



AUSTRALIAN
COUNCIL
FOR
INTERNATIONAL
DEVELOPMENT

ACFID Submission on Electoral Legislation Amendment (Electoral Funding and Disclosure Reform) Bill 2017

Joint Standing Committee on Electoral Matters

25 January 2018

Introduction

1. ACFID appreciates the opportunity to contribute to the important discussion regarding amendments to the *Electoral Funding and Disclosure Reform Bill 2017 (the Bill)*. As a principle, we support increased transparency and accountability of political parties and the electoral process.
2. However, we are concerned that, if passed, the ambiguity of the definitions contained within the Bill and their applicability is likely to result in a chilling effect on legitimate and constructive advocacy and public debate, severely undermining Australia's open and democratic system of government - which should encourage, not restrict, public engagement.
3. It is our contention that there is not sufficient evidence to warrant application of the same restrictions to charities as are applied to political parties. We believe that the current legal regime binding charities to be non-partisan is robust and fit for purpose, and we are concerned that in the drafting of this Bill extant regulations are not being adequately considered.
4. Furthermore, we submit that applying the same regulatory measures to entities that engage in overtly party-political activities with the non-partisan expression of views of charities is fundamentally inconsistent with charity law.
5. It is our submission that conflicting legislature promotes legal confusion over the rights and proper procedure for charitable advocacy, effectively undermining the legitimacy of advocacy by charities.
6. We strongly disagree with the broadened definition of '*political expenditure*' on the basis that the purpose for which charities pursue issue-based advocacy is categorically different to the purpose of partisan, political work.
7. We oppose the new classes of '*third party campaigners*', and '*political campaigners*' - categories which present a significant change to the relationship between civil society and political parties under electoral law.
8. We also oppose the redefinition of '*associated entity*', as it further conflates advocacy with party political electioneering. That these definitions would apply regardless of whether advocacy is central to the charitable purpose of an organisation and non-partisan in approach or not, is inappropriate.
9. It is our position that reform opportunities seek to identify and remove inefficiencies. This Bill, however, introduces unnecessary red tape on top of regulation already in place - adding additional reporting and compliance obligations under electoral law is incommensurate with risk and unnecessarily burdens charities with two, overlapping layers of regulation.
10. We believe that increased disclosure obligations proposed within the Bill will have the impact of placing a significantly higher and unwarranted burden on charities undertaking lawful

advocacy, making it considerably harder for non-profit organisations to achieve their charitable purpose.

11. We understand that the question of foreign influence in Australian politics is a significant public policy issue. However, given the very different circumstances within which charities operate, any restrictions on foreign donations to political parties and associated entities should not apply to charities. It is entirely appropriate for global philanthropy to play a role in many civil society organisations.
12. **Given these concerns, ACFID is unable to support the Bill in its current form. Whilst we support the need for a transparent and effective framework for regulating third parties in the electoral process, we believe that the Bill in its current form does not achieve this objective.**
13. **We strongly recommend further consultation with the charities and not-for-profit sector and the completion of a detailed regulatory impact statement. The full impact and compliance costs of any changes can then be properly assessed and considered, and charities can be properly excluded from any measures which do not and should not apply to them.**
14. To provide more detail on our views and recommendations, our Submission follows in five (5) sections:
 - Section 1:** Expanded definitions and conflicting categories that confuse charities with political entities
 - Section 2:** Undermining Australia's open and democratic system of government
 - Section 3:** Restricting legitimate sources of funding for Charities
 - Section 4:** Conflicting Legislature
 - Section 5:** The Compliance Burden
 - Section 6:** Summary of Recommendations
15. We would be happy to provide additional clarity on any of the statements contained within this submission. Requests to meet can be directed to Marc Purcell, CEO, ACFID on (02) 8123 2216.

About ACFID

16. The Australian Council for International Development (ACFID) unites Australia's non-government organisations involved in international development and humanitarian action to strengthen their collective impact against poverty. ACFID's purpose is to lead and unite our members in action for a just, equitable and sustainable world.
17. Our vision is of a world where all people are free from extreme poverty, injustice and inequality; where the earth's finite resources are managed sustainably; and Australia is compassionate and acting for a just and sustainable world. We believe that this vision can only be realised through the collective efforts of civil society, governments, business and individuals concerned for our common humanity.
18. Founded in 1965, ACFID currently has 126 Members and 18 Affiliates operating in more than 100 developing countries. The total revenue raised by ACFID's membership from all sources amounts to \$1.658 billion (2014–15), \$921 million of which is raised from 1.64 million Australians (2014–15). 80 per cent of funding for ACFID Members is from non-government sources. ACFID's members range between large Australian multi-sectoral organisations that are linked to international federations of NGOs, to agencies with specialised thematic expertise, and smaller community based groups, with a mix of secular and faith-based organisations. A list of ACFID Member Organisations is at **Annex A**.
19. ACFID's Members adhere to a **Code of Conduct** which is a voluntary, self-regulatory sector code of good practice that aims to improve international development outcomes and increase stakeholder trust by enhancing the transparency and accountability of signatory organisations.
20. The Code sets standards for practice rather than standards for results. It goes beyond the minimum standards required by government regulation and focuses on good practice. The Code is underpinned by a set of values and quality principles and speaks to the results we seek to achieve, the processes that support organisations to achieve those results, and the organisational systems that enable our Members' work.
21. The Code addresses areas such as fundraising, governance and financial reporting. Compliance includes triennial self-assessment, annual reporting and spot checks. All Members are subject to the independent complaints handling process governed by the Code of Conduct Committee (CCC) which is independent from the Governing Board of ACFID.

Section 1: Expanded definitions and conflicting categories that confuse charities with political entities

1. Advocacy by charities in pursuit of their charitable purpose is distinct from partisan political activity. Reform opportunities should target genuine political activities tied to electoral processes, not the efforts of civil society groups advocating towards their charitable purpose.
2. The expanded definition of *'political expenditure'*, new categories of *'third party campaigner'* and *'political campaigner'*, and expanded criteria for *'associated entities'* under the proposed legislation, are problematic for ACFID members in a myriad number of ways. **As such the legislation is unworkable and we are unable to support the Bill in its current form.**
3. Casting charities as political entities delegitimises the valuable work of charitable organisations, as well as that of other civil society groups, religious groups, and think tanks in contributing to public discourse and informed political decision-making, which should reflect the will of the Australian people.
4. Advocating is an important approach which charities can use to address the causes of social and environmental problems, rather than just the symptoms – an approach that often requires seeking policy change.
 - a. For example, if a factory is polluting a river because of poor regulation, environmental remediation work to treat affected wildlife downstream will have little impact if the factory can keep polluting the river. Addressing the underlying problem requires advocacy to ensure the factory complies with regulations or adequate regulations are introduced.

Political Expenditure and Political Purpose

5. On the basis that the purpose for which charities pursue issue-based advocacy is categorically different to the purpose of partisan, political work, we strongly oppose the problematically broad and ambiguous redefinition of activities which classifies the full spectrum of public comment, policy assessment and advocacy work carried out by charities as *'political expenditure'* (s287(1) and s314AEB).
6. Under proposed s287(1), the term *'political expenditure'* itself is not new, however, the Bill expands the definition and introduces the phrase *'political purpose'* for the first time as:

The public expression by any means of views on an issue that is, or is likely to be, before electors in an election (whether or not a writ has been issued for the election).
7. The definition of *'political expenditure'* under the proposed legislation and the introduction of *'political purpose'*, blurs the lines between legitimate and lawful advocacy that advances charitable purpose, and partisan campaigning that results in election to public office.
 - a. It can be argued that *any* subject of public interest fits the definition of *'political expenditure'*, such that the definition is not practically useful for identifying organisations that engage in actual campaigning.

Third Party Campaigner and Political Campaigner

8. Under the new s287L, the creation of *'third party campaigner'* and *'political campaigner'* categories for charities (as well as other organisations) deemed to have a *'political purpose'* is also deeply concerning, for the following reasons:
 - a. Defining a charity as a *'political campaigner'* increases the vulnerability of these charities to future accusations of possessing a partisan political purpose - thereby disqualifying them from charitable status, and creating a strong incentive for charities to avoid this risk by not engaging in or limiting public comment.
 - b. Individuals and civil society organisations that would otherwise make contributions to a range of democratic processes, including making policy submissions or engaging in dialogue with representatives of the legislature and executive, are likely to be reluctant to do so where there is uncertainty in determining whether these activities should now be defined as having a *'political purpose'* and requiring registration as *'political campaigning'* or *'third party campaigning'*.
 - c. Under changes proposed by this Bill, charities that are substantially internationally funded may choose to refrain from any work which could be construed as political, so that their work does not get captured as *'political expenditure'* and does not then trigger requirements to register as a *'political campaigner'* or a *'third-party campaigner'*.
9. It is submitted that these outcomes are contrary to Australia's open and democratic system of government, which should encourage and foster public engagement and participation.
10. Furthermore, these new categories present a significant change to the relationship between civil society and political parties under electoral law. The fact that these definitions could apply to any charity is deeply concerning.
11. The effect of reclassifying charities as having political purpose, or as *'political campaigners'* is compounded by the requirement that these groups disclose their senior staff's party membership. We strongly oppose this violation of staff's freedom of association. This requirement violates individual's rights and increases pressure to refrain party membership out of concern about risk to their employing organisation.

Associated Entities

12. We strongly disagree with the current drafting of Section 287H, as it both broadens the category of *'associated entity'* and effectively conflates advocacy with party political electioneering.
 - a. The new definition replicates the current one, but introduces a clarifying sub-section that outlines situations in which an organisation will be deemed to be operating *"wholly, or to a significant extent, for the benefit of one or more registered political parties"*, and therefore classified as an *'associated entity'*.
 - b. This new sub-section heightens the risk that organisations whose policy positions tend to align with one side of politics, will be classified as an *'associated entity'*.

13. We draw attention to the likelihood that these associated entity changes may capture a broad range of organisations including civil society groups, professional organisations like the Australian Medical Association, the National Farmers Federation and even churches, who are engaging in healthy public policy debate, or advocacy in areas connected to their purpose, (such as reducing homelessness or improving mental health) not party-political electioneering.
- a. The prospect of their independence being impugned by re-classification as an ‘associated entity’ would provide a strong disincentive for charities to undertake advocacy - despite this advocacy being a legitimate form of civic engagement, with no association to a political party or candidate seeking election to office.
 - b. Promoting or opposing public policy provisions where the entity is neutral on the registered political parties that adopt them, should not constitute ‘political expenditure’ nor warrant classification as an ‘associated entity’.
14. Considering the prevailing ambiguity inherent in new s287H, **we recommend** that re-classification as a ‘political campaigner’ or ‘third party campaigner’, or ‘associated entity’ should apply only to organisations operating with a political purpose. That is, excluding organisations that are working to promote certain public policies, and not supporting particular political parties or candidates.
15. In redrafting this Bill, **we recommend** that the committee look at replacing the definition of ‘political expenditure’ with the definition of ‘political purpose’ under the Charities Act 2013:

Political purpose means the purpose of promoting or opposing a political party or a candidate for political office. This does not apply to the purpose of distributing information, or advancing debate, about the policies of political parties or candidates for political office (such as by assessing, critiquing, comparing or ranking those policies).¹

Section 2: Undermining Australia’s open and democratic system of government

16. The advocacy and public debate undertaken by charities is both legitimate and constructive. It is our position that this Bill seriously risks undermining this important method of public engagement and participation, and erodes Australia’s democratic values.
17. The High Court upheld the right of charities to advocate and campaign on issues of public concern in the *Aid/Watch Incorporated v Commissioner of Taxation* of 2010², finding advocacy activities to be essential to Australia’s constitutional system of parliamentary democracy.

¹ Charities Act 2013, Division 3 – Disqualifying Purpose, 11 (a). Accessed 25.01.2018 <https://www.legislation.gov.au/Details/C2013A00100>

² 2010. AID/WATCH INCORPORATED v COMMISSIONER OF TAXATION [2010] HCA 42. Accessed 16 January 2018. Available at: <http://www.hcourt.gov.au/assets/publications/judgment-summaries/2010/hca42-2010-12-01.pdf>

18. Australians overwhelmingly support charities having a public voice on issues they were established to address³.
 - a. There is high public confidence and trust in charities, and their ability to stand up for the interests of everyday people and the issues they care about. The ACNC's two-year Public Trust and Confidence report found that 86 per cent of Australians trusted charities, with 91 per cent currently supported them by volunteering or donating.
19. We contend the Bill will dissuade charities from speaking out on issues of importance to the Australian public, stymieing free, informed and robust public discussion benefiting from the enormous expertise contributed by charities.
20. It is submitted that this outcome is contrary to Australia's open and democratic system of government, which should encourage and foster civic engagement and participation, not restrict it. Any proposals which restrict, limit or inhibit advocacy by charities will unduly harm the Australian community, and Australian democracy.
21. It is our belief that reform opportunities should not unduly constrain the space for civil society to play its important role in the Australian community and the broader democratic process.
22. Contravening the new law may constitute a criminal offence, with harsh penalties likely to cause financial controllers to err on the side of caution when determining whether activities constitute '*political expenditure*'. There is a 'chilling effect' resulting from this caution, where organisations avoid voicing views on any matter publicly, impinging on the space for civil society to play its important role in the Australian community and the broader democratic process.
23. More broadly, around the world we are already seeing civil society organisations facing oppression from authorities preventing them from fundraising to limit their influence. Disincentivising international philanthropy to charities in Australia sets a poor international example and may encourage similar crackdowns against civil society in other countries.
24. Considering these concerns, we **strongly recommend that**: The Parliament exempt registered charities from this legislation, in order to preserve Australia's open and democratic system of government, and protect charities' right to advocate on behalf of the communities they serve.
 - a. This exemption can be achieved by modifying the definition of '*political expenditure*', such that appropriate exclusions are provided for registered charities. As per the recommendation in Section 1, we recommend the definition of '*political expenditure*' be replaced with the definition of 'political purpose' under the Charities Act 2013.

³ "Australians Want to Hear the Voices of Charities – Politicians Take Note": See <https://probonoaustralia.com.au/news/2017/11/australians-want-hear-voices-charities-politicians-take-note/>

Section 3: Restricting legitimate sources of funding for Charities

25. It is entirely appropriate for international philanthropy to play a role in many civil society organisations, including contributions to funding the activities of Australian charities.
26. Charities or unions that are classified as *'political campaigners'* and which receive international funding are also required to maintain at least two separate bank accounts: one for political expenditure and one for non-political expenditure.
27. There are also requirements to keep records to ensure donations of more than \$250 are from *'allowable donors'* – Australian citizens or residents, and not foreign entities. For donations from non-citizens or non-residents, charities would have to set up special accounts to keep revenue separate from other sources and ensure it will not fund advocacy now to be classified as *'political expenditure'*. In other words, charities will be restricted from funding any of their issue-based advocacy work with international philanthropic support.
 - a. The outcome will be that charities are forced to choose to refrain from advocacy work so that their *'political expenditure'* is not high enough to trigger their reclassification as a *'political campaigner'* or *'third-party campaigner'* (meaning that retain their ability to access international philanthropy) or continue to engage in advocacy but face burdensome new red tape and the loss of international funding streams.
 - b. This will potentially stifle important contributions of many civil society institutions, including those based overseas, who will undoubtedly consider Australia as a less attractive destination for investment.
28. As noted in Section 2 (23) above, disincentivising international philanthropy to charities in Australia sets a poor international example and may encourage similar crackdowns against civil society in other countries.
29. Many social and environmental problems are global in nature, and transcend national borders, such a marine conservation, poverty alleviation and medical research. It is entirely appropriate for global philanthropy to play a role in these sorts of issues, and this may include contributions to funding the activities of Australian charities. It is important that these charities retain access to international funding, to further their charitable purpose at home in Australia, for the collective benefit of all Australians, and people all around the world.
30. The ability of civil society organisations to access funding and other resources from domestic, foreign and international sources is an integral part of the right to freedom of association, and the constraints of the Bill risk violating article 22 of the International Covenant on Civil and Political Rights⁴ and other human rights instruments, including the International Covenant on Economic, Social and Cultural Rights⁵.

⁴ International Covenant on Civil and Political Rights Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966. Accessed 25.01.2018. Available at <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

⁵ Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai, A/HRC/23/39: C19-20, Available at http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session23/A.HRC.23.39_EN.pdf

31. In addition, the legislation is worded in a way to restrict ‘gifts’ or ‘donations’ by ‘donors’, and not restrict other forms of financial contributions or income such as revenue, fees or grants. We oppose this framing on the basis that it will disproportionately affect those types of organisations whose business model is premised on the receipt of community donations, rather than revenue or fee-based income – i.e. charities.
32. International philanthropy to Australia boosts the impact of domestic giving in alleviating hardship, gives voice to those who may otherwise be ignored, and contributes to a brighter future for many Australians. This is a time in which we should be working together to maximise international philanthropy in Australia, not restrict or ban it.
33. Further, as stated above, around the world we are already seeing civil society organisations facing oppression from authorities preventing them from fundraising to limit their influence. Disincentivising international philanthropy to charities in Australia sets a poor international example and may encourage similar crackdowns against civil society in other countries.
34. We **strongly recommend that:** the Bill be redrafted to clearly differentiate between international philanthropy given to charities for legitimate and lawful advocacy on public policy issues, and foreign donations to politicians or political parties for their campaign for elected office.
35. Given the very different circumstances within which charities operate, and pursuant to International Covenants, **we also recommend that:** any restrictions on foreign donations to political parties and associated entities should not apply to charities.

Section 4: Conflicting legislature

36. The political activities of charities are already strictly regulated and constrained, and it is our submission that any new regulations should promote coherence with existing law.
37. The political activities of charities are strictly regulated and constrained by the Charities Act 2013 (Cth), and by the Australian Charities and Not-For-Profit Commission (ACNC) performing its regulatory function.
38. The current legal regime is robust in outlining the purposes for which charities can legitimately be established, as well as in ensuring charities must demonstrate that they do not have a ‘*disqualifying purpose*,’⁶ - the definition of which prohibits charities from having a “*purpose of promoting or opposing a political party or candidate for political office.*”⁷
39. Within current regulations, charities are already prohibited from having a political purpose and cannot be active participants in campaigns to support political parties or candidates. Unlike political parties, charities do not exercise executive power - they do not have access to the levers of power nor do they have the capacity to directly enact policy.

⁶ See ACNC Fact Sheet http://www.acnc.gov.au/ACNC/Reg/Charities_elections_and_advocacy.aspx

⁷ Charities Act 2013, s 11(b). This legislation specifies that the prohibition “*does not apply to the purpose of distributing information, or advancing debate, about the policies of political parties or candidates for political office.*”

- a. These regulations are sufficient for rendering charities unsuitable for purposes of foreign interference in Australian elections.
40. Therefore, we contend that, pursuant to the Charities Act, and from a risk mitigation perspective, there is no argument for applying the same restrictions to charities as are applied to political parties.
 41. As stated above, we oppose this Bill's significant change to the definition of '*political purpose*' on the basis that the Bill introduces incoherence and potential confusion between this Bill and the Charities Act.
 42. Under the proposed legislation, it is possible that a charity could be classified as spending money with a '*political purpose*' under the Electoral Act while at the same time prohibited from having a '*political purpose*' under the Charities Act (and complying with that prohibition, as political purpose is currently understood in charity law). There are two resulting effects:
 - a. Promoting legal confusion over the rights and proper procedure for charitable advocacy leading to self-censoring and causing a 'chilling effect' on charitable advocacy; and
 - b. Undermining the legitimacy of advocacy by charities.
 43. Under the current draft legislation, activities by charities which are found to involve '*political expenditure*' fall within disclosure rules under the Commonwealth Electoral Act 1918 (Cth). While the definition in s314AEB has already been amended (to come into effect in March)⁸, the new definition of political expenditure in s287(1) is an independent section in the Bill.
 44. There is already a disclosure obligation for all parties incurring over the disclosure threshold of political expenditure in the Electoral Act, s314AEB – organisations who do so must file an annual return outlining the details of that expenditure. However, the definition of '*political expenditure*' currently in s314AEB is far narrower than that proposed in the Bill.
 45. It is, therefore, our **recommendation that:** in a redraft of the Bill, current legislation governing the charities sector be considered extant, and exemption for charities is inserted.

Section 5: Compliance Burden

46. An extensive and fit-for-purpose statutory regime for the conduct of the charities engaging in advocacy already exists. As such, there is little utility in the imposition of further overlapping and burdensome compliance obligations.

⁸ The scope of activities that trigger disclosure of '*political expenditure*' was expanded in amendments to the Electoral Act quietly passed in September 2017. That amendment changed the definition of '*political expenditure*' to include "*the public expression by any means of views on an issue that is, or is likely to be, before electors in an election*". If additional proposed changes in the Bill are passed, the effect of this earlier enacted amendment will compound the impact of broadening the definition of '*political expenditure*' for charities and not-for-profit organisations.

47. We recognise and accept that the transparency and accountability of charities and non-profit organisations is important, and ACFID supports well-targeted, proportional approaches to maintain transparency and accountability for charities.
- a. Our commitment to transparency and accountability in the charitable sector is unrivalled in Australia. ACFID's Code of Conduct has been noted as '*best practice around the world*'.⁹ by the former ACNC Commissioner.
48. However, it is our contention that charities and their supporters are in the best position to determine what approaches are most appropriate in order to achieve their charitable purpose – therefore any new restrictions and limitations are strongly opposed on the basis that the new and unjustified red tape will make it considerably harder for non-profit organisations to achieve their charitable purpose.
49. Charities which fall under the new classifications of '*third party campaigners*', '*political campaigners*' and/or '*associated entities*' under this Bill would be required to:
- a. register with the Australian Electoral Commission (AEC), maintain detailed records and report annually; and
 - c. Nominate a '*financial controller*', who would be personally liable and extremely harshly penalised for any contravention of the Electoral Act, for example in relation to the acceptance of prohibited donations, or for not meeting reporting requirements.
50. In the case of political campaigners that are also charities, there is a requirement to separate funds relating to political expenditure from other funds. There are substantial financial management compliance burdens in managing separate accounts, and the case has not been sufficiently made that charities should be subject to these additional processes.
51. Further, managing separate accounts and differentiating between funding sources is particularly difficult given the level of ambiguity around defining '*political expenditure*' outlined above.
52. Imposing new and unjustified red tape will force many charities to divert resources away from frontline services and advocacy. It may also deter some charities from speaking out about injustices altogether to avoid the onerous and prohibitively costly administrative burdens that such advocacy would incur.
53. It is our view that the additional cumbersome and costly administrative requirements which would be imposed under this Bill, along with serious penalties for non-compliance, are considered incommensurate to risk and would only unnecessarily burden charities with two overlapping layers of regulation.

⁹ Susan Pascoe. *Are Australian Charities at Risk?* http://www.huffingtonpost.com.au/susan-pascoe/are-australian-charities-at-risk_a_21462478/ Huffington Post, August 2016.

54. It is, therefore, our **strong recommendation that** a Regulatory Impact Statement be completed for this legislation
55. In the interim, we also **recommend that:** the disclosure of a short form Regulatory Impact statement so that charities can be aware of the impacts.

Section 6: Summary of recommendations:

Given these concerns above, ACFID is unable to support the Bill in its current form. Whilst we support the need for a transparent and effective framework for regulating third parties in the electoral process, we believe that the Bill in its current form does not address this objective.

We strongly recommend further consultation with the charities and not-for-profit sector and the completion of a detailed regulatory impact statement. The full impact and compliance costs of any changes can then be properly assessed and considered, and charities can be properly excluded from any measures which do not and should not apply to them.

In the interim, we also recommend that: the disclosure of a short form Regulatory Impact Statement so that charities can be aware of the impacts.

In a redraft of the Bill, we recommend the following:

- That the definition of *'political expenditure'* be replaced with the definition of *'purpose'* under the Charities Act 2013:
*Political purpose means the purpose of promoting or opposing a political party or a candidate for political office. This does not apply to the purpose of distributing information, or advancing debate, about the policies of political parties or candidates for political office (such as by assessing, critiquing, comparing or ranking those policies);*¹⁰;
- That the redrafted Bill clearly differentiate between international philanthropy given to charities for legitimate and lawful advocacy on public policy issues, and foreign donations to politicians or political parties for their campaign for elected office.
- Given the very different circumstances within which charities operate, and pursuant to International Covenants, we recommend that any restrictions on foreign donations to political parties and associated entities should not apply to charities.
- In order to preserve Australia's open and democratic system of government, and protect charities' right to advocate on behalf of the communities they serve, we recommend that that current legislation governing the advocacy activities of charities sector be considered extant, and exemption for charities is inserted where appropriate.

¹⁰ Charities Act 2013, Division 3 – Disqualifying Purpose, 11 (a). Accessed 25.01.2018 <https://www.legislation.gov.au/Details/C2013A00100>

Annex A



List of ACFID Members

Full Members

- ACC International Relief
- Act for Peace - NCCA
- ActionAid Australia
- Action on Poverty
- Adara Development Australia
- ADRA Australia
- Afghan Australian Development Organisation
- Anglican Aid
- Anglican Board of Mission - Australia Limited
- Anglican Overseas Aid
- Anglican Relief and Development Fund Australia
- Asia Pacific Journalism Centre
- Asian Aid Organisation
- Assisi Aid Projects
- Australasian Society for HIV, Viral Hepatitis and Sexual Health Medicine
- Australia for UNHCR
- Australia Hope International Inc.
- Australian Business Volunteers
- Australian Doctors for Africa
- Australian Doctors International
- Australian Himalayan Foundation
- Australian Lutheran World Service
- Australian Marist Solidarity Ltd
- Australian Medical Aid Foundation
- Australian Mercy
- Australian Red Cross
- Australian Respiratory Council
- AVI
- Beyond the Orphanage
- Birthing Kit Foundation (Australia)
- Brien Holden Vision Institute Foundation
- Bright Futures Child Aid and Development Fund (Australia)
- Burnet Institute
- Business for Millennium Development
- CARE Australia
- Caritas Australia
- CBM Australia
- ChildFund Australia
- CLAN (Caring and Living as Neighbours)
- Credit Union Foundation Australia
- Daughters of Our Lady of the Sacred Heart Overseas Aid Fund
- Diaspora Action Australia
- Diplomacy Training Program
- Door of Hope Australia Inc.
- Edmund Rice Foundation (Australia)
- EDO NSW
- Engineers without Borders
- Every Home Global Concern
- Family Planning New South Wales
- Fairtrade Australia New Zealand
- Food Water Shelter
- Foresight (Overseas Aid and Prevention of Blindness)
- Fred Hollows Foundation, The
- Global Development Group
- Global Mission Partners
- Good Shepherd Services
- Grameen Foundation Australia
- Habitat for Humanity Australia
- Hagar Australia
- HealthServe Australia
- Heilala*
- Hope Global
- Hunger Project Australia, The
- International Children's Care (Australia)
- International Christian Aid and Relief Enterprises
- International Needs Australia
- International Nepal Fellowship (Aust) Ltd
- International RiverFoundation
- International Women's Development Agency
- Interplast Australia & New Zealand
- Islamic Relief Australia
- KTF (Kokoda Track Foundation)
- Kyeema Foundation

- Lasallian Foundation
- Leprosy Mission Australia, The
- Live & Learn Environmental Education
- Love Mercy Foundation
- Mahboba's Promise Australia
- Marie Stopes International Australia
- Marist Mission Centre
- Mary MacKillop International
- Mary Ward International Australia
- Mercy Works Ltd.
- Mission World Aid Inc.
- MIT Group Foundation
- Motivation Australia
- MSC Mission Office
- Murdoch Children's Research Institute
- MAA (Muslim Aid Australia)
- Nusa Tenggara Association Inc.
- Oaktree Foundation
- Opportunity International Australia
- Oro Community Development Project Inc.
- Oxfam Australia
- Palmera Projects
- Partner Housing Australasia*
- Partners in Aid
- Partners Relief and Development Australia
- People with Disability Australia
- PLAN International Australia
- Quaker Service Australia
- RedR Australia
- Reledev Australia
- RESULTS International (Australia)
- Royal Australian and New Zealand College of Ophthalmologists
- Royal Australasian College of Surgeons
- Salesian Missions
- Salvation Army (NSW Property Trust)
- Save the Children Australia
- Service Fellowship International Inc.
- School for Life Foundation
- SeeBeyondBorders
- Sight For All
- So They Can
- Sport Matters
- Surf Aid International
- Tamils Rehabilitation Organisation Australia
- TEAR Australia
- Transform Aid International (incorporating Baptist World Aid)

- UNICEF Australia
- Union Aid Abroad-APHEDA
- UnitingWorld
- Volunteers in Community Engagement (VOICE)
- WaterAid Australia
- World Education Australia
- World Vision Australia
- WWF-Australia
- YWAM Medical Ships

Affiliate Members

- Australian Federation of AIDS Organisations
- Australian National University – School of Archaeology and Anthropology, College of Arts and Social Sciences
- Deakin University – Alfred Deakin Research Institute
- La Trobe University – Institute of Human Security and Social Change
- Murdoch University – School of Management and Governance
- Refugee Council of Australia
- RMIT – Global Cities Research Institute
- Swinburne University of Technology Centre for Design Innovation
- Transparency International Australia
- University of Melbourne – School of Social and Political Sciences
- University of New South Wales- International
- University of Queensland – Institute for Social Science Research
- University of Sydney – Office of Global Engagement
- University of the Sunshine Coast – International Projects Group
- University of Technology, Sydney – Institute for Sustainable Futures
- University of Western Australia – School of Social Sciences
- Vision 2020
- Western Sydney University- School of Social Sciences and Psychology

* Denotes Interim Full Members