



15 July 2016

Regina Haertsch
Director National Reforms, Policy and Legislation
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Dear Regina

Discussion Paper – Charitable Fundraising Review

CPA Australia represents the diverse interests of more than 155,000 members in 118 countries. Our vision is to make CPA Australia the global accountancy designation for strategic business leaders. We make this submission on behalf of our members and in the broader public interest.

CPA Australia is of the view that current state/territory based fundraising regulatory frameworks are inconsistent, outdated and cause excessive regulatory burden on entities undertaking fundraising activities. We therefore commend NSW Fair Trading for developing proposals aimed at reducing the regulatory burden of entities involved in charitable fundraising in NSW.

CPA Australia is working with leading sector bodies including JusticeConnect's Not-for-profit Law service, the Governance Institute of Australia, the Australian Institute of Company Directors and Chartered Accountants Australia and New Zealand on the need for fundraising reform.

As part of this collaborative effort, CPA Australia made a submission in response to the Australian Consumer Law (ACL) review, proposing that the law be clarified to ensure its application to fundraising activities. We stated in our submission that the national reform of fundraising regulation could be achieved through minor amendments to the Australian Consumer Law, repeal of state-based fundraising laws and cooperation between Commonwealth and State/Territory based regulators on adequate oversight of fundraising activities. CPA Australia's submission is attached for your information.

CPA Australia supports the option to repeal the *Charitable Fundraising Act 1991*. As part of the repeal process, we encourage NSW Fair Trading to take the following additional steps:

1. Engage at an appropriate level for the amendment of the Australian Consumer Law to ensure it applies to fundraising activities.
2. Work with the Australian Charities and Not-for-profits Commission (ACNC) to establish a framework that allows for the ACNC's regulatory oversight, including reporting requirements, to be applied to entities involved in fundraising activities.

As stated in our submission to the ACL review, it is our view that the above additional steps will provide for a fulsome and nationally consistent approach to fundraising regulation.

For further information, please contact Ram Subramanian, CPA Australia's Policy Adviser - Reporting on (03) 9606 9755 or ram.subramanian@cpaustralia.com.au.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Stuart Dignam', written over a light blue horizontal line.

Stuart Dignam

General Manager – Policy & Corporate Affairs