

**FUNDRAISING INSTITUTE AUSTRALIA**

**SOUTH AUSTRALIA DEPARTMENT OF TREASURY AND FINANCE  
Exposure Draft –  
Statutes Amendment (Commonwealth Registered Entities) Bill 2013 (SA)**

**SUBMISSION COVER SHEET**

**TO:** Regulatory Policy, Department of Treasury and Finance, SA  
regulatorypolicy@sa.gov.au

<b>Organisation:</b>	<b>FUNDRAISING INSTITUTE AUSTRALIA (FIA)</b>		
<b>Street address:</b>	<b>Level 2, 60 Archer Street</b>		
<b>Suburb/City:</b>	<b>CHATSWOOD</b>	<b>State &amp; P'code:</b>	<b>NSW 2067</b>
<b>Postal address:</b>	<b>PO Box 642</b>		
<b>Suburb/City:</b>	<b>CHATSWOOD</b>	<b>State &amp; P'code:</b>	<b>NSW 2057</b>
<b>Principal contact:</b>	<b>Mr Rob Edwards</b>		
<b>Position:</b>	<b>Chief Executive Officer</b>		
<b>Phone:</b>	<b>02 9411 6644</b>		
<b>Fax:</b>	<b>02 9411 6655</b>		
<b>Mobile:</b>	<b><a href="tel:+61408467386">+61 408 467 386</a></b>		
<b>Email address:</b>	<b>redwards@fia.org.au</b>		

## **FUNDRAISING INSTITUTE AUSTRALIA SUBMISSIONS**

### **SOUTH AUSTRALIA DEPARTMENT OF TREASURY AND FINANCE Exposure Draft - Statutes Amendment (Commonwealth Registered Entities) Bill 2013 (SA)**

#### **About Fundraising Institute Australia (FIA)**

Established in 1968, FIA's purpose is to make the world a better place by advancing professional fundraising through promotion of standards, professional development pathways and measurable credentials so that our members achieve best practice.

The FIA has developed the Principles & Standards of Fundraising Practice as the professional fundraiser's guide to ethical, accountable and transparent fundraising. The Principles & Standards are vital to how the fundraising profession is viewed by donors, government, the community and fundraisers.

In order to achieve its mission, FIA conducts the following activities:

- Promote and enhance education, training and professional development of fundraisers.
- Provide a resource of fundraising information.
- Advocate for fundraising practice to Government, industry and the community.
- Support and promote certification of fundraisers.
- Develop standards and codes of practice.
- Promote and enhance fundraising as a profession.
- Promote and encourage research into fundraising and philanthropic giving.

#### **EXECUTIVE SUMMARY**

In general, FIA supports the proposed amendments in the interest of streamlining reporting and avoiding red tape. In particular, the amendments to the Associations Incorporation Act concerning reporting to the ACNC and the amendments to the Collection for Charitable Purposes Act concerning licences will enhance productivity and efficiency of South Australian charities.

FIA comments in detail below.

#### **FIA COMMENTS**

##### **Associations Incorporation Act**

There is one anomaly that needs to be pointed. Under section 60-10 of the Australian Charities and Not for Profits Commission Act ("ACNC Act"), all entities are required to lodge an annual information statement but only medium and large entities ie those with annual revenue of more than \$250,000 must lodge an annual financial statement. The proposed amendment to the Associations Incorporation Act applies to incorporated

associations with gross receipts in excess of \$500,000 in the previous financial year. This is inconsistent with the ACNC Act and may lead to confusion as to reporting requirements.

- FIA recommends that the amendment be consistent with the ACNC Act.

### **Collection for Charitable Purposes Act**

The inclusion of health care services and research in the definition of the Collection for Charitable Purposes Act (CCP Act) accords with section 12 (1)(a) of the Charities Act (Cth). However the definition of charitable purpose in the CCP Act is not aligned with the definition in the Charities Act, which is much wider. There is no need to limit the definition of charity.

- FIA suggests that the adoption of the Charities Act (Cth) definition in the Collection for Charitable Purposes Act would avoid confusion and better align both acts.

The changes in the CCP Act streamline the current complex licensing system by providing one licence cover all collecting activities. This will make it easier for charities and collecting agencies to obtain and manage collectors' licences.

- FIA supports the change to a single collectors' licence.

The remainder of the amendments deals with the Minister's power to make conditions on a licence, revoke or suspend licences, and to make an agreement with the Commissioner of the ACNC for information relating to Commonwealth registered entities. FIA agrees that this is necessary because of the ACNC Act; before it was enacted, such an agreement was not an option.

- FIA supports the amendments regarding the Minister's powers in relation to Commonwealth registered entities.