

ACNC Sector Forum – Wednesday 26 October 2022

Deborah Jenkins, Acting ACNC Commissioner, opened the meeting with an Acknowledgement of Country, introduced herself to Forum Members and thanked Members for welcoming her into the role as Acting Commissioner. Deborah reflected on her time as Acting Commissioner, outlining her focus on key areas that include “doing the basics brilliantly” and continued stakeholder engagement and consultation.

Agenda Item 2: Member discussion

Anna Longley, ACNC Assistant Commissioner General Counsel, advised Members that 34 submissions have been received in relation to the redraft of the Commissioner’s Interpretation Statement: Public Benevolent Institutions (PBI CIS) and that workshops will be scheduled to discuss the submissions.

In a roundtable discussion on matters that impact charities and charity regulation, members raised:

- Harmonisation of fundraising
- Fraud and the risk around cybersecurity
- Significant costs and financial pressures on organisations, such as wage increases, surging inflation, COVID-19 pandemic and rolling natural disasters
- The Productivity Commission enquiry into growing philanthropy in Australia
- Implementation of a Government commitment to grant DGR status to up to 28 community foundations
- Funding – structural issues, increasing capitol and investment and philanthropic funding
- Diversity, gender, climate and economic injustice

Jacky Rowbotham, Assistant Secretary, Not-for-profits and Tax Administration Branch, Department of the Treasury, provided a brief update to Members on harmonisation of fundraising.

Agenda Item 3: Presentation of ACNC’s refreshed culture vision

Anna presented the recently refreshed ACNC Culture Vision Overview. The Culture Vision is designed around a ‘One ACNC’ approach. It acknowledges the ACNC’s Regulatory Approach and incorporates the ACNC Stakeholder Engagement Framework. Anna asked Members for any feedback or comments relating to the Culture Vision.

Agenda Item 4: Discussion on operation of the Sector Forum

Members were asked for feedback on how to maximise participation and value of the Forum. Feedback included:

- Shorter duration of meetings if attendance is mostly virtual
- Being mindful of scheduling around major milestones/events such as Budget
- Participating remotely or in person is a sound approach and was welcomed
- Members being required to forward plan
- Changing the location of meetings
- Scheduling meetings further in advance and the timely issue of agendas and papers
- The possibility of including the Advisory Board chair or general members at meetings
- Greater context within the papers, including papers for noting only that do not require discussion
- The addition of breakout rooms.

Members supported the addition of a co-chair and including member names on the ACNC website.

Agenda Item 5: Consultation on communication on reviews of DGR endorsed charities

Sallyann Stonier, ACNC Director Registration, led small group consultation with members regarding the ACNC's approach to engaging with DGR-endorsed charities that are subject to review. Members provided valuable feedback, highlighting the need for conversations with charities, the value of providing context and the importance of constructive and clearly worded communication for charities. Detailed feedback will be collated and distributed to members.

Agenda Item 6: Consultation on related party transaction reporting for Annual Information Statement 2023

Mel Yates, ACNC Director Corporate Services and Reporting & Red Tape Reduction, led small group consultation on the proposed questions about related party transactions that will be included in the Annual Information Statement (AIS) 2023. Members provided useful input to assist in designing the questions to best support charities.

Members also shared it generally takes charities approximately 2-3 hours to enter their financial information into the AIS.

Agenda Item 7: ATO – NFP Centre Update & key messages

Jennifer Moltisanti, Assistant Commissioner, Not-for-profit Centre and Government, Australian Taxation Office (ATO), gave an overview of key areas of ATO focus for NFPs, how NFPs can achieve high levels of assurance, the new reporting requirement for NFP entities that are assessing as income tax exempt, and the MBR Program and Director ID requirements. Jennifer also noted the recent publication of taxation ruling TR 2022/2 – Income tax the games and sports exemption, and the update of PCG 2022/D3 Goods and services tax and residential colleges

Agenda Item 8: Treasury Update

Jacky Rowbotham provided an update on the following topics:

- Federal Budget measures that relate to the charity and NFP sector, including:
 - o Funding for programs which fund grants for community service organisations
 - o Productivity Commission's review of philanthropy
 - o Government's commitment to work with the sector to develop a NFP blueprint
 - o Reversal of measure to establish new DGR category for pastoral care services in schools
- Applications to join the ACNC Advisory Board closed on 24 October 2022. Treasury will assess the applications and make recommendations to Government.

Attendees:

Organisation	Representative
Aboriginal and Torres Strait Islander Legal Services (QLD) Ltd	Jane Oliver
Anglican Church of Australia General Synod	Bernadette Bateman
Atlassian Foundation	Mark Reading
Australian Catholic Bishops Conference	Jonathan Campton
Australian Council of Social Service (ACOSS)	Rob Sturrock
Australian Conservation Foundation	Adam Beeson
Australian Philanthropic Services	Judith Fiander
Australian War Widows NSW Ltd	Renee Wilson

Centre for Policy Development Limited	Allison Orr
Ecstra Foundation	Caroline Stewart
Fundraising Institute Australia	Jonathan Ande
HeartKids Limited	Fiona Ellis
Joblink Plus Limited	James MacDonald
National Catholic Education Commission	Andrew Long
Oxfam Australia	Sari Baird
Philanthropy Australia	Krystian Seibert
PowerHousing Australia	Samantha Moore
Self Help Workshop Inc	Donna Bain
World Vision Australia	Nick Keenan
	Bruce Argyle
Australian Accounting Standards Board	Fridrich Housa
Australian Taxation Office	Jennifer Moltisanti
Treasury	Jacky Rowbotham

Apologies:

Organisation	Representative
CMA Standards Council	Stephen Kerr
CVGT Australia	William Rosewarne
Kyabram Community and Learning Centre	
Institute for Healthy Communities Australia Ltd	Fiona Loughlan
OneCare Geelong Ltd	Chris Maddock
Primary Focus Limited	David Gilchrist
SecondBite	Steve Clifford
St Vincent de Paul Society NSW	Jessica Wishart
The Queensland Country Women's Association	
Women of Colour Australia	Brenda Gaddi