Text

Description automatically generated**LOCAL GOVERNMENT FUNDING LETTER TEMPLATE** (FUNDING VALUED AT $[\*\*] (GST EXC/NA)) OR LESS)

<COUNCIL LETTERHEAD AND LOGO>

<INSERT NAME AND ADDRESS OF FUNDING RECIPIENT>

<insert A.B.N.>

Dear <name>

**Re: Funding Offer for <insert description of Funded Activities>**

I refer to your application for funding for <insert description of project or activity> ('**Funded Activities**').

I am writing to offer you ('**the Recipient**'), <insert full name of grant recipient and ABN (if applicable)>funding in the amount of $< insert amount> (GST exclusive / NA) (‘**Funding**) on behalf of <insert full name of Council>('**Council**') to undertake the Funded Activities during <insert period by reference to a start date and end date> ('**Funding Period**').

**Funded Activities**

The Recipient must only use the Funding for the Funded Activities during the Funding Period. The Funded Activities comprise:

<insert detailed description of the Funded Activities, including the purpose and outcomes of those activities and by reference to any Council guidance on the grant opportunity >

**Payment of Funding**

Payments will either be made in accordance with the following milestone schedule (if applicable) or will be a lump sum paid within 30 days of acceptance of this offer and submission of a correctly rendered invoice (if required).

<insert Milestone /payment schedule if applicable>

Subject to the Recipient's compliance with this letter, payment/s will be made into the bank account nominated by the Recipient.

**GST**

*[appropriate GST provision to be selected. If unclear, escalate internally to clarify Council's requirements]*

*Option 1: where GST does not apply / is not payable*

The parties acknowledge that no GST is payable in relation to the Funding and the Funded Activities.

*Option 2: where GST applies, the Council will pay an extra component to the Recipient in the amount of the GST which is payable*

The parties acknowledge that if GST is payable on the Funding, the Council will pay to the Recipient an amount equal to the GST component in addition to the Funding.

The Recipient represents that the ABN set out at the beginning of this letter is its registered Australian Business Number.

**Invoicing**

Each payment will be made following submission by the Recipient of a correctly rendered invoice. To be correctly rendered, the invoice must:

*a.* <insert>

*b.* <insert>

**Spending the Funding**

Within <insert> days of the end of the Funding Period, the Recipient must provide the Council (at the Council's election) with:

* a signed statement verifying that the Funding has been spent in accordance with this letter; and/or
* receipt/s demonstrating that the Funding has been spent in accordance with this letter; and/or
* an acquittal of the Funding in the form attached to this letter.

**Repayment**

At the end of the Funding Period, the Recipient must repay any Funding that has not been expended towards the Funded Activities to the Council unless a specific approval has been granted by the Council for the Recipient to retain that amount.

**Record Keeping**

The Recipient agrees to maintain records of the performance of the Funded Activities and the expenditure of the Funding for a period of <insert > after completing the Funded Activities and to make them available to the Council on request.

**Other Conditions**

<insert any additional terms and conditions that are required, or "not applicable">

To accept this offer and enter into an agreement with the Council in relation to the Funding, please sign the attached Acknowledgment and Acceptance of Funding and send or email a scanned copy to <insert contact officer name>, at this address:

<insert contact officer address>.

This offer will lapse if your acceptance is not received by <insert date>.

If you accept this offer you are agreeing to be legally bound by:

* The terms of this letter
* Your signed acceptance of this offer
* The Acquittal Form (Attachment 1) (if applicable)

If you have any queries regarding this offer, please contact <insert name and contact phone number of the Council>

Yours sincerely

<insert authorised Council representative's sign off>

/ /

Enclosure. **Attachment 1: Acquittal Form**

**ACKNOWLEDGEMENT & ACCEPTANCE OF OFFER**

**OF FUNDING FOR** **<insert description> (FUNDED ACTIVITIES)**

**Executed as an Agreement:**

<insert full name of recipient and ABN (if applicable)> ('**Recipient'**) acknowledges and accepts the terms and conditions specified in this Letter of Agreement and in Attachments 1, 2 and 3.

*[Select the appropriate signature block depending on the nature of the Recipient. Delete all signature blocks that are not used.]*

**Recipient:**

*If Recipient is an Incorporated Association]*

|  |  |  |
| --- | --- | --- |
| **SIGNED** for and on behalf of **THE RECIPIENT** by a duly authorised officer in the presence of: |  |  |
| Witness signature    Witness name | | Authorised officer signature    Authorised officer name |

*[If Recipient is an Individual / natural person]*

|  |  |  |
| --- | --- | --- |
| **EXECUTED** by **THE RECIPIENT** in the presence of: |  |  |
| Witness signature    Witness name | | Party signature    Party name |

*[If Recipient is a Company, choose one of the options below depending on the applicable (or Company's preferred) execution method]*

Option 1: where the Recipient has two directors (or one director and a company secretary) and signs under section 127 of the Corporations Act

|  |  |  |
| --- | --- | --- |
| **EXECUTED** by **THE RECIPIENT** in accordance with section 127 of the *Corporations Act 2001* (Cth) by two directors or by one director and the company secretary: |  |  |
| Director signature    Director name | | Director/Company Secretary signature    Director/Company Secretary name |

Option 2: where the Recipient is a sole director company signing under section 127 of the Corporations Act

|  |  |  |
| --- | --- | --- |
| **EXECUTED** by **THE RECIPIENT** in accordance with section 127 of the *Corporations Act 2001* (Cth): |  |  |
| Director and Sole Company Secretary signature    Director and Sole Company Secretary name | |  |

Option 3: where the recipient is a Company executing by affixing its common seal

|  |  |  |
| --- | --- | --- |
| **THE COMMON SEAL** of **THE RECIPIENT** was affixed in the presence of: |  |  |
| Witness signature    Witness name | |  |

**Council:**

<Insert applicable Council Execution Block>

**Attachment 1: Acquittal Form**

<insert Council acquittal form, or enter "not applicable">