



**THE HON DR ANDREW LEIGH MP**  
**ASSISTANT MINISTER FOR COMPETITION, CHARITIES AND TREASURY**

Ref: MS22-002248

Mr Danny Gilbert  
Managing Partner  
Gilbert + Tobin  
L35 Tower Two  
International Towers Sydney  
200 Barangaroo Avenue  
BARANGAROO NSW 2000

  
Dear Mr Gilbert

Thank you for your proposal seeking to specifically list Australians for Indigenous Constitutional Recognition in the income tax law as a deductible gift recipient (DGR).

I am pleased to advise that the Government has announced its intention to amend the tax law to specifically list Australians for Indigenous Constitutional Recognition as a DGR for donations made after 30 June 2022 and before 1 July 2025.

As you may be aware, listing as a DGR by name involves a change in the tax law, specifically an amendment to Division 30 of the *Income Tax Assessment Act 1997*. Therefore, the deductibility of donations to Australians for Indigenous Constitutional Recognition is subject to the amending legislation being passed by Parliament.

The Government will introduce legislation as soon as practicable to give effect to its decision.

Yours sincerely

  
Andrew Leigh

s 22

**From:** DGR Inbox  
**Sent:** Monday, 7 November 2022 5:05 PM  
**To:** s 47F Danny Gilbert  
**Cc:** DGR Inbox  
**Subject:** Successful Budget outcome: Australians for Constitutional Recognition [SEC=OFFICIAL]

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**OFFICIAL**

Dear Mr Parkin and Mr Gilbert,

We understand the Assistant Minister for Competition, Charities and Treasury has written to you to notify you of the outcome of the Government's consideration of Australians for Indigenous Constitutional Recognition's specific listing proposal.

The 2022-23 Budget Update included a measure which stated that the Government intends to amend the tax law to specifically list Australians for Indigenous Constitutional Recognition (AICR) as a deductible gift recipient (DGR) from 1 July 2022 to 30 June 2025. The measure can be found on Page 17 of [Budget paper 2](#).

DGR status can only take effect after amendments to the tax law have been considered and passed by Parliament and received Royal Assent. The implementation of this measure, and the introduction and timing of legislation to amend the tax law will be a matter for the Government.

The ATO have advised that Australians for Indigenous Constitutional Recognition has complied with the public fund requirements so no further action is required from your organisation at this stage.

Treasury will contact you once the legislative amendment is drafted and scheduled for consideration by Parliament.

If you have any questions, please contact [DGR@treasury.gov.au](mailto:DGR@treasury.gov.au).

Kind regards,

**The Not-for-Profit Unit**

Treasury

**OFFICIAL**

s 22

**From:** DGR Inbox  
**Sent:** Wednesday, 23 November 2022 6:05 PM  
**To:** s 47F  
**Cc:** DGR Inbox  
**Subject:** Specific Listing- Treasury Laws Amendment (2022 Measures No. 4) Bill 2022 [SEC=OFFICIAL]

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**OFFICIAL**

*Dear Mr Parkin,*

*The Treasury Laws Amendment (2022 Measures No. 4) Bill 2022 has been drafted, which contains amendments to the tax law to implement specific listing for Australians for Indigenous Constitutional Recognition.*

*Information about the Bill and the consideration of this Bill through the Parliamentary process is publicly available at [https://www.aph.gov.au/Parliamentary\\_Business/Bills\\_Legislation](https://www.aph.gov.au/Parliamentary_Business/Bills_Legislation).*

*DGR status can only take effect after these amendments to the tax law have been passed by Parliament and have received Royal Assent.*

*Kind regards*

***The Not-for-profit Unit***

*Personal and Indirect Tax, Charities and Housing Division  
The Treasury, Langton Crescent, Parkes ACT 2600*

*E: [dgr@treasury.gov.au](mailto:dgr@treasury.gov.au)*

**OFFICIAL**



**THE HON DR ANDREW LEIGH MP**  
ASSISTANT MINISTER FOR COMPETITION, CHARITIES AND TREASURY

Ref: MS23-000339

Mr Danny Gilbert  
Managing Partner  
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Level 35 Tower Two  
International Towers  
200 Barangaroo Avenue  
BARANGAROO NSW 2000

  
Dear Mr Gilbert

Following the *Treasury Laws Amendment (2022 Measures No. 5) Bill 2022* receiving Royal Assent, I am pleased to advise that from 1 April 2023, Australians for Indigenous Constitutional Recognition Ltd will be specifically listed by name in Division 30 of the *Income Tax Assessment Act 1997* as a Deductible Gift Recipient (DGR) for gifts made from 1 July 2022 to 30 June 2025.

From 1 April 2023, members of the public will be able to view Australians for Indigenous Constitutional Recognition Ltd's DGR status by searching the ABN Lookup website at: [www.abr.business.gov.au](http://www.abr.business.gov.au).

If you would like more specific guidance around issuing DGR receipts and arrangements, the Australian Taxation Office may be able to assist you through the Not-for-profit Premium Advice Service on 1300 130 248 available between 8.00am and 6.00pm, Monday to Friday.

If you plan to make changes to your governing documents, please contact Treasury by emailing [DGR@treasury.gov.au](mailto:DGR@treasury.gov.au).

Yours sincerely

  
Andrew Leigh