

# SUBMISSION

to

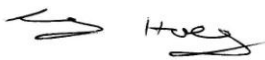
**The Commonwealth Treasury**

In response to the

**Charitable Fundraising Regulation Reform  
Discussion Paper, February 2012**

**5 April 2012**

Authorised on behalf of Community Employers WA by:



Chris Hall  
Co Chair



Tony Pietropiccolo  
Co Chair

## **Introduction**

Community Employers WA (CEWA) is a registered Employer Organisation with the Industrial Relations Commission of Western Australia, and represents non-government, not-for-profit employers in the community services sector of Western Australia.

CEWA's primary objective has been to secure a 30% increase in government funding to non-government, not-for-profit community service organisations in Western Australia, to create the capacity to allow organisations to improve salaries and wages for staff so that they are fair and just and to ensure that vital community services remain viable. CEWA also seeks to improve the relationship between the community services sector and government.

CEWA is solely funded by its member organisations, which demonstrates the commitment of these organisations and the importance they place on CEWA's aims and objectives.

CEWA currently represents 115 community service organisations in Western Australia; its membership continues to grow, along with its increasing importance in representing the interests of community sector employers.

## **Charitable Fundraising Regulation Reform Discussion Paper – Comments**

CEWA would like to express its position on some key elements of the Discussion Paper regarding the charitable fundraising regulation reform.

### **Simplification not Complication**

A key objective of the reform is the reduction of red tape and compliance burdens, and the streamlining of reporting. At this stage it is unclear if the regulation reform will reduce the administrative burden, or indeed if it will add an additional layer of bureaucracy. This objective needs to remain pivotal in the reform process.

### **Additional Regulation Costs?**

It is important that any new fundraising regulation does not increase the compliance or fundraising logistics costs for charities. For example, more detailed or stringent professional auditing requirements or 1,000 street collectors having to be issued with customised name badges at \$5 per person. This would have the effect of reducing the net fundraising dollar, so directly (and negatively) impacting the specified purpose or service.

### **Framework Harmonisation - Link Between State and Federal Governments**

The link with the States and Territories and the harmonisation of fundraising regulation between Federal and States/Territories is crucial. A disjointed, disconnected fundraising regulation system could have disastrous consequences in terms of duplication of reporting, accountability and compliance requirements for NFPs.

This raises the following questions:

- What is the status of current negotiations and collaboration with States and Territories? and
- What if States and Territories do not agree to comply, or collaborate, with national regulation?

The Paper also discusses a \$50,000 cut off limit, after which funds will be regulated by the ACNC. This implies that funds raised under \$50,000 will be subject to State and Territory legislation, and by the Commonwealth for funds raised above \$50,000. This may confuse rather than simplify the situation. For the regulation to be effective it must be simple both to understand and to enact.

### **Effect on Current Fundraising Efforts**

Another key outcome of the fundraising regulation reform has to be that there is minimum impact on how genuine organisations currently raise funds, or how much they are able to raise. These funds are vital in sustaining services and the main priority is the continued provision of these community services. Any regulation that threatens this income stream, or limits opportunities to raise funds, should be reconsidered.

### **Information Disclosure**

Information disclosure at the time of giving needs to be considered carefully. There is a fine balance between providing information that makes a charity accountable and transparent and being regulated to provide so much information to a potential donor (particularly in an example of, say, a street or mall intercept) that a person is discouraged from donating. Anything that has a negative impact, or is an impediment, on the amount of money a charity can raise through fundraising, could be extremely damaging.

### **Other Considerations**

Some other considerations include:

- Whether, by regulating that a third person fundraiser has to advise that it is taking a fee to raise money for a particular charity, it would actively discourage potential donors from engaging in fundraising.
- The legislative power of the ACNC to ban a charity from fundraising will need very careful monitoring, clear guidelines and transparent processes.
- By only allowing charities that are registered with the ACNC to fundraise on the internet, this may disqualify some genuine fundraising efforts. This may need to be scenario tested further to check that it does not disadvantage certain organisations.

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## **Attachment 1 - Members as at 30 June 2011**

Activ Foundation Inc  
Advocacy South West Inc  
Agencies For South West Accommodation (ASWA)  
Anglicare WA Inc  
ARAFMI  
Armadale Community Family Centre  
Association For Services To Torture & Trauma Survivors (ASeTTS)  
Association for the Blind WA  
Asthma Foundation WA Inc.  
Baptistcare  
BJL Connecting Communities  
Bluesky Community Group  
Bunbury Pathways '92 Inc.  
Burdekin – Youth In Action  
Care Options  
Centacare Family Services  
Centrecare Inc  
Child Inclusive Learning and Development Australia Inc (CHILD Australia)  
Communicare  
Community Housing Coalition of WA  
Community Legal Centres Association (WA) Inc  
Community Vision Inc  
ConnectGroups  
Cyrenian House  
Derbarl Yerrigan Health Services Inc  
Drug ARM WA Inc  
Ethnic Communities Council of WA  
Extra Edge Community Services  
Financial Counsellors Association of WA Inc.  
FPWA Sexual Health Service  
Fremantle Multicultural Centre Inc.  
Good Samaritan Industries  
Gosnells Women's Health Service  
Health Consumers Council (WA) Inc  
Hills Community Support Group Inc.  
Holyoake The Australian Institute For Alcohol & Drug Addiction Resolutions  
Identity WA  
Ishar Multicultural Women's Health Centre Inc  
Joondalup Youth Support Services Inc  
Kids Camps Inc  
Koolkuna (The Eastern Region Domestic Violence Services Network Inc)  
LAMP Inc  
Landsdale Family Support Association Inc  
Lifeline WA  
Margaret River Community Resource Centre Inc  
Meath Care Inc  
Melville Cares Inc  
MercyCare  
Metropolitan Migrant Resource Centre  
Midland Joblink Inc.  
Mission Australia  
Mosaic Community Care Inc

Multicultural Services Centre of Western Australia Inc  
Ngala Family Resource Centre  
Nulsen  
Outcare (Inc)  
Palmerston Association Inc  
Parkerville Children Youth Care Inc  
Pat Thomas Memorial Community House Inc.  
Peel and Rockingham Volunteer Resource Centres  
Peel Community Living  
People with Disabilities (WA)  
Perth Home Care Services Inc  
Red Cross WA  
Relationships Australia (Western Australia) Inc  
Richmond Fellowship  
Rocky Bay Inc  
Ruah Community Services  
Secca  
SEMYA  
Serenity Lodge  
Silver Chain  
South Coastal Women's Health Services  
Southcare Inc  
Southside Care  
St Patrick's Community Support Centre  
St Vincent de Paul Society  
Swan City Youth Service  
Swan Emergency Accommodation  
Technology Assisting Disability WA  
Tenants Advice Service  
The Salvation Army  
The Spiers Centre Inc  
The WA Aids Council  
Therapy Focus Inc  
Uniting Aid  
UnitingCare West  
Valued Independent People Inc  
Vincentcare  
Wanslea Family Services Inc  
We Can Community Services  
Westcare Inc  
Western Australian Association for Mental Health (WAAMH)  
Western Australian Council of Social Service Inc (WACOSS)  
Western Australian Network of Alcohol and Other Drug Agencies (WANADA)  
Women's Council for DFV Services (WA)  
Women's Health Resource Centre  
Women's Health Services  
Women's Healthworks  
YMCA Perth  
Youth Focus