

Senate Standing Committee on Environment and Communications
Legislation Committee
Answers to questions on notice
Environment portfolio

Question No: 10
Hearing: Budget Estimates
Outcome: Corporate
Programme: Policy Analysis and Implementation (PAAI)
Topic: Register of Environmental Organisations
Hansard Page: 15
Question Date: 25 May 2015
Question Type: Spoken

Senator Waters asked:

Senator WATERS: Again, it seems to me that pretty much everything is above board, but I understand that that is what we have inquiries for. Has there been any evidence that the department has tracked where any groups on that register have in fact endorsed any political party, as opposed to criticised decisions that have a poor impact on the environment, no matter which government is in power?

Dr Kennedy: I am not aware of our routinely investigating whether organisations on the register are supporting or engaged in any way with political organisations. But, to be absolutely clear, because there is a long history of this register going back to 1992, I will take on notice whether any such activities have occurred in the past.

Senator WATERS: Thank you, because I am certainly not aware of any myself. But you are saying that that is not precluded anyway; even if there were, that would not be against the rules. Is that correct?

Answer:

While there are no express restrictions on the types of activities that a registered organisation may engage in section 30-130(4) of the *Income Tax Assessment Act 1997* provides that registered organisations: "...must use a gift or contribution made to the fund and any money credited to the fund only for the principal purpose of the fund, authority or institution to which the gift, contribution or money relates." The principal purpose is:

- a) the protection and enhancement of the natural environment or of a significant aspect of the natural environment; or
- b) the provision of information or education, or the carrying on of research, about the natural environment or a significant aspect of the natural environment.

The Department notes that the Register operates under a different regulatory regime to that which applies to registered charities. The *Charities Act 2013* provides that "the purpose of promoting or opposing a political party or a candidate for political office" is a disqualifying purpose. However, 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).