

Legal Framework For..

GRANTS AND FUNDING AGREEMENTS IN THE PUBLIC SECTOR

Addressing the impact of the legal framework on the management and performance of grants and funding agreements in the public sector

KEY ISSUES TO BE ADDRESSED INCLUDE:

- ❖ New 'Federal Financial Relations Act' and its impact on public sector funding
- ❖ Drafting and negotiating grants and funding agreements
- ❖ How to maximise the enforceability of funding agreements
- ❖ How to avoid unwittingly varying your funding agreement
- ❖ Performance and accountability framework in public sector funding
- ❖ Key clauses and strategies in drafting grants and funding agreements
- ❖ How to ensure the performance management of grants recipients
- ❖ How to create transparency in the grants and funding process
- ❖ Monitoring performance of grant recipients and what to look for
- ❖ Managing risks and accountability factors in grants and funding
- ❖ Managing contracts management in a grants program
- ❖ Developing contractual arrangements for funding programs
- ❖ Assessment criteria and mechanisms to weed out unsuitable applicants
- ❖ Identifying and avoiding adverse outcomes in grants programs
- ❖ Current legal development in grants and funding and its impact of the performance and management of grants and funding in the public sector

Who Should Attend?

Directors, Senior Managers, Managers and Officers responsible for:

- * Grants and Funding
- * Contracts Management
- * Legal Advisory Roles
- * Finance and Reporting
- * Service Delivery Programs and Projects
- * Program Management

TO REGISTER CALL NOW!

TEL: (02) 95852304 FAX: (02) 95852094, Email: info@learningnetworks.com.au

Organised By: *LEARNING NETWORK SOLUTIONS*



CONFERENCE OVERVIEW

The Government every year spends billions of dollars through its grants and funding programs to deliver and fulfill various needs in our community. Health, Education, Environment, Technology, Innovation, Infrastructure, Community Development, Water, Arts and Energy, Sports are a few areas that depend on government grants and funding for service delivery.

Public sector professionals involved with grants and funding programs have a very important role making sure that every dollar is utilised in the most efficient and effective manner to comply with due processes and obligations including legal provisions and obligations that have a profound impact on the management and performance of grants and funding agreements.

After successful past events in Canberra, Sydney and Adelaide, *'Learning Network Solutions'* is proud to present this one day conference with new sessions and key current issues. The conference will detail the legal issues that grants and funding professionals need to be aware of. Backed by an excellent speaking faculty, it will explore the legal factors that must be considered during various stages for grants and funding programs. It will detail the laws that help, that can potentially harm, that clearly spell out user responsibilities and that protect your interests at every stage of the grants and funding process.

This conference will benefit personnel involved with all levels and responsibilities for grants and funding agreements; it will also provide an excellent opportunity to share your experiences with others in a positive learning environment.

PROGRAM AGENDA

Tuesday 25th May, 2010

8.30 – 9.00

REGISTRATION & MORNING TEA ON ARRIVAL

9.00 - 9.15

OPENING REMARKS BY THE CHAIR

Paul Armarego, CEO

STRATEGIC LEGAL SERVICES

9.15 – 10.10: SESSION 1

The new Federal Financial Relations Act 1999 and its impact on Commonwealth/State funding

- History of Commonwealth/State Funding
- Outline of Federal Financial Relations Act
- Specific Purpose Payments (SPPs)
- National Partnerships Payments (NPPs)
- Performance and Accountability Framework
- Is Improved Accountability Achieved?
- Commonwealth's Proposed Hospital Reform

Presented by:

Luke de Jong, Special Counsel, Corporate & Government, Clayton Utz

10.10 - 10.30

NETWORKING TEA BREAK

10.30 - 11.25: SESSION 2**Analysing the enforceability of recovery of funding provisions**

- Lessons learned from the Interstar case
- The current state of the laws of penalties and equitable relief
- Suggestions to maximize the enforceability of funding agreements

Presented by:**Richard Morrison, Partner, Sparke Helmore****11.25 – 12.25: SESSION 3****Drafting and negotiating grants/funding agreements**

- Drafting strategies and key clauses
- Stages of negotiation and strategies for each stage
- Common mistakes in drafting and negotiating

Presented by:**Paul Armarego, CEO, Strategic Legal Services****12.25 - 1.20: Lunch provided at the venue****1.20 – 2.15: SESSION 4****Managing risk and accountability factors in grants and funding agreements**

- What are the various risks?
- Choosing the funding recipients: pre-contractual checks, solvency and probity
- How to ensure grants recipients effectively use the funding provided to them
- Monitoring performance and what to look for
- How to create transparency in the process
- Recovering unspent funds

Presented by:**Alexandra Wedutenko, Partner, Clayton Utz****2.15 -3.10: SESSION 5****Identifying and avoiding adverse outcomes in grants programs**

- Applying FMA agency obligations to grant programs
- Some statutory models used for grants
- Assessment criteria and mechanisms to 'weed out' unsuitable applicants
- Avoiding adverse outcomes for the Commonwealth, both legally and reputationally

Presented by:**Anthony Carter, Special Counsel, Sparke Helmore**

3.10 -3.20: AFTERNOON TEA

3.20 - 4.15: SESSION 6

Contract management in a grants program

- Responsibilities and accountabilities of contract managers
- Getting to know your funding agreement
- Setting up systems to manage your agreement effectively
- Establishing an appropriate relationship with your funding recipients
- How to avoid unwittingly varying your agreement
- When to seek legal advice

Presented by:

Helen Curtis, Senior Executive Lawyer and Leader, **Australian Government Solicitor**

4.15 - 4.30: CLOSING REMARKS BY THE CHAIR

Please feel free to forward this agenda to others in your organisation and take advantage of our generous group discounts.

Please note the venue of the conference is Rydges Lakeside and not Cliftons as announced earlier.

Thank you.

**Legal Framework For..
GRANTS AND FUNDING
AGREEMENTS IN THE PUBLIC SECTOR**

**1 Day Conference: Tuesday, 25th May
Venue: Rydges Lakeside , Canberra**

REGISTRATION FORM

*** Three Ways To Register:**

Tel: (02) 9585 2304

Fax: (02) 9585 2094

Email: info@learningnetworks.com.au

INVESTMENT TOTAL:

Register by 20th April: \$899 + GST (\$ 988.9)

Register after 20th April: \$1099 + GST (\$ 1208.9)

First Delegate:

Name _____

Position _____

Email _____

Second Delegate:

Name _____

Position _____

Email _____

Third Delegate:

Name _____

Position _____

Email _____

Organisation: _____

Address: _____

Telephone: _____ Fax: _____

Sign: _____

- * Invoice shall be sent after receipt of the registration**
- * Cheques made payable to *Learning Network Solutions***
- * Please quote company name & invoice no. for EFT payments.**

Please debit my:

Visa Amex Master card Bankcard

Card Number: _____

Expiry Date: _____

Cardholder's Name: _____

GROUP DISCOUNTS: Only one discount applies

- Register 2 delegates and a 10% discount on the total package
- Register 3 delegates and get a free pass for the 4th delegate
- Register 6 delegates and get 3 additional free passes
- Please contact us for a customized package of more than 6 delegates

VENUE

Rydges Lakeside, Canberra.
1 London Circuit, Canberra, ACT 2601
Tel: 6247 6244

DOCUMENTATION & LUNCH

Conference documentation provided by speakers will be supplied to delegates at the venue.

Lunch and refreshments will be provided at the venue and are included in the registration investment.

PRIVACY POLICY

We respect your privacy and hence we have a strict privacy policy where we do not have mailing lists. We do not send out hard copies or emails without the consent of the receiver.

CANCELLATION POLICY

Cancellations made after the early bird offer will attract a 10% cancellation fee. For cancellations done within 2 weeks of the program you are liable to make full payment and no refund can be made. We will issue you a credit note that could be used to attend any of our future events of the same amount. If event is not held due to any reason, our liability is limited to the event fee only. In any event our liability is limited to the event fee only.

PROGRAM CHANGES

We reserve the right to make changes in the program and the panel of speakers.

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