



NATSILS

NATIONAL ABORIGINAL & TORRES
STRAIT ISLANDER LEGAL SERVICES

7 December 2012

NFP Sector Tax Concession Working Group Secretariat
The Treasury

Via Email: NFPReform@treasury.gov.au

Dear Secretariat,

RE Fairer, Simpler and More Effective Tax Concessions for the Not-For-Profit Sector Discussion Paper

In my capacity as Chairperson, I write on behalf of the National Aboriginal and Torres Strait Islander Legal Services (NATSILS) which is comprised of the following Aboriginal and Torres Strait Islander legal services (ATSILS):

- Aboriginal and Torres Strait Islander Legal Service (Qld) Ltd (ATSILS Qld);
- Aboriginal Legal Rights Movement Inc. (ALRM);
- Aboriginal Legal Service (NSW/ACT) (ALS NSW/ACT);
- Aboriginal Legal Service of Western Australia (Inc.) (ALSWA);
- Central Australian Aboriginal Legal Aid Service (CAALAS);
- North Australian Aboriginal Justice Agency (NAAJA); and
- Victorian Aboriginal Legal Service Co-operative Limited (VALS).

I am writing in response to the *Fairer, Simpler and More Effective Tax Concessions for the Not-For-Profit Sector Discussion Paper* (Discussion Paper) recently released by the Not-For-Profit Sector tax Concessions Working Group. Due to the short timeframe provided for consultation, we will only be able to provide limited general feedback in relation to the Discussion Paper as opposed to directly responding to all the options proposed for reform.

Tax concessions are crucial to the ability of ATSILS to recruit and retain quality staff. ATSILS are critically underfunded and work within an increasingly resource intensive area of service delivery, providing legal assistance services to Aboriginal and Torres Strait Islander peoples in metropolitan, regional and remote areas. As such, ATSILS staff often carry an extremely high work load for salaries that are far below those of other legal assistance services and the private sector. As a result, ATSILS can struggle to recruit or retain senior staff with the necessary experience and can often have high turn-over rates.

Along with other strategies, tax concessions are one of the few financial supports that ATSILS can use to attract and retain quality staff. Increasing the tax concessions available to not-for-profits, including ATSILS, would

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enable us to further our recruitment and retention capabilities and develop the level of experience we need within our staffing structures and ultimately, improve service delivery.

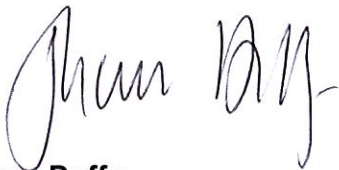
If decreased, ATSILS will find it even harder to recruit and retain the necessary staff. At the end of the day, this will negatively impact upon our clients, some of the most disadvantaged people in Australia.

In addition, if the level of concessions is decreased, the Commonwealth Attorney-General's Department would need to increase the level of funding it provides to ATSILS in order to allow for the maintenance of current salary levels.

We recommend that the opportunity be taken to increase the level of tax concessions provided to not-for-profits in recognition of the social good that they provide to society.

If you are available to discuss these matters further it would be greatly appreciated. Please do not hesitate to contact me on 07 3025 3888 or at shane.duffy@atsils.org.au .

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Shane Duffy', written in a cursive style.

Shane Duffy
Chairperson
NATSILS