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Joint Standing Committee on Electoral Matters
PO Box 6021
Parliament House
Canberra ACT 2600

Review of the *Electoral Legislation Amendment (Electoral Funding and Disclosure Reform) Act 2018*

Dear Chair,

Philanthropy Australia welcomes the opportunity to make this submission to the Review of the *Electoral Legislation Amendment (Electoral Funding and Disclosure Reform) Act 2018*.

As the peak body for philanthropy in Australia, our purpose is to serve the philanthropic community to achieve more and better philanthropy. Our membership consists of approximately 700 trusts, foundations, families, individual donors, professional advisers, intermediaries and not-for-profit organisations.

Philanthropy Australia believes that issues-based advocacy by charities plays a critical role in our democracy, and provides a way of addressing the root causes of social and environmental challenges, as well as helping inform and enhance policy making by governments. It is for this reason that many of our members fund such activities by charities.

When the initial Bill (the Bill) was introduced into the Parliament, which subsequently became the *Electoral Legislation Amendment (Electoral Funding and Disclosure Reform) Act 2018* (the Act), Philanthropy Australia shared the significant concerns of a diverse range of other stakeholders regarding the negative impact the Bill would have on the ability of charities to undertake issues-based advocacy.

However, we welcomed the efforts of the Committee to improve the Bill and address the concerns of stakeholders. We also valued the opportunity to work with the Government to shape amendments arising out of this process, which produced the Act in its final form.

Philanthropy Australia continues to support the objectives of the Act, which seek to ensure the transparency and integrity of our electoral system, including through addressing foreign interference. We recognise that the Act also preserves the ability of charities to undertake issues-based advocacy activities, following the amendments made during its passage through Parliament.

Since the introduction of the Act, we have not received any negative feedback about its operation from our members. We also understand that charities with obligations under the Act are generally satisfied with its operation.

For this reason, we do not believe that any further amendments to the provisions introduced by the Act are necessary. In particular, we would not support any amendments which would increase the regulatory burden on Australian charities and/or which might hinder the ability of charities to undertake issues-based advocacy in a manner consistent with the *Charities Act 2013*.

We are aware that the Committee, in its 'Report on the Conduct of the 2019 Federal Election and Matters Related Thereto', has recommended lowering the threshold for when an organisation becomes a 'political campaigner'. We believe that the current arrangements are appropriate, and that no such change is warranted.

Philanthropy Australia once again thanks the Committee for the opportunity to make this submission. If the Committee would like to discuss the matters raised in this submission, please do not hesitate to contact our Acting Director of Policy and Research, Krystian Seibert (0457 239 197, kseibert@philanthropy.org.au).

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Jack Heath".

Jack Heath
CEO
Philanthropy Australia