

From the office of the
Chief Executive Officer



17 December 2010

Mr Chris Leggett
Manager
Philanthropy and Exemptions Unit
Personal and Retirement Income Division
The Treasury
Langton Crescent
PARKES ACT 2600

Dear Mr Leggett,

Submission - Improving the integrity of public ancillary funds

The Australia Council for the Arts has a serious interest in the processes that influence and affect philanthropic exchange, and is pleased to contribute to the discussion paper on 'Improving the integrity of public ancillary funds' posted on your website. Council previously made a formal submission for the PAF inquiry in 2008 and recognises the importance of these reviews as an opportunity to improve the sector. It does not however have the charter or expertise to comment on charity or trust law. Not for profit arts organisations are subject to the same charity/trust laws that apply to all other sectors, and there is no differentiating quality for the arts that warrants special attention for this review.

An initiative of the Council is Artsupport Australia, which was created in 2003 to grow cultural philanthropy. It has built close working relationships with many philanthropists, trusts and foundations, which include many private ancillary funds (PAFs), and fewer public ancillary funds (PuAFs). The most prominent PuAF in the cultural sphere that we have contact with is the Ian Potter Foundation, which has donated over \$150 million in grants over 45 years, but we are also familiar with many community foundations, and fundraising foundations that are PuAFs.

As a member of the peak body for the philanthropic sector, Philanthropy Australia (PA), we are very respectful of the rigour and expertise that PA has given to their submission, a draft of which has been made available to the public. We support the PA submission, and recognise that their comprehensive and considered response has the best interests of the whole sector at its core, of which the arts are a part.

Yours truly,

Kathy Keele
Chief Executive Officer