



Australian
Philanthropic
Services

Giving Legacy Guide

Giving. For good.



Creating a lasting legacy is about much more than just money. It's about the values, principles and ideals that have shaped your life, and sharing them with future generations.

One practical way of doing this is by incorporating giving into your estate plan, enabling some of the wealth accrued in your lifetime to be activated beyond it, for community benefit.

While one-off charitable bequests are always useful, have you considered the unique and lasting benefits of establishing a giving fund as a vehicle for your philanthropic legacy?

APS Foundation : your partner for impact

Establishing a giving fund within the [APS Foundation](#) is simple, low-cost and high-impact – it can be hugely rewarding for you, your loved ones and the wider community.

Community impact beyond your lifetime
Your giving fund can provide ongoing support for the meaningful causes and community organisations you care about for generations to come. This kind of stable, regular support is a rare gift to charities, helping your community partners to thrive for the long-term.

Trusted stewardship for lasting impact
Your giving fund offers an ideal structure for maximising impact. With quality investment management, best-practice governance, and in-house philanthropy expertise delivered as a single, low-cost service, the APS Foundation ensures your philanthropic vision is secure and sustained over time.

Tax smart estate planning
By including a giving fund in your estate plan, there is an opportunity to realise capital gains tax savings while maximising your contribution to the community.

Simplicity, flexibility and adaptability
A giving fund allows you to revise and update your philanthropic intentions at any time during your lifetime, avoiding the need for costly and time-consuming Will revisions.

Inspiration for future generations
Establishing a giving fund is an act of generosity that models and reinforces your core personal, family and community values. This can inspire those who come after you to carry forward your tradition of giving or even embark on their own.

Legacy preservation
If you do not have a nominated steward for your giving fund, or simply prefer impartial stewardship, the APS Foundation Trustee can serve as the independent, professional steward of your philanthropic legacy. The Trustee can uphold the integrity of your philanthropic vision and ensure ongoing impact.

Creating a legacy : when do I start?

During your lifetime

If you have the means to give now, there are many benefits to starting sooner rather than later.

- **Maximise tax benefits:** Contributions to your giving fund now can provide immediate tax deductions, helping to offset liabilities from major financial events, like the sale of a business or property.
- **Grow your giving capacity:** With expert investment management and tax-free returns, a giving fund allows you to give and grow the balance of your fund simultaneously - enabling you to increase long-term contributions to the causes you care about.
- **Understand your impact:** Giving while living is not only a joyful experience, but it also provides an opportunity to test and refine your philanthropic approach. Fine-tuning your giving during your lifetime helps you make a lasting difference in the future.
- **Engage loved ones:** Involving family members early in your giving fund enables them to witness your values in action. This helps create a shared understanding of your philanthropic legacy, offering an enduring gift to both family and the community.

After your lifetime

For those who choose to give through their estate and legacy plan, establishing a giving fund involves two simple steps:

Step 1 Make a bequest to establish your giving fund via your Will.

Step 2 Share your giving preferences via a Giving Plan.

Step 1 : Make a bequest via your Will

To establish a new giving fund through your estate, you will need a clause inserted in your Will that enables this.

A sample clause is:

“I give the whole of my residuary estate to the trustee of the Australian Philanthropic Services Foundation (‘the Foundation’) (ABN 38 981 887 768) to be held by the trustee of the Foundation on the trusts declared for the Foundation in the Deed and any variation of the Deed. It is my wish that this bequest to the Foundation be allocated to [Your proposed name for your Giving Fund Name], a new subfund of the Foundation. The receipt of the secretary or other authorised officer of the trustee for the time being of the Foundation is a sufficient discharge to my executors in respect of this bequest, and my executors are not bound to see its application.”

This sample clause should be modified to specify that you wish to gift the whole of your residuary estate, a set amount, a percentage, or even a specific asset or item. The APS Foundation can accept both cash and physical assets (in specie). The gift received from your estate will establish the opening balance of your giving fund and be managed according to your Giving Plan.

We recommend consulting a lawyer with expertise in estate planning to draft your Will with a clause that establishes your giving fund with a gift to the APS Foundation. Our team can connect you with trusted professionals who specialise in this area.

Tax efficiency considerations for Executors

If your estate contains highly appreciated assets, incorporating a gift of these assets to your giving fund can provide substantial CGT relief. This is because CGT is disregarded on assets that pass from an estate to a Deductible Gift Recipient charity, such as the APS Foundation, in existence at the time of your death.

This means that any CGT assets can be transferred to your giving fund in the APS Foundation without incurring CGT, allowing the full value of these assets to benefit charitable purposes. It is a tax smart strategy for executors to consider when planning the distribution of your estate. For instance, they may choose to fund gifts to your giving fund using assets with large capital gains, while distributing other assets to remaining beneficiaries.

Giving Guardians

By committing to establish a giving fund through a gift to the APS Foundation in your Will, you become a Giving Guardian. This growing community of giving fund holders are helping to shape a future where philanthropy and long-term personal legacy drive positive community impacts.

As a Giving Guardian, you will receive:

- Exclusive invitations to APS events, offering insights into philanthropy, community and opportunities to connect with sector experts, fellow APS clients and other givers.
- Access to our regular giving newsletter, resources and updates, so you can stay across emerging developments in your sectors of interest.
- Support to develop and iterate your Giving Plan during your lifetime. Rather than a 'set and forget' approach, we work alongside you to adapt your Giving Plan as necessary, to ensure your philanthropic vision is upheld.

If you're considering a gift in your Will to the APS Foundation, please [contact us](#). We would love to support you with the next steps.



Step 2 : Create a Giving Plan

A Giving Plan outlines how you would like your giving fund managed beyond your lifetime. By explaining your values, interests and giving preferences, a Giving Plan helps your fund steward(s) to thoughtfully uphold your intentions for your fund's future philanthropic work.

We're here to help you create your Giving Plan

We provide you with a Giving Plan template. Alternatively, we can work with you to develop a custom framework tailored to your legacy. If you wish to discuss any aspect of your Giving Plan, we're here to help, please [contact us](#).

A Giving Plan offers two options for future stewardship: you can nominate one or more persons in your personal circle as the fund steward(s) (Option A), or you can entrust the fulfilment of your legacy to the APS Foundation Trustee (Option B).



Option A : Nominate individual successor(s) to steward your giving legacy

You can empower your loved ones to continue your legacy of giving by nominating them as the fund steward(s). Upon your death, or incapacity, they will become the giving fund holder(s). This is an excellent option for those who wish to empower their steward(s) with the flexibility to support the causes that matter most to them.

If you plan to nominate family members or friends, it's important to engage them early in the process. Open conversations about your intentions will help prepare them to serve as thoughtful stewards of your legacy and strengthen their connection to the impact of your giving fund.

If you prefer greater certainty that your giving preferences will be upheld by an independent third-party, you might consider nominating the Trustee of the APS Foundation as the future steward of your legacy (Option B).



Option B : Nominate the Trustee of APS Foundation to steward your giving legacy

If there isn't a specific individual you would like to nominate as steward, or simply prefer professional and impartial stewardship, you can entrust the fulfillment of your giving legacy to the APS Foundation.

This is an excellent option for ensuring your philanthropic intentions are managed by our specialist in-house team, who thoughtfully steward your legacy as outlined in your Giving Plan. The Trustee will be guided by your preferences when making gifts from your fund, ensuring your ongoing legacy reflects your wishes.

As the largest provider of philanthropic services in Australia, APS is deeply connected to the charitable sector, stays informed on community trends and understands best-practice philanthropy. Our expertise, combined with the guidance you provide in your Giving Plan, ensures your philanthropic impact and legacy is preserved for maximum community impact.



Why entrust your legacy to the APS Foundation?

Our growing community of givers tell us they entrust their giving legacy with the APS Foundation because:

■ APS is connected

- **Largest provider of philanthropic services in Australia.** APS facilitates hundreds of millions of dollars in charitable giving, helping individuals, families and businesses establish, grow and preserve their philanthropic impact.
- **Strong sector connections.** APS has close relationships with a broad network of charities, advisors and sector leaders, allowing our clients to stay informed about trends, best practices, and high impact giving.

● APS is credible

- **Specialist expertise.** APS is dedicated exclusively to philanthropy, with a team of experienced professionals who bring deep knowledge in structured giving, investment management, governance, and charitable impact. Learn more about our [investment portfolios](#).
- **Commitment to best practice.** The [APS Board](#), comprising respected leaders in philanthropy and business, provides rigorous governance oversight and maintains the highest standards of accountability, transparency and impact assessment to safeguard your philanthropic legacy.

● APS is independent

- **Values-driven.** As an independent, not-for-profit organisation, APS operates with complete transparency and without hidden fees, to maximise the flow of social capital into the community sector.
- **Neutral.** APS operates as a neutral partner in impact for our clients, focusing solely on philanthropy and community outcomes, without conflicts of interest related to financial product sales, or specific charitable biases.

Frequently asked questions

How can I ensure my wishes are followed after my lifetime?

You can share your Giving Plan with a steward, who ultimately has discretion to recommend gifts to the organisations they choose.

For greater comfort that your preferences will guide future giving, you can appoint the Trustee as steward of your legacy. The Trustee is independent and uses your Giving Plan to guide your fund's giving without bias, honouring your wishes and safeguarding the legacy you envisioned.

What is the advantage of making a bequest to my giving fund instead of giving directly to charity?

A giving fund 'future proofs' your generosity. Unlike a one-off bequest, it offers a sustainable way to provide ongoing funding using tax-free investment returns to grow your giving. Further, if a charity closes, shifts its focus or can no longer effectively use your gift, the APS Foundation will carefully redirect funds to a similar organisation. Expert oversight ensures your giving remains aligned with your original intentions, protecting your philanthropic legacy.

Keeping your philanthropic corpus within a best-practice environment ensures your gift is wisely invested and governed, and provides stable, reliable funding to causes you hold dear.

What happens to the assets in my estate that I leave to my giving fund?

You can gift any asset to the APS Foundation. The value of the bequest will be allocated to the balance of your giving fund. Non-cash assets may be liquidated and reinvested in alignment with the Foundation's investment strategy.

What are the fees for managing my giving legacy?

Legacy management is included in the annual administration fee of 1.025% which gives you certainty of the costs associated with managing your philanthropic legacy.

As an independent not-for-profit organisation ourselves, the APS Foundation operates with complete transparency and without hidden fees, to maximise the flow of social capital into the community.

What happens if APS no longer exists?

Assets within the APS Foundation are held in trust for community benefit in perpetuity. The assets are always protected and designated for charitable purposes, ensuring the continuity of your legacy. In the unlikely event that APS ceases to operate, your giving fund would continue under the governance of the Trustee, with another trusted entity taking over administration.

The [APS Board](#) composed of respected leaders in philanthropy and business, maintains rigorous oversight, accountability and transparency to safeguard your legacy.

Will the charities supported by my giving fund know that it came from my fund?

That's entirely up to you. If you choose to be recognised, we ensure your generosity is acknowledged, and your fund is credited for its impact. If you prefer to remain anonymous, we safeguard your privacy and distribute gifts discreetly, ensuring your wishes are respected.

Let's talk legacy

Establishing a giving fund is easy and takes less than 24 hours to set up.

Whether you're just starting to explore your options or ready to establish a giving fund, the APS Foundation team is here to help.

To learn more, see the [APS Foundation brochure](#) or please [contact us](#).

For more information contact APS Foundation on 02 9779 6312 or
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Disclaimer: Please note that this information is provided as general guidance and does not constitute legal or financial advice.