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**From:** Lin Da Teoh  
**To:** Neeson, Mark  
**Date:** 08/05/2000 13:41:22  
**Subject:** Re: AWINZ

I have examined the provisions in the Charitable Trusts Act 1957 which set out the procedure for registration of charitable trusts. The essential matter, on which the Registrar of Incorporated Societies must be satisfied, is that the purposes of the trust or society which applies for incorporation is exclusively or principally charitable. The Registrar does not obtain evidence that the applicant is properly managed or that the trustees are of good character. It appears that the benefit to a trust of being incorporated is that it is placed on the Register of Charitable Trusts. I can see no problem with Neil Wells's explanation that registration facilitates Income Tax Act exemptions and rebates.

Section 121 of the Animal Welfare Act allows any organisation to make an application to be an approved organisation. There is no requirement that the applicant be an incorporated body. Registration of AWINZ will not add anything to the criteria which the Minister must consider under section 122.

L D Teoh  
8/5/00

>>> Mark Neeson 05/08/00 08:38am >>>

One of the issues I discussed with Neil Wells in Feb. was the need for MAF to be assured that AWINZ was indeed registered as a charitable trust. This is so that MAF knows that the organisation is bona fide.

Neil has complained that this is a lengthy process. I know he has asked that we do not wait until the IRD has given its approval because that is a very time consuming process. In his letter of 25 March he said that a signed copy of the trust deed was being sent and the original was being submitted to MED for registration as a charitable trust.

Could you please consider whether, for the purposes of the AW Act, the Minister needs to be assured that the trust has indeed been registered.

- What are the benefits to the Minister of requiring registration?
- What might be the risks of granting approval if it is not registered?

Appreciate your advice by 12 May if possible.

Thanks

Mark