

Senate Economics Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Budget Estimates

2017 - 2018

Division/Agency: Australian Charities and Not-for-profits Commission (ACNC)

Question No: 64

Topic: Political campaigning and advocacy by registered charities

Reference: Written

Senator: Abetz, Eric

Question:

In April 2016 the ACNC published guidance with the title: Political campaigning and advocacy by registered charities – what you need to know. This guidance gives the following example: “A charity with a purpose of advancing the natural environment cannot have a purpose of encouraging its members to engage in illegal methods such as intimidation, trespassing or assault to promote a change to the law regarding logging.” What test does the Commission apply to determine if a charity has a purpose of encouraging its members to use illegal methods?

Answer:

Section 11 of the [Charities Act 2013 \(Cth\)](#) (the Charities Act) sets out the disqualifying purposes, which includes ‘the purpose of promoting or opposing a political party of a candidate for political office’.

Where the actions of a registered charity demonstrate a disqualifying purpose under Section 11 of the Charities Act the ACNC will revoke charity registration status.