



# Australia's Charities and Not-for-profits

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**Organisation:** YWCA Australia

**Stakeholder type:** Service provider

**State/Territory:** National

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## Response to Options Paper:

### Introduction

YWCA Australia welcomes the opportunity to provide this submission in response to the Options Paper for Replacement Arrangements following the abolition of the Australian Charities and Not-for-profits Commission (**Options Paper**).

### About YWCA Australia

YWCA Australia is the national association of YWCAs in Australia and is part of the World YWCA movement. We are a women-led organisation that achieves positive change by providing advocacy, programs and services for women, families and communities.

YWCAs undertake advocacy and deliver services and programs that develop the leadership and collective power of women and girls, support individuals, their families and communities at critical times, and promote gender equality and community strengthening. YWCAs have been providing community services and programs in Australia since the 1880s.

### Support for the ACNC

In our view, proportionate, balanced and effective regulation of the sector assists not-for-profit (**NFP**) entities to carry out their vital work in Australian communities.

YWCA Australia strongly supports the continuation of the Australian Charities and Not-for-profits Commission (**ACNC**) as an independent and expert national regulator of the charity and NFP sector. In May 2014, we made a submission on *the Australian Charities and Not-for-profits Commission Repeal Bill (Repeal) (No. 1) Bill 2014 (Bill)* opposing the Bill.

YWCA Australia values the work of the ACNC and believes it has carried out its role extremely well in the short time – just over 18 months - that it has been operating. We do not consider the ACNC reporting requirements to be burdensome. In our view, the ACNC should

be allowed to build on the significant work it has already carried out to support the sector and reduce the sector's overall compliance and regulatory burdens.

YWCA Australia does not support any of the proposed options for replacing the ACNC. The ACNC was established after extensive consultation with the sector, in which YWCA Australia participated, and surveys suggest that around 80 per cent of organisations in the sector support the Commission.<sup>1</sup> Additionally, the majority of stakeholder attendees at one of the Melbourne consultations on the Options Paper that we attended also supported current arrangements.

Stakeholders in the sector have expended much time and effort during the development and establishment of the ACNC over the last thirteen years. We would be very disappointed to see this significant investment wasted by abolishing the ACNC.

### **Proposed new reporting arrangements**

YWCA Australia is satisfied with the level of reporting required under the current ACNC arrangements. In our view, the proposed requirements will not be of any benefit.

We have concerns with the proposal requiring charities to maintain a publicly accessible website featuring the names of responsible persons, details of funding from Australian, State/Territory and Local Government funding, and financial reports. We are concerned about:

- Public accountability and transparency being lost.
- Extra compliance costs being imposed on smaller charities, particularly those that don't currently have a website.
- Suppression of self-reporting for organisations such as family violence shelters. How will exemptions be made?

### **Determining charitable status**

In our view, the most appropriate way to ensure independence in the decision-making process relating to charitable status assessments is to retain the ACNC as an independent, expert regulator.

### **More information**

Thank you for the opportunity to provide this submission.

YWCA Australia would welcome the opportunity to engage in further discussion about any of the points raised in this submission.

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<sup>1</sup> For example, the Pro Bono Australia 2013 *Not for Profit Sector Election Survey* (15 August 2013) found 81 per cent of the sector support the ACNC:  
[http://www.probonoaustralia.com.au/sites/www.probonoaustralia.com.au/files/news/archive/nfp\\_election\\_survey\\_2013.pdf](http://www.probonoaustralia.com.au/sites/www.probonoaustralia.com.au/files/news/archive/nfp_election_survey_2013.pdf)