



Australia's Charities and Not-for-profits

Written Submission

The Options Paper, Australia's Charities and Not-for-profits sets out proposed replacement arrangements for charities in Australia. The paper outlines policy directions proposed by the Government to introduce effective replacement arrangements that reduce the burden of regulation on the civil society sector.

The paper is being released to seek feedback from charities and interested parties on the proposed replacement options. Comments and feedback will inform development of the replacement arrangements. A summary of written submissions will be provided on the Department's website in September 2014.

Please use this submission template to provide your feedback on the proposed replacement arrangements for charities in Australia.

Completed submissions are to be sent by 20 August 2014 to:

consultationwithcharities@dss.gov.au (preferred method) OR

Civil Society and Programme Delivery Policy Branch

Department of Social Services PO BOX 7576

Canberra Business Centre, ACT 2610

Submissions received after 20 August may not be considered.

Unless otherwise stated, the information and feedback you provide may be used for publishing purposes. Please state if you do not wish for your comments to be published.

Instructions for completing the Submission Template

- Download and save a copy of the template to your computer.
- Refer to the *Options Paper, Australia's Charities and Not-for-profits* for context and discussion questions.
- You do not need to respond to all of the questions.
- Please keep your answers relevant to the topic being addressed, we ask that submissions be limited to two pages.

Name (first and surname): Chris Whitelock

If submitting on behalf of a company or organisation

Name of organisation: Lions Eye Institute Limited

Stakeholder category (e.g. service provider, client, peak body, academic): Service Provider

State/Territory: WA

Contact email address: chris.whitelock@lei.org.au

Response to Options Paper:

1. Proposed New Reporting Arrangements

- Do you believe that these proposed requirements will be less time consuming than current requirements?

No, I believe they will be more time consuming. The ACNC portal provides a predefined framework and is easy to use. If the same information is to be reported anyway, it is great to have it in a central register.

It has been much easier to record changes to responsible persons and corporate documents with ACNC than ASIC.

- What changes would your organisation need to make to meet the new requirements?

We would need to pay a web developer to make some changes to our web site to accommodate the information.

- Do you foresee any impediments to charities complying with these requirements?

It is much less likely that all charities will comply consistently and within reasonable time frames, because there is no regulator who sends reminders.

- Do you believe these requirements will provide transparency? If not, what changes would you make?

No. Having the ACNC charity portal provides better transparency because information is in the same place for each charity and compliance with reporting is enforced. Self reported information could be difficult to find and inconsistently presented. Things are fine as they are.

2. Determining Charitable Status

- Which of these options do you believe best guarantees the independence of the decision making process?

Having a separate area within the ATO.

- Are there any other considerations that should be taken into account when these functions are undertaken?

As long as the rules are clear and consistently applied there shouldn't be a problem.

3. Proportionate Compliance Framework

No comments.

4. Transitional Arrangements

- What other transitional arrangements might be required?

Updates to corporate documents and responsible persons lodged with the ACNC should automatically be passed to ASIC or ATO as applicable for processing into their corporate registers.

- Are there things the Department could undertake to assist charities with this transition?

See previous comment, otherwise there will need to be a whole process of and uncertainty around re-submitting corporate changes that have already been lodged with the ACNC.

If this is not possible charities should receive a schedule of matters that now need to be re-submitted.

- What factors should be considered in relation to the timing of the new arrangements?

Allow enough time after Royal Assent for the above records to be updated and for self-reporting systems to be implemented.