

Submission from the National and State and Territory Peak Bodies for Volunteering

Australian Charities and Not-for-Profits Commission Legislation

The establishment of the Australian Charities and Not-for-Profits Commission (ACNC) is supported and welcomed by the national and state and territory volunteering peak bodies. However some of the concerns that have been raised about this proposed legislation by others are endorsed by the volunteering peaks.

Of significant concern is the duplication and overlap between Commonwealth and State and Territory laws governing the not-for-profit (NFP) sector. This is perceived by some in the sector to be a major contributor to the compliance burden issues endured by NFP agencies. The ACNC is meant to relieve these compliance burden issues by providing a 'one-stop' regulation shop. However it is argued by some that red-tape reduction cannot be achieved without collaboration between Federal and State and Territory governments. It is feared that unless the governments harmonise their laws in relation to the regulation of the NFP sector the creation of the ACNC will result in a further layer of compliance for charities. A number of NFP agencies expressed their concern about this matter during the consultation process for the legislation and the national and state and territory volunteering peak bodies also express their concern about this matter. While we understand conversations are taking place between state and territory authorities and the ACNC taskforce, harmonisation between the two levels of government is some time away.

The national and state and territory volunteering peak bodies welcome the less onerous Director's liabilities in the latest version of the legislation. However, we would encourage close consideration of the Director's liabilities in the proposed legislation from two perspectives. Firstly, whether they will promote or discourage members of the community from taking on the responsibility of being voluntary directors of charities, and secondly, whether they appropriately take into consideration the realities of small charities as well as the medium and larger ones.

One aspect of the ACNC in which the volunteering peak bodies are overwhelmingly in favour of is the inclusion within the non-financial reporting field requirements of point 7 - "*Number of volunteers who assisted this registered entity during the last year for financial reporting purposes*". An accurate register of volunteer numbers within agencies across Australia will showcase the important and universal role played by volunteers in our communities.

Volunteering Australia

www.volunteeringaustralia.org

Volunteering ACT

www.volunteeract.org.au

The Centre for Volunteering NSW

www.volunteering.com.au

Volunteering Queensland

www.volunteeringqld.org.au

Volunteering SA&NT

www.volunteeringsa.org.au

Volunteering Tasmania

www.volunteeringtas.org.au

Volunteering Victoria
www.volunteeringvictoria.org.au

Volunteering WA
www.volunteeringwa.org.au