



27 September 2018

Committee Secretary
Joint Standing Committee on Electoral Matters
PO Box 6021
Parliament House
Canberra ACT 2600

Dear Madam/Sir

Re: AMENDMENTS TO THE ELECTORAL LEGISLATION AMENDMENT (ELECTORAL FUNDING AND DISCLOSURE REFORM) BILL 2017

Thank you for the opportunity to comment on amendments being considered in relation to the above Bill.

RSPCA Australia recognises that the Committee has made amendments to the Bill in response to concerns raised by RSPCA Australia, the Community Council for Australia (of which RSPCA Australia is a member) and other charities.

RSPCA Australia supports the intent of the amendments proposed however, recommends some further refinement as outlined below.

ACNC Guidelines for charities on advocacy

The 2013 Charities Act makes it clear that having a political purpose is a disqualifying factor in determining charitable status. Charities cannot support a particular candidate or political party.

The Charities Act allows a charity to undertake issues based advocacy in support of their charitable purpose. The Australian Charities and Not for Profit Commission (ACNC) provide clear guidelines on advocacy for charities.

RSPCA Australia recommends that this ACNC advice to charities is written into the Bill or included as part of the explanatory materials. This will ensure consistency in interpretation and application.

Clarity in definition of political election matters

The explanatory materials acknowledge that the definition of electoral matters does not capture general issue based advocacy. It is issues based advocacy associated with a charity's purpose that charities undertake. RSPCA Australia is pleased to see issues based advocacy explicitly allowed, however, has concerns that this is not as clear as it could be throughout the Bill.

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RSPCA Australia recommends that in order to provide further clarity that issues based advocacy is not impacted by these electoral reforms, that 'partisan' is inserted before 'political activity'.

Reporting

In order to reduce duplication and ensure that any electoral expenditure by a charity is seen in the context of their complete activities, charities should report electoral expenditure as outlined in the Bill via the ACNC and not the Australian Electoral Commission.

RSPCA Australia recommends that any reporting that charities need to do in relation to electoral expenditure is done through the ACNC.

RSPCA Australia also supports the submission made by the Community Council for Australia. Please do not hesitate to contact me if you would like further information about our views.

Yours sincerely

A handwritten signature in blue ink that reads "Heather Neil". The signature is written in a cursive, flowing style.

Heather Neil
Chief Executive Officer