taxation of mutuals, some opportunities, common challenges and changes. It will consider income tax and fringe benefits tax specifically, and update on latest developments in the space.						
3.30-4.00pm	Afternoon tea	developments in the space.						

Technical program

Day 1 Wednesday, 13 March 2024 continued

Time AEDT	Session
4:00 - 5:00pm	Session 6: The field agents – a CEOs perspective
	Panelists: Jim Brooks, DJAARA, Lizzie Corke, Conservation Ecology Centre, Justine Dalla Riva, Victorian Pride Centre, Michael Wentworth, Apprenticeships Are Us
	In this session, our panel of CEO's and leaders in the not-for-profit sector provides a perspective from the field.
	The panel will discuss current challenges in the not-for-profit sector, touching upon the matters addressed in today's program as well as looking to the future of NFPs
	Funding and fundraising challenges in current times
	Recognising philanthropy in all its forms
	Challenges in attracting board talent
	Retaining skilled staff and the usefulness of tax concessions
	Current legal and tax compliance hurdles that NFPs would like to see addressed
	The latest buzz acronym – ESG
	What does the future of NFPs look like; and
	• The desk agents – questions from the floor.
5:00pm	Intensive close and networking drinks



Presenters

Paul Banister, CTA, is a Chartered Accountant, a Partner at Grant Thornton and is Queensland's representative on The Tax Institute's National Council. He has over 35 years' experience working with clients to help them navigate through complex and potentially risky tax and commercial issues. His expertise includes domestic and international tax planning, transaction advisory and support, expert witness reports, succession planning and estate planning. Paul has presented at many professional and business forums. both in Australia and internationally. He is a contributing author to Thomson Reuter's Financial Planning Handbook. Paul is also the recipient of The Tax Institute's SME Tax Adviser of the Year Award for 2016.

Jim Brooks is a lawyer, manager and mediator. Over 35 years Jim's key areas of practice have been human rights, land and resource development, First Nations rights, agreement making and mediation of in a range of areas except family law. Jim has managed his own law practice, headed regional agencies for government, and worked for not-for-profits and been a Board director for numerous not-for-profits. Jim is the Executive Team Manager at

DJAARA, the recognised Traditional Owner Group Entity for the traditional owners of Central Victoria.

Lizzie Corke founded the Conservation Ecology Centre with Shayne Neal based on their shared vision to support a healthy and resilient Otways landscape cared for forever. Her interests lie in creating sustainable models for conservation through building partnerships and engaging community.

Since 2000, the Conservation Ecology Centre team has restored the woodlands of Cape Otway to support koalas and other native species, undertaken landscape-scale invasive species control programs, conducted critical research in to planned burning to conserve threatened species and mitigate wildfire risk, and developed an ecological research network to share knowledge with land managers. Lizzie has driven several innovative funding models, including establishment and operation of the Great Ocean Ecolodge, and the conception, development and operation of Wildlife Wonders, a unique ecotourism experience that operates as a social enterprise to support the CEC's conservation efforts. In only its second year of operation, Wildlife Wonders was named by National Geographic as

one of the planet's 25 most exciting destinations for 2022. Lizzie received a Medal of the Order of Australia in 2020 for service to conservation and the environment and was awarded the Banksia Foundation's 2005 Prime Minister's Environmentalist of the Year.

Marla Cowen is a Senior Associate and charity law specialist. After working in tax at Allens Linklaters, Marla began her charity law career at the Australian Charities and Not-forprofits Commission (ACNC), where she worked as Legal Counsel during the first 4 years of the ACNC's establishment. Marla gained further regulatory and tax experience as a director at the ATO, and later undertook a secondment as manager of the Not-For-Profit (NFP) Advice team at Justice Connect. In that role, Marla advised a wide range of NFP organisations and oversaw the publication of NFP guidance and resources. At HSF, Marla advises on a broad range of issues affecting charities, including charity establishment, ACNC requirements, ACNC reviews, tax endorsements, constitutions and governance. Marla also has particular charity law expertise relating to government entity issues and professional associations.

Bridgid Cowling is a special counsel in Arnold Bloch Leibler's public interest law and native title groups. She advises a broad range of clients with a focus on charities and not-for-profit organisations, Aboriginal Land Councils and Native Title Representative Bodies. Bridgid has many years of experience working with remote and urban Indigenous communities. Throughout her career, she has contributed to numerous law reform submissions in relation to charities, native title and land rights law. As described by her clients, "her knowledge of Australian charity law is outstanding and she is emerging as a leading voice on best practice in the jurisdiction."

Justine Dalla Riva is a passionate professional whose career spans both the commercial and not-for-profit sector. She is the CEO of Australia's first purpose built LGBTIQ+ Pride Centre located on Fitzroy Street in St Kilda. A proud lesbian and mother of two, Justine joined the Pride Centre in 2018 and became its inaugural CEO in 2019. Justine is passionate about inclusion, equity and access for all, ensuring spaces are welcoming and safe for vibrant and diverse LGBTIQ+ communities so they can be their true and authentic selves. She seeks to celebrate diversity,

Presenters

harnessing diverse lived experiences to innovate, collaborate and create more cohesive and respectful environments. Justine is a member of the City of Port Phillip LGBTIQ+ Advisory Committee, Fitzroy Street Business Association and Director of the newly established Pride Fund Ltd that seeks to grow the philanthropic pie for LGBTIQ+ spaces and places. A lifelong learner, she holds a Diploma of Governance, Masters in Marketing, Graduate Diploma in Graphic Design, BA with Hons and was a graduate of the Victorian Government's 2019 LGBTIQ+ Leadership program.

Peter de Sousa is a Manager in EY's Employment Taxes practice in Melbourne, he has over 6 years of advisory and compliance Employment Taxes experience servicing a range of clients in Australia. As an active member of the Chartered Accountants Australia & New Zealand, he's deeply passionate about helping his clients navigate through the complexities of the Employment Taxes landscape.

Kaylene Hubbard, ATI, is a Tax Partner with KPMG Enterprise and is the Managing Partner of KPMG's office in Greater Western Sydney. Kaylene's experience spans over 20 years in working with corporates, including

ASX listed entities, private owners, family groups and their businesses across a wide range of industries to grow, create and protect value. Her expertise includes developing appropriate business structures and funding arrangements, capital management, mergers and acquisitions, business restructures and assisting clients in their dealings with the Australian Taxation Office. Kaylene has a deep interest and experience in the not-for-profit and charity sector. Kaylene has worked extensively with not-for-profit entities seeking to change their corporate and tax structure, and in pursuing tax exempt status for entities. She has experience in seeking charity status for organisations, in seeking Deductible Gift Recipient status and in advising not-for-profit entities regarding their governance and compliance obligations. Kaylene is passionate about empowering the sector to grow, impact and adapt in a changing environment.

Morag Ingham, CTA, is an experienced and dedicated tax professional with a committed interest in the not-for-profit sector (including education, and mutual organisations), having both worked in the sector, and served as an advisor for over 15 years. Morag also have a focus in the real estate and construction sector

and work with clients in a range of allied fields. Outside of her professional life, Morag serves on the Board of a registered charity, as well as sitting on the Finance Committee of a local school. Morag's experience allows here to enrich here professional expertise with a practical knowledge, allowing her to provide insightful and pragmatic advice to her clients.

Jennifer Moltisanti is an ATO Assistant Commissioner heading up the NFP Centre and Government Relations teams. Jennifer's focus is directed at strengthening the integrity of tax administration for not-for-profits and Government clients. She works closely with clients and intermediaries to understand how the sector can be best supported to get tax obligations right, both now and into the future. Prior to her appointment in the ATO, Jennifer was a senior manager with the Australian Customs Service. Jennifer holds a Master of Business Administration from the Melbourne Business School and a Bachelor of Arts from La Trobe University. Jennifer has a broad experience in public sector administration and has held a diplomatic role with Australia's permanent delegation to the OECD as Australia's first Minister-Counsellor Taxation. Jennifer

is consistently drawn to delivering for the public good and increasingly for those most vulnerable in the community. Jennifer's passion for lending voice to key issues that support sustainable generational change is exampled in her recent appointment as the ATO's Diversity Champion for Aboriginal and Torres Strait Islanders.

Ric Samartgis is a Senior Manager in EY's Employment Taxes practice in Melbourne, with over 7 years of Employment Taxes experience providing advisory and compliance services to clients across various industries and markets, including in the not-for-profit sector.

Timothy Stokes, FTI, is a Partner at HWL Ebsworth Lawyers specialising in tax, not-for-profit and charity law. Tim works with complex family groups, private and listed companies, private equity and not-for-profit organisations across Australia. He has over 18 years of experience assisting clients to establish effective and efficient structures, manage complex tax positions, buy and sell assets and businesses, deal successfully with revenue authorities and design and implement comprehensive governance, succession planning and asset protection strategies.

Presenters

Tricia Stroud is the Registrar of Aboriginal and Torres Strait Islander Corporations, an independent Statutory Office Holder appointed under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI Act). Supported by the Office of the Registrar of Indigenous Corporations (ORIC), the role regulates and supports some 3200 Aboriginal and Torres Strait Islander corporations nationally, a third of whom are also registered charities. Tricia has operated at the senior executive level in the Australian Government's Indigenous portfolio for over 15 year, leading strategic, policy and performance reforms. Prior to being appointed as the Registrar, Tricia served as the Chief Operating Officer at the Indigenous Land and Sea Corporation. Tricia has a strong professional record of supporting Aboriginal and Torres Strait Islander organisations achieve strong governance and selfdetermination for the social, cultural and economic benefit of Indigenous Australians.

Michael Wentworth has a rich and diverse professional background with a strong focus on organisational development, corporate governance, and social impact. His experience spans various sectors, including

startups, established enterprises, and organizations resulting from mergers and acquisitions. His commitment to enhancing performance, productivity, and efficiency aligns with his dedication to delivering optimal outcomes for customers, stakeholders, and employees. As the Managing Director of Apprenticeships Are Us Ltd, Michael demonstrates a strong social focus by creating pathways for apprenticeships, addressing the industry's demand for skilled workers, and contributing to education and apprenticeship training. His efforts not only benefit the workforce and industry but also create substantial social impact by providing opportunities for training and employment. Michael's academic pursuits complement his professional endeavours. As a current doctoral candidate pursuing a PhD with a focus on corporate governance in the nonprofit sector in Australia showcases his commitment to furthering knowledge and understanding in this critical area. His educational background includes a Master of Business Administration in Accounting and Strategic Management, a Bachelor of Business, and a Graduate Diploma of Management from the University of Western Sydney. Additionally, his diverse studies

in strategic leadership, vocational education, and training. Michael is also a Graduate of the Company Directors course with the Australian Institute of Company Directors, highlighting his continuous pursuit of knowledge and expertise in various domains. His initial career in accounting provided a foundation, but his professional journey expanded to encompass broader skills and expertise, enabling him to lead and contribute effectively across multiple sectors and areas of business. Michael's profile portrays a dynamic leader with a multifaceted skill set, combining academic achievements, professional experience, and a strong commitment to creating positive social impact through business and education.

Sue Woodward AM commenced as Commissioner of the Australian Charities and Not-for-Profit Commission (ACNC) on December 12, 2022. Previously she was Chief Adviser for Not-for-profit Law with the charity Justice Connect. Sue was awarded a Member of the Order of Australia in 2021 for "significant service to the not-for-profit sector, fundraising and the law." Sue played an instrumental role in the formation of the ACNC, serving as the inaugural Director of Policy and Education during the early years of the Commission.

She has been involved with a number of leadership bodies including: the Victorian Government Volunteer Strategy Taskforce, the Victorian Government's Social Services Regulator Taskforce and the National Strategy for Volunteering Council.

Venue and accommodation







RACV City Club

501 Bourke St, Melbourne VIC 3000

With over 100 years of tradition and experience, RACV Club has earned the esteem of generations as one of the finest Clubs in the world. Conveniently positioned in the heart of the Melbourne CBD at 501 Bourke Street, RACV Club features impressive conference and event facilities.

Getting there

RACV City Club is approximately a 30-minute drive from Melbourne Tullamarine Airport.

For those in Melbourne, the RACV City Club is in conveniently located near Stop #4 Queen Street/Bourke Street on the tram routes with a 1 min walk to the RACV City Club.

Parking

The car park entrance is located on New Chancery Lane.

Conference rate: \$45.00 Flat Rate passes for all guests. Must exit by 6:00pm

Overnight accommodation rate: \$30 Flat Rate

Accommodation

Whether you are looking for an overnight stay, a weekend away, a short break or a longer holiday, the City Club in Melbourne's CBD has a range of accommodation options to suit your needs. There are 134 large and spacious rooms including suites, family suites, double and twin, disability friendly rooms and interconnecting rooms for families. To avoid disappointment, we recommend booking in advance to secure your accommodation.

Favourable room rates have been negotiated and secured at RACV City Club. Accommodation bookings can be made by calling the Reservations Department at the RACV City Club directly on (03) 9944 8820 and quote the Group / Event reservation number: **2403ACCOMO**

*Subject to availability and will need to pay in full over the phone with a credit card.

Please note that as per hotel booking conditions, all accommodation booked is non-refundable. All additional hotel incidentals, including breakfast, remain the responsibility of delegates, and individuals will be responsible for payment of the balance of their account when checking out of the hotel. Please note that extra charges may be incurred for additional guests and will be charged to individual room accounts upon checkout.

Event information

Confirmation of registration

Please note you will receive two separate emails in the form of a tax invoice at the time of payment and a confirmation email at registration completion.

Continuing Professional Development (CPD)

Attendance at the conference counts for 6 hours of CPD with The Tax Institute.

The Tax Institute's attendee hub

As a hybrid event, both in person and online, this event will be accessible to all delegates via our dedicated attendee hub. Program information, materials (technical papers and presentations), survey forms and more will be available via The Tax Institute's virtual attendee hub. All delegates are encouraged to access the platform prior to the event. Technical papers and PowerPoint presentations will be available on the attendee hub to all participating delegates approximately five days before the event. Delegates will receive instructions on accessing the virtual attendee hub by email.

Delegate list

A delegate list will be included on the attendee hub to assist with networking. Please indicate at the time of registration if you do not want your name to be included. Alternatively, you can edit your profile visibility settings in the virtual attendee hub at any time during the event.

Dress code

Business or business casual attire is suitable for the duration of the Intensive.

Networking function

Closing networking drinks will be held directly following the last session on Wednesday from 5.00pm in the foyer of the Conference room. The closing drinks are included in the Intensive registration fee for delegates.

Special dietary and accessibility requirements

Please indicate any special dietary requirements at the time of registration. Please email us with any accessibility requirements at national events@taxinstitute.com.au.

Cancellation policy

The Tax Institute reserves the right to alter, amend or cancel all or any of the arrangements contained in the program. Should a face-to-face event be cancelled due to an event beyond The Tax Institute's reasonable control including 'an act of god', 'pandemic', 'health-related event' or 'government requirements', we will endeavour to transition to an online format to deliver the event. If there is a difference in price, a credit will be provided to delegates to be used at a future event.

It is a condition of acceptance of registration that an administration fee of 20% of the registration fee be charged for cancellation if you can no longer attend the event. Cancellations must be received in writing by The Tax Institute five working days prior to the event. No refund will be given for cancellations received within five working days of the event. A replacement may be nominated. If the replacement is not a member, the non-member registration fee will apply. CPD hours will be allocated to the designated attendee.

The Tax Institute cannot accept responsibility for delegates' late transport arrivals or non-arrivals due to delays.

Privacy

We take your privacy seriously, and our policy can be viewed at: https://www.taxinstitute.com.au/about-us/privacy-copyright-disclaimer.

Enquiries

For further information regarding this event, please contact the Events Team on 1300 829 338 or nationalevents@taxinstitute.com.au.

For registration enquiries, please contact <u>customeradmin@taxinstitute.com.au</u>.

Registration

Registration inclusions

Online access to presentations and technical papers

Morning/ afternoon tea/ Intensive lunches

Intensive networking

Full registration

This registration option entitles one delegate to attend the entire event.







Discounts

Early bird registration

All registrations received and paid on or before 16 February 2024 will be entitled to an early bird discount.

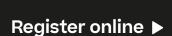
Please note: The registration fee does not include accommodation, hotel incidentals or transfers.

Group discounts

Purchase four full registrations (early bird or standard) and receive a fifth full registration for free. The free fifth registration must be of equal or of less value to the four paid registrations.

This offer cannot be redeemed in conjunction with any other promotional offer or code. All attendees must be from the same firm and all registration forms must be submitted together. For further information please contact the national events team on 1300 829 338 or national events@taxinstitute.com.au.

Register now!



Register via form ▶
included in this brochure





Not-for-profit Tax Intensive Registration form

43807 WD

A tax invoice and confirmation letter will be sent on receipt of your registration. Please photocopy for additional delegates and retain original copy for your records. All prices quoted are in Australian dollars and include GST where applicable. ABN 45 008 392 372.

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lease see page 12 for registration inclusions.										
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Face to face Standard registration Register after 16 February 2024	\$1,100	\$1,470	S1,400	First name:						
Online Early bird registration Register on or before 16 February 2024	□ \$900	S1,270	S1,200							
Online Standard registration Register after 16 February 2024	S1,100	\$1,470	S1,400	Position: Company:						
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No, I WILL NOT be attending the closing networking drinks etary requirements:				*Become a member and save! Not a member of The Tax Institute yet? Sign up for membership along with your event registration and save with: - save \$215 off Affiliate membership to 30 June 2024			The Ta I am a and cl the Co	I hereby apply for membership of The Tax Institute and declare that I am a person of good fame, integrity and character. I agree to be bound by the Constitution of The Tax Institute. Signature:		
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				 unlock member-only technical content and resources 						
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3 Breakou	it session options	Please note: all registration payments must be made prior to the event, unless other arrangements have been made with The Tax Institute.						
Please tick the	breakout sessions you would like to attend during the Intensive:							
Wednesday, 13	3 March							
1:30-2:30pm Session 4A: Structuring for social enterprises: issues to consider whe		Cheque payable to The Tax Institute (in Australian dollars)						
	NFP income streams	\square Credit card \square Card type: \square AMEX \square Visa \square MasterCard \square Diners						
	Session 4B: So, you want to be a philanthropist?							
2:30-3:30pm	Session 5A: Employment Taxes – what NFPs need to know	Name on card:						
	Session 5B: Mutuals – not for the faint hearted!							
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Total payable	\$							
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For registration enquiries, please contact customeradmin@taxinstitute.com.au

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Transfer costs are non-refundable and non-transferable.



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