

# YOUR LEGACY OF IMPACT



A Planned Giving Guide to support OzHarvest

# CONTENTS

A Look Toward the Future	1
A Planned Giving Guide	2
Gifts in Wills	3
Superannuation	6
Private Ancillary Funds (PAFs)	8
Public Ancillary Funds (PubAFs)	10
Other Tax-Smart Ways to Give	12





# A LOOK TOWARD THE FUTURE

---

22 years ago, I loaded up my car with perfectly edible food leftover from a big event that would otherwise have gone to landfill. I drove to a charity in Sydney and knocked on their door - they were so grateful to receive the food and said they could always take more. I had no grand plan, I just knew it was something I couldn't ignore: perfectly good food being thrown away while people went hungry.

It made no sense then. It makes no sense now.

Every year in Australia, we waste 7.6 million tonnes of food, while 3.5 million households struggle to put food on the table. Most of us are only three pay cheques away from needing help ourselves.

The heartbreaking reality is that behind every statistic is a person doing it tough - families with parents skipping meals, kids heading to school on an empty stomach, or pensioners forced to choose between buying medication or food.

In my time at OzHarvest, we've rescued over 350 million meals, and I'm deeply proud of that. But there is still so much work to be done. I'm committed to making sure that no good food goes to waste and that people don't go hungry. And I believe that's possible.

So I'm asking you to think differently with me.

I've been thinking a lot lately about legacy. About what we leave behind to reflect the values we live by. What if those values could keep going, even when we're no longer here.

Here's the truth - there is enough food in this world to feed everyone. And there's enough wealth to make sure it gets there. We just need people who care enough to connect the two.

A gift in your Will to OzHarvest is one of the most profound ways to do that. It costs nothing today, but means everything tomorrow. Our work continues, meals can be delivered and lives keep changing.

I believe we can end hunger in our lifetime and I've made it my goal to make sure that happens. If you believe that too, please join me and leave a legacy of impact.

With deep gratitude,

**Ronni Kahn AO**

Founder & Visionary in Residence, OzHarvest



# A PLANNED GIVING GUIDE

## Nourish Your Legacy: A Guide to Giving Smarter

There are powerful ways to give that can actually work better for you financially while creating even greater impact. Shares, superannuation, private ancillary funds, gifts in Wills - these aren't just for the wealthy. They're smart tools that can help you give more while potentially paying less tax.

This guide will show you how each of these giving options works, what the tax benefits are, and how your gift - whether made today or through your legacy - can help us move closer to our vision: an Australia where no good food goes to waste and no person goes hungry.

Because every dollar matters. Every gift counts. And your legacy can 'Nourish our Country' for generations to come.



**Important Note:** This guide is intended to provide general information about planned giving options. It does not provide legal, financial or tax advice. Readers should seek independent professional advice relevant to their personal circumstances. A full disclaimer is set out on the final page of this guide.

# GIFTS IN WILLS

A gift in your Will to OzHarvest is one of the most powerful ways to create lasting change. By including OzHarvest in your Will, you ensure that your values and compassion continue to nourish Australia long after your lifetime.

Whether you leave a percentage of your estate, a specific amount, or the residue after providing for loved ones, your gift will help rescue food, feed people in need, and fight food waste for generations to come.

## Benefits

- Give your loved ones peace of mind – sparing them from difficult decisions.
- Your estate may be exempt from taxation on gifts to Deductible Gift Recipients (DGRs) like OzHarvest.
- Create a lasting legacy that reflects your values.
- Provide for both loved ones and causes you care about.
- Your gift costs you nothing during your lifetime.
- Gifts made through your Will (testamentary gifts) are exempt from capital gains tax.

## Types of Gifts in Wills

### Residuary Gift

A percentage or all of what remains of your estate after you've provided for loved ones and paid debts. This is the most popular type of gift as it automatically adjusts with the value of your estate and keeps pace with inflation.

### Pecuniary Gift

A specific amount of money (e.g., \$50,000). Please note that the value may decrease over time due to inflation.

### Specific Gift

A particular asset such as property, shares, or other investments.

## How to include OzHarvest in your Will

We recommend consulting with a solicitor when preparing or updating your Will.

Here's the information you can provide:

Legal Name: OzHarvest Limited

ABN: 33 107 782 196

Address: 62 Maddox St, Alexandria NSW 2015

DGR Status: OzHarvest is endorsed as a Deductible Gift Recipient (DGR) under Item 1 of the table in section 30-15 of the Income Tax Assessment Act 1997.





## Frequently Asked Questions

### Do I need a solicitor to make a Will?

While it's possible to write your own Will, we strongly recommend consulting with a solicitor to ensure it's legally valid and clearly expresses your wishes. OzHarvest has partnered with Willed and Everywill to offer supporters free Will-writing services.

### Can I change my Will after including OzHarvest?

Yes, you can update your Will at any time. We recommend reviewing your Will every few years or after significant life changes.

### Should I tell OzHarvest about my gift?

While not required, letting us know allows us to thank you personally and keep you updated on the work your future gift will support. All information shared with us is kept in strict confidence. Please contact us at [philanthropy@ozharvest.org](mailto:philanthropy@ozharvest.org) or call us on 1800 108 006.



## A Will that changes lives

Gifts in Wills are one of the most meaningful ways to support the causes closest to your heart. For Gopi, that cause found him in 2010 when he first volunteered with OzHarvest, driving food rescue vans, fundraising, and raising awareness at weekend markets.

What started as a few hours on weekends grew into something far greater, fundamentally changing the direction of his life, evolving into leadership roles at OzHarvest as the National General Manager and now as the Director of Governance, Risk & Compliance.

Having witnessed firsthand the difference OzHarvest makes - the meals rescued, the communities strengthened, the lives touched - Gopi wanted that impact to endure beyond his own lifetime.

So he made the decision to leave a gift in his Will. Gopi shares, "Joining OzHarvest was the best decision I've ever made, and leaving a gift in my Will is my way of honouring that. We all want to leave the world a little better than we found it. This is my way of making sure OzHarvest's mission to 'Nourish our Country' and reduce food waste never stops."

A gift in your Will means the meals don't stop. The vans keep running, the food keeps moving, and the people who need us most are never left behind, in your lifetime and beyond.





# SUPERANNUATION

---

Your superannuation can continue to create positive change even after your lifetime. By nominating OzHarvest as a beneficiary of your superannuation, you can make a significant gift while potentially providing tax benefits to your estate.

Unlike gifts to non-dependants (such as adult children), gifts to charities like OzHarvest are not subject to the 15-17% tax that typically applies to superannuation death benefits paid to non-tax dependants.

## Benefits

- Tax-effective donations when super is left to a charity – often not subject to the death benefits tax that applies to non-tax dependants
- Avoid the 15-17% tax that would apply if leaving super to adult children
- Easy to set up through your super fund's binding death benefit nomination
- Can be combined with provisions for family members

## Understanding Tax on Superannuation Death Benefits

When super is paid to adult children or other non-tax dependants, the taxable component is subject to tax of up to 17% (15% tax plus 2% Medicare levy). This can significantly reduce the amount your loved ones receive.

In many cases, superannuation death benefits paid directly to charities like OzHarvest are not subject to the death benefits tax that applies to non-tax dependants. Tax outcomes depend on nomination structure and fund rules. This makes charitable giving from super a tax-effective way to make a significant gift while potentially leaving other assets tax-free to your family.



## How to nominate OzHarvest

There are two main ways to leave your super to OzHarvest:

### Option 1

**Direct Binding Death Benefit Nomination**  
Contact your super fund and request a binding death benefit nomination form. You can nominate OzHarvest to receive a percentage or all of your super balance. Most super funds accept charities as valid beneficiaries.

Provide OzHarvest's details:  
Legal Name: OzHarvest Limited  
ABN: 33 107 782 196  
Address: 62 Maddox St, Alexandria NSW 2015

### Option 2

**Via Your Estate (Through Your Will) Nominate**  
your 'Legal Personal Representative' (your estate) as the beneficiary in your super fund's nomination form. Then include instructions in your Will to leave a gift from your estate to OzHarvest.

This option provides more flexibility and allows you to manage your super and other assets together in your Will. However, please note that if your super passes through your estate to non-tax dependants, tax may still apply before distribution.

## Frequently Asked Questions

### **Can I split my super between family and charity?**

Yes, you can nominate multiple beneficiaries and specify percentages. For example, you might leave 70% to family members and 30% to OzHarvest. This allows you to provide for loved ones while supporting our mission.

### **Do I need to update my nomination?**

Standard binding nominations typically expire after 3 years and must be renewed. Consider making a non-lapsing binding nomination (if your fund offers it) or setting a reminder to review and renew your nomination regularly.

### **What about Self-Managed Super Funds (SMSFs)?**

Yes, you can leave SMSF benefits to OzHarvest. The process varies depending on your fund's trust deed. We recommend consulting with your SMSF administrator or adviser to ensure the nomination is valid.



# PRIVATE ANCILLARY FUNDS (PAFs)

A Private Ancillary Fund (PAF) is like establishing your own charitable foundation. It's a powerful vehicle for individuals and families who want to make strategic, long-term philanthropic contributions while retaining control over their giving and enjoying significant tax benefits.

PAFs are ideal for donors who want to:

- Create a lasting philanthropic legacy
- Involve family members in charitable giving
- Maintain control over investment and distribution decisions
- Maximise tax benefits through structured giving

## How PAFs Work

- Establish the fund – Set up a trust with a corporate trustee and appoint directors (typically family members plus an independent 'Responsible Person').
- Make contributions – Contribute cash, shares, or other assets and receive an immediate tax deduction.
- Invest the funds – The fund's assets are invested to generate tax-free returns.
- Distribute to charities – Each year, distribute at least 5% of the fund's net assets to DGR charities like OzHarvest (minimum \$11,000 per year).

## Benefits

- Immediate tax deduction for contributions (can be spread over 5 years)
- Tax-free investment earnings within the fund
- No capital gains tax on fund investments
- Franking credits are refundable
- Full control over which DGR charities receive grants
- Ability to involve multiple generations in philanthropy

## Setting up a PAF

PAFs typically require a minimum initial contribution of \$500,000 to \$1,000,000 to be sustainable after covering establishment and ongoing administrative costs.

Annual costs include:

- Trustee and administration fees
- Annual audit requirements
- ACNC and ATO compliance reporting
- Investment management fees



## Key Requirements

- Must distribute at least 5% of net assets annually (minimum \$11,000)
- Can only distribute to DGR Item 1 charities (like OzHarvest)
- Must have at least one 'Responsible Person' (independent director)
- Must be registered with ACNC and endorsed by ATO as a DGR
- Annual financial statements and audit required

## Supporting OzHarvest through your PAF

If you have a PAF or are considering establishing one, we'd love to discuss how your fund can support OzHarvest's mission.

You can:

- Make annual distributions to fund ongoing food rescue operations
- Fund specific programs or initiatives
- Support capital projects like new food rescue vehicles or facilities
- Partner with OzHarvest to create a multi-year funding commitment

Contact us at [philanthropy@ozharvest.org](mailto:philanthropy@ozharvest.org) or 1800 108 006 to discuss how your PAF can make a lasting impact.





# PUBLIC ANCILLARY FUNDS (PUBAFS)

A Public Ancillary Fund (PubAF) offers many of the same benefits as a Private Ancillary Fund but without the administrative burden. PubAFs are established by organisations like Australian Philanthropic Services, and donors can create a named sub-fund within the umbrella structure.

This option is ideal for donors who want structured giving with lower setup costs and less administration than a PAF.

## Benefits

- Lower minimum contribution (typically \$50,000-\$100,000)
- Immediate tax deduction for contributions
- Tax-free investment returns
- Professional administration and compliance management
- Make recommendations on distributions to charities
- Lower setup and ongoing costs than a PAF

## How PubAFs Work

With a PubAF, you create a named sub-fund (e.g., 'The Smith Family Giving Fund') within a public ancillary fund operated by organisations like:

- Australian Philanthropic Services (APS)
- Equity Trustees
- Australian Communities Foundation

You make contributions to your sub-fund, recommend distributions to charities like OzHarvest, and the PubAF trustee handles all administration, compliance, and reporting.



# PAF VS PUBAF: WHICH IS RIGHT FOR YOU?

Features	Private Ancillary Fund	Public Ancillary Fund
Minimum Contribution	\$500,000 - \$1,000,000	\$50,000 - \$100,000
Control	Full control over investments and distributions	Recommend distributions; trustee has final say
Administration	You arrange trustee, compliance, audit	Professionally managed
Annual Costs	Higher (audit, admin, trustee fees)	Lower (typically 0.5-1.5% of fund value)
Best For	High net worth families wanting maximum control	Donors wanting structured giving with less admin





# OTHER TAX-SMART WAYS TO GIVE

---

Beyond the major giving vehicles covered in this guide, there are several other strategic ways to support OzHarvest while optimising your tax position.

## Real Estate

Donating property can provide substantial tax benefits while creating transformational impact. Whether it's a home, investment property, or land, gifting real estate can provide a charitable deduction and may reduce or eliminate capital gains tax when donated through your estate. This is particularly beneficial for:

- Property with significant capital appreciation
- Commercial or investment properties you no longer need
- Estate planning strategies to reduce the taxable value of your estate

## In-Kind Donations

Businesses can donate goods, services, or business assets to OzHarvest and receive tax deductions.

This includes:

- Trading stock (valued at cost or market value, whichever is lower)
- Business property (computers, vehicles, equipment)

## Payroll Giving

Also known as workplace giving, this allows employees to make regular donations directly from their pre-tax salary.

Benefits include:

- Immediate tax benefit (donations reduce taxable income)
- Convenient regular giving
- Many employers match employee donations, doubling your impact



## Testamentary Trusts

A testamentary trust is established through your Will and comes into effect after your death. While not specifically for charitable giving, it can include provisions to support OzHarvest while providing asset protection and tax benefits for your beneficiaries.

For example, you might establish a testamentary trust that distributes income to family members with a provision for annual donations to OzHarvest, creating an ongoing charitable legacy while maintaining tax efficiency for your heirs.

## Life Insurance

You can name OzHarvest as a beneficiary of a life insurance policy. This allows you to make a significant gift without affecting your current assets.

Two main options:

- Designate OzHarvest as primary or contingent beneficiary of an existing policy
- Purchase a new policy with OzHarvest as owner and beneficiary (premiums may be tax-deductible)

## Blended Gifts

Combine multiple giving strategies to maximise impact and tax benefits. For example:

- Make current donations of shares while including a gift in your will
- Establish a PAF now and direct superannuation to it in your Will
- Combine workplace giving with annual share donations

For more information about any of these giving options, please contact our team at [philanthropy@ozharvest.org](mailto:philanthropy@ozharvest.org) or 1800 108 006. We'd be delighted to discuss how you can maximise your impact while achieving your financial and philanthropic goals.



This guide is provided for general information purposes only and cannot provide specific legal, financial or tax advice. It does not take into account your individual circumstances. While care has been taken to ensure the information is accurate at the time of publication and based on current Australian law, laws and personal circumstances may change. OzHarvest encourages you to speak with your solicitor, financial adviser or tax adviser to understand what is right for you and your family and to obtain advice tailored to your situation. OzHarvest does not accept liability for any reliance placed on this information.



Nourishing Our Country

Suzanna Gaunt

Philanthropy Manager, OzHarvest

[philanthropy@ozharvest.org](mailto:philanthropy@ozharvest.org)

Address: PO Box 7257 Alexandria NSW 2015

Phone: 1300 900 577

[ozharvest.org](http://ozharvest.org)