

Mr Patrick McClure AO
Chair
ACNC Review Panel
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Dear Chair

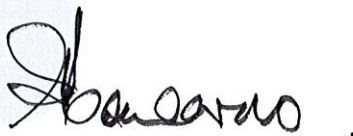
I apologise for the timing of this supplementary submission by the Fundraising Institute Australia, but we believe it is appropriate to respond to the recent public advocacy in support of a mandatory fundraising code under the Australian Consumer Law. FIA's opposition to such a mandatory code was not raised in our original submission as it was considered not within the scope of the ACNC Review's terms of reference. The issue of expanding the ACL to cover fundraising activities was thoroughly canvassed in the recent ACL Review and rejected.

As the body most representative of professional fundraising, FIA does not endorse or support what amounts to additional fundraising regulation at the present time when there is a plethora of laws, regulations, conditions of licence and guidelines in existence.

FIA made the point in its original submission that the priority for the Australian, State and Territory governments preferably at the level of COAG should be to reduce the complexity and inconsistency within and between jurisdictions. It is FIA's considered opinion that any official support for a mandatory ACL code such as a recommendation to that effect in the ACNC Review Panel's report would divert attention and resources away from the more important short-term task of tackling complexity and inconsistency of existing charitable fundraising regulation.

On the broader question of national responsibility for fundraising activities, there is clearly no support for an increased role for the Australian Government at this stage. Should such a move be considered in the future, FIA's view - in line with that of the ACCC - is that the most appropriate legislation would be the ACNC Act rather than the ACL, but this is a matter for future reviews.

Yours sincerely,



Rob Edwards
Chief Executive Officer