

SUBMISSION

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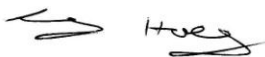
The Commonwealth Treasury

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