



27 February 2026
ACNCSUB2026/1

Committee Secretary
Standing Committee on Communications, the Arts and Sport
Parliament House
Canberra ACT 2600
communications.reps@aph.gov.au

Dear Committee,

Submission to the Inquiry into arts and cultural philanthropy

The Australian Charities and Not-for-profits Commission (**ACNC**) welcomes the opportunity to assist the Committee with information relevant to the Terms of Reference.

For the Committee's benefit, this submission provides:

- (a) information about the ACNC and Australia's charity sector
- (b) information about charities operating in the arts and cultural sector, and
- (c) context from the Productivity Commission's *Future Foundations for Giving* report.

I trust this information will assist the Committee in its work.

If you have any questions about this submission, please feel welcome to contact Serena Trezise, Policy Manager, via email to policy@acnc.gov.au.

Sincerely,

Cate Bennett
Acting Commissioner
Australian Charities and Not-for-profits Commission



About the ACNC and Australia's charity sector

1. The ACNC is the national regulator of charities established by the *Australian Charities and Not-for-profits Commission Act 2012 (ACNC Act)*. The objects of the ACNC Act are to:
 - (a) maintain, support and enhance public trust and confidence in the Australian not-for-profit sector
 - (b) support and sustain a robust, vibrant, independent and innovative Australian not-for-profit sector
 - (c) promote the reduction of unnecessary regulatory obligations in the Australian not-for-profit sector.
2. Currently we have oversight of over 65,000 registered charities. Despite our agency's name and the language of our statutory objects, we do not regulate the wider not-for-profit sector.
3. To be recognised as a charity and registered with the ACNC, an organisation must:
 - (a) be a not-for-profit¹
 - (b) have only charitable purposes for the public benefit²
 - (c) not have a 'disqualifying purpose' (being a purpose that is unlawful, contrary to public policy or political)³
 - (d) not be an individual, a political party or a government entity⁴
 - (e) have an Australian business number
 - (f) not be a recognised terrorist organisation⁵.
4. Registration with the ACNC is voluntary, but is required for an organisation to be eligible for Commonwealth tax concessions and endorsement as a deductible gift recipient (**DGR**).
5. The charities we regulate vary considerably in size, role and function. Charities are a vital part of our community and economy, employing around 10.7% of the Australian workforce⁶ and reporting revenue of \$222 billion in the 2023 reporting period.⁷ While some charities are large and well-known entities, most are very small, volunteer run organisations. Collectively, charities engaged over 3.7 million volunteers in the 2023 reporting period.⁸

Charities operating in the arts and cultural sector

6. This submission provides information about charities undertaking work in the arts and cultural sector. However, we note that not all organisations operating in this space are registered

¹ For more information, see ACNC, *Not-for-profit* (Web Page) <<https://www.acnc.gov.au/for-charities/start-charity/not-for-profit>>.

² For more information, see ACNC, *Charitable purpose* (Web Page) <<https://www.acnc.gov.au/for-charities/start-charity/you-start-charity/charitable-purpose>>.

³ For more information, see ACNC, *Disqualifying purpose* (Web Page) <<https://www.acnc.gov.au/tools/topic-guides/disqualifying-purpose>>.

⁴ For more information, see ACNC, *Who can apply to be registered?* (Web Page) <<https://www.acnc.gov.au/for-charities/start-charity/you-start-charity/who-can-apply-be-registered>>.

⁵ Ibid.

⁶ ACNC, *Australian Charities Report – 11th edition* (2025) 11 <<https://www.acnc.gov.au/tools/reports/australian-charities-report-11th-edition>>.

⁷ Ibid, 12.

⁸ Ibid, 12.

charities. Some may choose not to register with the ACNC, while others may not meet the eligibility requirements for charity registration.

7. When an organisation applies for charity registration, it has the option to apply for one or more charity 'subtypes' that reflect its charitable purposes. These subtypes appear on the [ACNC Charity Register](#) and help the public understand the organisation's charitable purposes.
8. The ACNC Act recognises 14 subtypes: the 12 charitable purposes set out in the *Charities Act 2013*, as well as Public Benevolent Institutions and Health Promotion Charities.
9. The subtype most relevant to this inquiry is 'advancing culture', which includes 'promoting or fostering culture' and 'caring for, preserving and protecting Australian heritage'.⁹ Examples include charitable Indigenous cultural organisations, performing arts foundations, museums, libraries, galleries and cultural trusts.
10. Information about charities registered with the advancing culture subtype, including, size, revenue sources, volunteer numbers and other characteristics, can be accessed through the ACNC's public [Charity Data Explorer](#). The Data Explorer uses data from the 2023 Annual Information Statements filed by 52,627 charities. This data may assist the Committee with its consideration of this inquiry's Terms of Reference – specifically (ToR1) relating to current levels of philanthropic and private support to the cultural sector.¹⁰
11. In addition to charities with the subtype of 'advancing culture', some charities registered under other subtypes undertake arts and cultural activities as a means of achieving their charitable purpose. For example, a Public Benevolent Institution supporting people in prison may operate an art program as part of its service delivery. Information about the activities conducted by charities is available through the annual [Australian Charities Report](#), which draws on Annual Information Statement data and includes sector-wide analysis of finances, workforce, volunteer engagement and operational trends.
12. While the ACNC is responsible for regulating registered charities, the Australian Taxation Office (ATO) determines whether organisations are entitled to endorsement as a DGR. Some registered charities are endorsed as DGR cultural organisations.¹¹
13. From 1 January 2024, responsibility for assessing eligibility for DGR endorsement of cultural organisations was transferred from the Department of Infrastructure, Transport, Regional Development, Communications and the Arts to the ATO. This reform was intended to streamline and modernise DGR administration, and sits alongside the ACNC's role in registering charities, which remains a prerequisite for most organisations seeking DGR endorsement. Further information about cultural organisations is available on the ATO's website.¹²

⁹ *Charities Act 2013* (Cth) s 16. For more information, see ACNC, *Charity subtypes* (Web Page) <<https://www.acnc.gov.au/for-charities/start-charity/you-start-charity/charity-subtypes>>.

¹⁰ Please note when using the Charity Data Explorer the 'advancing culture' subtype only relates to charities registered with that subtype alone. If a charity is registered with more than one subtype (including 'advancing culture'), it will appear under 'multiple subtypes'.

¹¹ ATO, *Cultural organisations* (Web Page) <https://www.ato.gov.au/businesses-and-organisations/not-for-profit-organisations/getting-started/in-detail/types-of-dgrs/dgr-table-deductible-gift-recipient-categories/cultural-organisations#Cultural_organisations>.

¹² *Ibid.*

Context from the Productivity Commission's *Future Foundations for Giving* report

14. The ACNC contributed to the Productivity Commission's recent inquiry into philanthropy, providing regulatory insights and sector data. Our submissions are publicly available on our website.¹³
15. The Productivity Commission's final report *Future Foundations for Giving* (released 18 July 2024) considered national trends in giving, regulatory and tax settings, and opportunities to increase philanthropic participation.¹⁴ The Commission's recommendations are currently under consideration by the Australian Government.
16. Both the Productivity Commission's report and the ACNC's submissions to that inquiry may be useful for the Committee's consideration of this inquiry's Terms of Reference, particularly those relating to incentives and disincentives for philanthropic giving (ToR4) and opportunities to increase philanthropic participation (ToR5), and may also assist the Committee in situating arts and cultural philanthropy within the broader national environment for giving.

¹³ ACNC, Submission to Productivity Commission, *Inquiry into Philanthropy* (12 May 2023) <<https://www.acnc.gov.au/about/acnc-submissions>>; ACNC, Submission to Productivity Commission, *Inquiry into Philanthropy* (23 February 2024) <<https://www.acnc.gov.au/about/acnc-submissions>>.

¹⁴ Productivity Commission, *Future Foundations for Giving* (Inquiry report no. 104, 10 May 2024) <<https://www.pc.gov.au/inquiries-and-research/philanthropy/report/>>.