

Not-for-Profit or Charity status and Tax Concessions

how your group can save money through tax and stamp duty concessions

Landcare Groups that are incorporated in NSW may be eligible for a range of tax concessions and exemptions. To access some of these your group would need to be a not-for-profit organisation and / or have charity status.

NOT-FOR-PROFIT STATUS

To be considered not-for-profit your group's constitution should include a clause preventing the distribution of profits or dividends to the members of the organisation. If your organisation uses the model constitution (http://www.fairtrading.nsw.gov.au/ftw/Cooperatives_and_associations/Incorporating_an_association/About_the_constitution.page?) then this should be found in Part 5. If your group's constitution is silent on not-for-profit status then consider updating your constitution.

CHARITY TAX CONCESSIONS

Charities must be registered with the Australian Charities and Not-for-profits Commission (ACNC) before they can be endorsed to access any charity tax concessions. If you decide to also apply for tax concessions, you can do this within one form – the ACNC registration application form. Your application for tax concessions will be sent to the ATO, who will decide your organisation's eligibility for tax concessions.

Different tax concessions are available depending on the type of charity. Charities that are endorsed to access one or more charity tax concessions

DISCLAIMER: The information contained in this publication is based on knowledge and understanding at the time of January 2017. However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of Landcare NSW or the user's independent advisor.

are referred to as tax concession charities (TCCs).

Charity tax concessions are:

- income tax exemption
- goods and services tax (GST) charity concessions
- fringe benefits tax (FBT) rebate
- FBT exemption.

Endorsement to access charity tax concessions does not entitle your organisation to receive income tax deductible gifts. There is a separate endorsement process for deductible gift recipients (DGRs).

EXEMPTION FROM DUTY

If your organisation is not-for-profit you can apply to the NSW Office of State Revenue for exemption from duty. This exemption can apply to stamp duty on insurance premiums and motor vehicle registrations. Application can be made by completing a form and indicating your organisation's registration with the ACNC or providing a copy of your constitution including the not-for-profit clause.

FURTHER INFORMATION

The ACNC website www.acnc.gov.au and ATO website <https://www.ato.gov.au/Non-profit/Getting-started/Is-your-organisation-not-for-profit/> will provide information on tax concessions and how to register. NSW Office of State Revenue website provides information and the form to apply for Stamp Duty exemptions <http://www.osr.nsw.gov.au/taxes/insurance/exemptions>

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**Local Land
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