

Hannah Rose

Group Principal



Contact Details

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Qualifications

Bachelor of Laws

Bachelor of Arts (Psychology)

Graduate Diploma in Legal Practice

Masters of International Law with Distinction

Certificate in Governance for Not for Profits from the Governance

Institute of Australia

Areas of Expertise

Structuring and related tax advice for non-profits, charities and social enterprises

Governance advice and assistance

Legal compliance advice

Charitable trusts & Charitable trust proceedings

Commercial Agreements

Mergers & Acquisitions

Governance disputes

Assistance to respond to ACNC investigations



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Overview

Hannah provides corporate and commercial advice and assistance to not-for-profits, charities and social enterprises on matters concerning their establishment, structure, governance, compliance obligations and operations. She also advises government bodies and corporates seeking to undertake not-for-profit businesses or activities with a social purpose.

Her practice primarily involves assisting clients with implementing appropriate legal structures including when merging or starting new activities; drafting constituent documents; working with the various regulators to obtain relevant registrations and tax benefits; and implementing measures to ensure good governance, including implementing on-boarding processes for directors, conducting governance training, implementing sub-committees and drafting sub-committee charters, and implementing or facilitating board assessments and review processes.

Hannah regularly helps charities obtain or change their charitable status, understand their obligations when fundraising and enter into arrangements that allow them to collaborate with others to achieve their goals (such as auspicing, funding, fundraising and service agreements). She also helps to resolve disputes between boards in federated structures, board members and/or members and assists charities to respond to ACNC investigations and other regulator enquires. Hannah also acts on a retained basis for a number of non-profits providing legal counsel and company secretary services.

Expertise

Non-Profit Organisations

Hannah works with a range of non-profit organisations, including schools, churches, political parties, sporting organisations and charities operating across a range of sectors and for a variety of different purposes, including health, aged care, employment, education, social and public welfare, animal welfare, overseas aid and defence. She also advises government bodies including local councils, and a range of corporates and individuals seeking to undertake not-for-profit businesses or activities with a social purpose.

Career Highlights

- Advising and assisting a NSW Diocese with respect to the appropriate structure and governance framework for its parishes, schools and aged-care facilities.
- Providing advice and assistance to a trustee to bring charitable trust proceedings under the NSW legislation to seek a cy-pres and administrative scheme to amend the terms of their trust.
- Assisting an individual to establish a private ancillary fund to facilitate their families' giving to deductible gift recipients and assisting that family with ongoing company secretarial services and the drafting of a grant application form, a grant agreement and other documents to facilitate the operation of the fund.
- Drafting a Deed between two charities to transfer NDIS supported employees and assets to allow for the continued operation of an Australian Disability Enterprise.
- Supporting the national body of a federated health promotion charity to implement a new governance framework for the whole system including governing documents, compulsory governance clauses for the local bodies, board charters and recommending changes to their licensing agreements.
- Assisting three non-profit student-led organisations associated with a University to merge into a newly established entity set up to further their collective purposes.
- Transferring a New South Wales incorporated association focused on erecting memorials to Australian veterans to a company limited by guarantee, and providing advice regarding its suitability for registration as a charity and endorsement as a deductible gift recipient.
- Establishing a school building fund including providing tax advice on the requirements under the relevant public fund and school building fund tax rulings.
- Preparing a privacy package for a large health organisation including a privacy policy, internal manual and data breach plan.
- Providing a board assessment survey for an overseas aid charity and a report back to the board on anonymous findings and recommendations for governance improvements.
- Assisting a charity to respond to an inquiry by the ACNC following a media release about the alleged activities of one of its directors.
- Providing ongoing company secretarial support services and annual governance training for a large public benevolent institution.