

DEED OF AMENDMENT

BETWEEN

COMMONWEALTH OF AUSTRALIA

represented by the Australian Agency for International Development
(AusAID)

ABN 62 921 558 838

and

DISABILITY RIGHTS ADVOCACY FUND INC.

AUSAID AGREEMENT 50426

THIS DEED OF AMENDMENT is made this 2nd day of May 2012

BETWEEN:

The **COMMONWEALTH OF AUSTRALIA**, represented by the **AUSTRALIAN AGENCY FOR INTERNATIONAL DEVELOPMENT**, ABN 62 921 558 838
("the Commonwealth")

AND

DISABILITY RIGHTS ADVOCACY FUND INC. of Suite 203B, 89 South Street,
Boston MA 02111-2670 USA (the "Organisation").

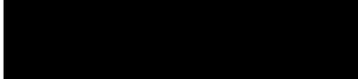
RECITALS:

- A. On 26 May 2009 the Commonwealth and the Organisation entered into **Funding Agreement 50426** in writing for the funding of the Activity described in the Agreement. The Agreement has been varied in writing on 18 December 2009 (Amendment 1); 9 September 2010 (Amendment 2); 6 June 2011 (Amendment 3).
- B. On 2 May 2012, **The Commonwealth of Australia (represented by the Australian Agency of International Development)** altered **Funding Agreement 50426** through a **Deed of Novation** between the retiring party **The Advocacy Fund** to the incoming **Disability Rights Advocacy Fund Inc.** (Attachment 1).
- C. The parties have now agreed to alter the Funding Agreement as set out in this Deed.

OPERATIVE PROVISIONS:

- 1. In this Deed, unless the contrary intention appears, a reference to the "Agreement" is to the Agreement referred to in Recital A.

2. The Agreement is amended as set out below:

Page i	Delete existing party name of TIDES ADVOCACY FUND FOR DISABILITY RIGHTS FUND and replace with new party name: DISABILITY RIGHTS ADVOCACY FUND INC.
Page ii	Delete existing party details of TIDES ADVOCACY FUND OF THE PRESIDIO PO BOX 29229 SAN FRANCISCO, CA 94129 USA and replace with new party details: DISABILITY RIGHTS ADVOCACY FUND INC. , Suite 203B, 89 South Street, Boston MA 02111-2670 USA
Clause 2.1	Delete existing Clause 2.1 and replace with new Clause 2.1 as follows: The Organisation must commence the Activity on 1 June 2009 ("Activity Start Date") and conclude the Activity by 30 June 2014.
Clause 3.2	Delete existing Organisation details and insert: Organisation: DISABILITY RIGHTS ADVOCACY FUND INC. To:  Postal Address:  Street Address: 'As above' Facsimile: 
Clause 14.1	Delete existing Clause 14.1 and insert revised Clause 14.1 as follows: Within five (5) months of each Steering Committee meeting during the Activity period until June 2014, the Organisation shall submit a Steering Committee report which provides a brief outline of the Activity and in more detail covers lessons learned, updates of grant making activity, summaries of grants awarded, and discussions and outcomes of Steering Committee meetings. The second Steering Committee report shall be considered the final Activity report.

Amendment NO. 4

Clause 15.1	Delete existing Clause 15.1 and insert Clause 15.1 as follows: Funds up to a maximum of AUD \$3,000,000 shall be payable as an acquittable grant by AusAID as follows: <table><tr><th>Indicative Date</th><th>Tranche Number</th><th>Amount of Funds</th></tr><tr><td>June 2009</td><td>1</td><td>AUD 600,000</td></tr><tr><td>23 December 2009</td><td>2</td><td>AUD 600,000</td></tr><tr><td>24 August 2010</td><td>3</td><td>AUD 800,000</td></tr><tr><td>30 May 2011</td><td>4</td><td>AUD 1,200,000</td></tr><tr><td>May 2012</td><td>5</td><td>AUD 1,400,000</td></tr><tr><td>February 2013</td><td>6</td><td>AUD 1,600,000</td></tr></table>	Indicative Date	Tranche Number	Amount of Funds	June 2009	1	AUD 600,000	23 December 2009	2	AUD 600,000	24 August 2010	3	AUD 800,000	30 May 2011	4	AUD 1,200,000	May 2012	5	AUD 1,400,000	February 2013	6	AUD 1,600,000
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May 2012	5	AUD 1,400,000																				
February 2013	6	AUD 1,600,000																				
Clause 15.2	Delete existing Clause 15.2 and insert revised Clause 15.2 as follows: Tranches 5 and 6 will be payable upon the Disability Rights Advocacy Fund's submission to AusAID of a request for payment and the provision of all reporting in accordance with Clause 14.																					
Attachment 1	Deed of Novation dated 2 May 2012.																					
Schedule 1A (Attachment 2)	Replace Schedule 1A with new Schedule 1A (Attachment 2) (DRAF proposal)																					

3. The amendments set out in this Deed take effect on the date on which this Deed is signed by both parties.

4. In all other respects the parties confirm the Agreement.

EXECUTED AS A DEED by the Commonwealth, by an authorised officer, and by the Organisation by its authorised officer(s).

SIGNED for and on behalf of the
COMMONWEALTH OF AUSTRALIA
represented by the Australian Agency for
International Development by:

[Redacted Signature]

Signature of FMA Act s44 Delegate

in the presence of:

[Redacted Signature]

Signature of witness

[Redacted Name]

Name
(Print)

Name of witness
(Print)

[Redacted Position]

Position, Section

[Redacted Position]

SIGNED for and on behalf of
DISABILITY RIGHTS ADVOCACY FUND INC by

[Redacted Signature]

Signature

By executing this Deed of Amendment the signatory warrants that the signatory is duly authorised to execute this Deed of Amendment on behalf of the Organisation.

in the presence of:

[Redacted Name]

Name of witness
(Print)

Signature of Witness

AMENDMENT SUMMARY SHEET

The Funding Agreement has been varied in accordance with the clause headed **Agreement Amendments** of the Funding Agreement on the following dates relating to:

Amendment #	Date	Very Brief Summary of amendment	Increase/Decrease in financial limit AUD	Adjusted Financial Limit AUD
1	18/12/09	Increase in financial contribution and variation in reporting requirements	Increase 600,000	1,200,000
2	9/9/10	Increase in financial contribution	Increase 800,000	2,000,000
3	6/6/11	Increase in financial contribution and variation in reporting requirements	Increase 1,200,000	3,200,000
4	This Amendment	Increase in financial contribution	Increase 3,000,000	6,200,000