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29 August 2008

Committee Secretary
Senate Economics Committee
Department of the Senate
PO Box 6100
Parliament House
Canberra ACT 2600
Australia

Submitted by email: economics.sen@aph.gov.au

Medecins Sans Frontieres welcomes the opportunity to provide comment to the Senate Standing Committee on Economics.

Médecins Sans Frontières is the world's leading independent organisation for medical-humanitarian aid. Annually, more than 3,000 volunteer doctors, nurses and support staff work in trouble spots around the world helping those living on the edge of human tolerance. Our teams are currently in over 60 countries, working with more than 25,000 locally recruited national staff in conditions that are always challenging, sometimes dangerous.

Last year Medecins Sans Frontieres raised around \$36 million from the Australian public to support this work. And as part of this fundraising effort we have felt that there needs to be reduced complexity around state legislation. Our experience has found this legislation to be complex and time consuming to adhere to. It also exposes charities to unnecessary risks of inadvertently not adhering to varied legislation. At MSF, we are constantly striving to make fundraising as cost effective as possible and as a way to improve this, we would highly recommend harmonised legislation, or one national legislation across the country.

In 2003, 86% of adult Australians put their confidence in the nonprofit sector. Their confidence deserves government attention. Indeed, the nonprofit sector itself has been calling for reform. We welcome the Senate's interest and prioritisation of our work and urge you to act on the body of evidence put to this inquiry and not to allow it, like previous inquiries, to be ignored.

We are writing in support of Fundraising Institute Australia's submission, recommending a **commission of inquiry** be established to further develop the initiatives explored in this Senate Inquiry, in particular 'model' fundraising legislation, the shape of a national regulator and the elements of a compact to underpin the values and funding of this sector.

FIA is also proactive in working towards self regulation by creating mandatory Principles and Standards of Fundraising Practice. The Principles codify general ethical behaviour for fundraisers; the Standards are tailored to provide guidelines on specific disciplines of professional fundraising. The project was initiated in response to FIA's perception of an urgent need to establish standards for professional fundraising in order to improve public trust and confidence in accountability for and transparency in the use of publicly donated funds.

Please find attached a summary of FIA's recommendations to the Senate Inquiry into disclosure regimes for charities and nonprofit organisations.

Yours sincerely,

Nicci Dent
Director of Fundraising

Appendix 1: SUMMARY OF RECOMMENDATIONS

a) **the relevance and appropriateness of current disclosure regimes for charities and all other not-for-profit organisations**

A new single regulator for the entire nonprofit sector should:

- regulate proportional to risk and not in accordance with exemptions
- reduce multiple reporting requirements reducing the regulatory burden
- develop an appropriate accounting standards and reporting mechanisms that measures effectiveness (outcomes) not efficiency (ratios).

b) **models of regulation and legal forms that would improve governance and management of charities and not-for-profit organisations and cater for emerging social enterprises**

A new single regulator should:

- be based on principles similar to the Charity Commission (England and Wales)
- enable the work of the sector (light touch regulation proportional to risk)
- close the gap between statutory and non-statutory regulation (national industry self-regulation)

c) **Other measures that can be taken by government and the not-for-profit sector to assist the sector to improve governance, standards, accountability and transparency in its use of public and government funds.**

A new single regulator should:

- cut red tape
- allow for diversity (light touch regulation proportional to risk)
- support development of a national toolkit
- focus on effectiveness (outputs, public benefit) not efficiency (financial ratios)
- adopt a standardised disclosure regime
- encourage benchmarking
- assist nonprofit organisations in annual reporting
- provide meaningful information for the public
- promote the public interest in charity and nonprofit activities

d) **The Senate Inquiry has sought further comment on the recommendations from the inquiry into the definition of charities and related organisations (2001).**

- decide the name of the sector!
- promote responsibility for this sector to ministerial level

e) **The Senate Inquiry opens discussion on a number of initiatives that must be further explored.**

Establish a Commission of Inquiry to:

- develop 'model' fundraising legislation
- determine the 'shape' of a national regulator
- determine a national accounting standard and reporting mechanism
- review the elements of a compact to underpin partnerships with the sector.