



Gecko - Gold Coast and Hinterland Environment Council Assn Inc.

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Committee Secretary
House of Representatives Standing Committee on the Environment
PO Box 6021
Parliament House
CANBERRA ACT 2600

By email to: environment.reps@aph.gov.au

Dear Committee

Submission to the Inquiry into the Register of Environmental Organisations

Thank you for the opportunity to make a submission. Our submission to the Committee addressing the Terms of Reference is below. Gecko- Gold Coast and Hinterland Environment Council Assoc. Inc. (Gecko) is a not-for-profit environment association founded in 1989 and has been active for the past 25 years in protecting the environmental values and ecological sustainability of the Gold Coast, Queensland and, when appropriate, nationally.

Gecko is making this submission because our organisation has been registered with the Register of Environmental Organisations since 1996 and has complied at all times with the criteria of the Register and the *Income Tax Assessment Act 1997* requirements to enable us to continue to hold deductible gift recipient status. Gecko's activities' satisfy the 'principal purpose' test of benefit to the public.

Our organisation supports the continuation of the definition of environmental organisation under the *Income Tax Assessment Act 1997* and the retention of charitable tax deductibility status for donations received by environmental organisations. Our reasoning for the continuation of charitable tax deductibility status is based on the following information:-

Gecko engages in a range of activities to fulfil its mission *"To actively promote, conserve and restore the natural environment and improve the sustainability of the built environment of the Gold Coast region in partnership with our member groups and the wider community."* Gecko is recognized by all three levels of government as the peak regional environment group for the Gold Coast and until recently received small amounts of Federal funding for administration purposes.

Gecko provides for the 'public benefit' in many ways. Our organization is staffed entirely by volunteers, except when specific grants allow us to employ project officers for events such as Green Week. Unemployed people and those with disabilities, sent to us by Job search organizations and

Volunteering Gold Coast, are provided with thorough training by experienced volunteer mentors, in a range of skills that frequently enable them to enter the workforce. These skills include communications with the public and in electronic media, work routines and team work, research, event planning and management, office administration and reception, gardening and building maintenance, development and delivery of education programs, working with children, and marketing and publicity. Gecko also actively participates in training of university interns from Griffith, Bond and Southern Cross Universities in our region.

Gecko's activities include on-ground work with three active bush-care groups; school and community education programs, guest speakers, Green Week, a community celebration of World Environment Day, coordination of Clean Up Australia Day for the Gold Coast and annual environment awards in recognition of exceptional work; a range of communications media such as Facebook, a website, quarterly magazine and weekly Out and About diary and advocacy to and on behalf of the community to decision makers in our community. Two of our members are recipients of the Member of the Order of Australia for their efforts in protecting the environment in our region.

Gecko supports the continuation of tax deductibility status for environment and conservation organisations like ours which provide a wide range of services to the community, which assist in sustaining a healthy environment upon which the health of our citizens and the economy depends. Further we recommend keeping unchanged the current definition of 'environmental organisation' under the *Income Tax Assessment Act 1997*.

The writing of letters and submissions to decision makers at all levels of government are intrinsically part of the Australian democracy and should not be limited. Input from citizens to governments can and does lead to better decisions and such activities should be supported as part of the suite of activities of conservation organisations. Government frequently request input to green and white papers and draft legislation on conservation matters, because it is recognised as a legitimate activity for individuals and community organisations. Criticism of some government policies should not be seen as a negative, but an opportunity to improve policy and as a celebration of the strength of democracy in our country. Indeed it is likely that limiting the ability of organisations to contribute to the nation in this way, by removing their tax deductibility status and therefore potential financial viability, is possibly in breach of decisions made since 1992 by the [High Court of Australia](#). These decisions have held that that generating public debate by lawful means is beneficial to the community and that free political communication was a necessary part of our representative democracy, as established by the Australian Constitution. These Court decisions also state that there is a further "implied restriction" on the exercise of government power within the Constitution such that **executive and legislative power may not unduly impede communication on matters concerning politics and government** (known as the 'implied restriction regarding political communication').

Australia is the proud signatory to the United Nations Declaration of Human Rights which clearly states in **Article 19** of the Universal Declaration of Human Rights and recognized in international human rights law in the International Covenant on Civil and Political Rights (ICCPR) that "everyone shall have the right to hold opinions without interference" and "everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice".

Gecko requests that the Enquiry recommends the continuation of the current definition of environmental organisations is legitimate and that environmental organisations are allowed to continue advising their donors of their tax deductibility status.

Yours sincerely

Rose Adams
Secretary.