

TASMANIA

---

**TASMANIAN COMMUNITY FUND AMENDMENT  
BILL 2024**

---

**CONTENTS**

1. Short title
2. Commencement
3. Principal Act
4. Section 6 amended (Tasmanian Community Fund Board)
5. Section 7 amended (Functions of Board)
6. Sections 7A and 7B inserted
  - 7A. Grants framework
  - 7B. Strategic plan
7. Section 11 amended (Annual report of Board)
8. Section 11A inserted
  - 11A. Audit of grants process
9. Repeal of Act



**TASMANIAN COMMUNITY FUND AMENDMENT  
BILL 2024**

*(Brought in by the Minister for Community Services, the  
Honourable Roger Charles Jaensch)*

**A BILL FOR**

**An Act to amend the *Tasmanian Community Fund Act 2005***

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

**1. Short title**

This Act may be cited as the *Tasmanian Community Fund Amendment Act 2024*.

**2. Commencement**

This Act commences on the day on which this Act receives the Royal Assent.

**3. Principal Act**

In this Act, the *Tasmanian Community Fund Act 2005*\* is referred to as the Principal Act.

---

\*No. 80 of 2005

*Tasmanian Community Fund Amendment Act 2024*  
*Act No. of 2024*

s. 4

---

**4. Section 6 amended (Tasmanian Community Fund Board)**

Section 6 of the Principal Act is amended by inserting after subsection (6) the following subsection:

- (7) For the avoidance of doubt, the Board is –
- (a) a State authority for the purposes of the *Archives Act 1983* and the *Audit Act 2008*, and is required to comply with those Acts accordingly; and
  - (b) a statutory authority for the purposes of the *Public Accounts Committee Act 1970* and, for the purposes of that Act, a grant provided by the Board, under this Act, is taken to be expenditure authorised by the Board.

**5. Section 7 amended (Functions of Board)**

Section 7 of the Principal Act is amended as follows:

- (a) by inserting the following subsection after subsection (2):
- (2A) For the purposes of subsection (1)(a), grants may not be made by the Board –

- (a) to directly support, or object to, a political position or political campaign; or
  - (b) for any other political purpose.
- (b) by inserting the following paragraph after paragraph (a) in subsection (5):
  - (ab) act independently, professionally, impartially and in the public interest when performing its functions and exercising its powers; and

## **6. Sections 7A and 7B inserted**

After section 7 of the Principal Act, the following sections are inserted:

### **7A. Grants framework**

- (1) As soon as practicable after the commencement of this section, the Board is to prepare a framework that specifies the principles and practices that apply in respect of the provision of grants under this Act.
- (2) A framework prepared under subsection (1) –
  - (a) must be prepared in accordance with, and must reflect, any Treasurer’s Instructions, within

*Tasmanian Community Fund Amendment Act 2024*  
*Act No. of 2024*

s. 6

---

- the meaning of the *Financial Management Act 2016*, issued in respect of the management of grants and grants programs; and
- (b) is to be prepared in accordance with contemporary national and international standards, and best-practice principles, that apply in relation to the management of grants and grants programs; and
  - (c) may adopt, either wholly or in part and with or without modification, an existing document, specification or framework; and
  - (d) is to include such matters as are prescribed.
- (3) The Board is to ensure that, as far as is reasonably practicable, there is always a grants framework in effect under this section.
- (4) As soon as practicable after preparing a grants framework under this section, the Board is to ensure that –
- (a) a copy of the framework is published on a website maintained by, or on behalf of, the Board; and

- (b) as far as is reasonably possible, the framework remains published while it is in force.
- (5) If requested to do so, the Board is to provide a physical copy of a grants framework, prepared under this section, that is in force at the time at which the request is made.
- (6) A grants framework prepared under this section must be reviewed at least once in each 4-year period.

**7B. Strategic plan**

- (1) As soon as practicable after the commencement of this section, and at least once in every 4-year period, the Board is to prepare a strategic plan.
- (2) A strategic plan prepared under subsection (1) is to –
  - (a) detail –
    - (i) the general objectives of the Board for the period to which the plan relates; and
    - (ii) the manner in which the Board intends to achieve those objectives; and

*Tasmanian Community Fund Amendment Act 2024*  
*Act No. of 2024*

s. 6

---

- (iii) how the Board intends to manage conflicts of interest; and
    - (iv) such other matters as are prescribed; and
  - (b) specify how the general objectives detailed in the strategic plan reflect the functions of the Board, as specified in this Act; and
  - (c) be in respect of the following 4 financial years.
- (3) In preparing a strategic plan under subsection (1), the Board –
  - (a) must –
    - (i) release a draft of the strategic plan for public submissions for a period of at least 21 days; and
    - (ii) consider any submissions, made in respect of the draft, before completing the preparation of the strategic plan under this section; and
  - (b) may consult such persons as it thinks fit.



- (4) The Board is to ensure that, as far as is reasonably practicable, there is always a strategic plan in effect under this section.
- (5) As soon as practicable after preparing a strategic plan under this section, the Board is to ensure that –
  - (a) a copy of the plan is published on a website maintained by, or on behalf of, the Board; and
  - (b) as far as is reasonably possible, the plan remains published while it is in force.
- (6) If requested to do so, the Board is to provide a physical copy of a strategic plan, prepared under this section, that is in force at the time at which the request is made.

**7. Section 11 amended (Annual report of Board)**

Section 11(1) of the Principal Act is amended by inserting after paragraph (b) the following paragraphs:

- (ba) how the strategic plan prepared under section 7B, as in force for the financial year, was implemented during the financial year, including the steps taken during the financial year to achieve the objectives specified in the strategic plan; and

*Tasmanian Community Fund Amendment Act 2024*  
*Act No. of 2024*

s. 8

---

- (bb) if an audit was performed during the financial year in accordance with section 11A, a copy of the outcomes and key findings of the audit; and

**8. Section 11A inserted**

After section 11 of the Principal Act, the following section is inserted:

**11A. Audit of grants process**

- (1) Within 12 months after the commencement of this section, and at least once in every 4-year period, the Board must engage an auditor to perform an audit of the Board's compliance with the grants framework in force under section 7A.
- (2) An auditor engaged to perform an audit under subsection (1) must act independently when performing such an audit.
- (3) A copy of the outcomes and key findings of the most recent audit performed under subsection (1) is to be published on the website maintained by, or on behalf of, the Board.
- (4) At the same time at which the annual report, for a financial year in which an audit was completed, is submitted to the Minister under section 11, the Board is to

*Tasmanian Community Fund Amendment Act 2024*  
*Act No. of 2024*

s. 9

---

provide the following documents to the Minister:

- (a) a copy of the report prepared in respect of the audit;
- (b) a written statement of the steps taken, if any, by the Board in response to the audit.

**9. Repeal of Act**

This Act is repealed on the first anniversary of the day on which it commenced.