

14 March 2021

Senior Advisor
Not-For-Profit Unit, Not-for-profits
and Tax Administration Branch
Treasury Melbourne
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Dear Sir/Madam

Australian Charities and Not-for-profits Commission Amendment (2021 Measures No. 2) Regulations 2021 Exposure Draft

The Victorian Forest Products Association (the “VFPA”) welcomes the opportunity to provide a submission on the exposure draft of the Australian Charities and Not-for-profits Commission Amendment (2021 Measures No. 2) Regulations 2021 (the “Exposure Draft Regulation”).

The VFPA supports the submission tabled by the Australian Forest Products Association (the “AFPA”), including the AFPA’s request to close the loophole to ensure that native forestry operations on crown land and wood processing facilities are captured by these reforms. In particular, the VFPA welcomes the proposed changes to the governance standards for charities, including the widening of offenses and the significant increase in penalties.

The forestry sector operates a range of activities across private and crown lands. Native forestry operations are a particular target for activism with significant risks to both the activists and forestry workers. Most recently, activists placed short star pickets on access roads to forestry coupes. When a forestry worker(s) driving along the access road slows to avoid these star pickets or stops to remove them, the worker (sometimes traveling alone) is surrounded by activists. Often in remote areas of the state, the response from police and other required public services can be significantly delay or at worst ignored due to other higher priority matters. Such situations are clearly untenable and risk the wellbeing of both activists and forestry workers. It may only be a matter of time before lives are lost with such pranks. While Australians enjoy the right to protest, this must occur in a manner that is responsible to the safety and wellbeing of both activists and forestry industry workers alike.

Many of the larger and often multi-national activist groups have not-for-profit charity status at both federal and state government levels. These groups seek donations to carry out activism and political lobbying activities – with websites featuring prominent “donate” buttons on every page. Very little of the funds received are spent on real ground outcomes for the environment from threats identified by CSIRO¹ as having the most impact on Australia’s threatened species. Some activities include trespass and other illegal activities and consequently these organisations should have their charity status revoked.

While an important step in ensuring that an organisation’s charity status is not misused for illegal activities, the Exposure Draft Regulation does not close the loopholes that will continue to see native forestry operations on crown land and wood processing facilities the focus for continued activism from so called charities in Victoria. The VFPA seeks that the Exposure Draft Regulation is amended to close these remaining loopholes.

If you have any further inquiries regarding this submission, please do not hesitate to contact me on deb.kerr@vfpa.com.au or 0409 962250.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Deb Kerr', with a stylized flourish at the end.

Deb Kerr
Chief Executive Officer

¹ Pacific Conservation Biology Journal 2019, *The threats to Australia's imperilled species and implications for a national conservation response*, vol 25, <https://doi:10.1071/PC18024>.