

**Senate Economics Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

**Treasury Portfolio**

Additional Estimates

2015 - 2016

**Department/Agency:** ACNC

**Question:** AET 33

**Topic:** Reasons for warnings and enforceable undertakings and removal of charitable status

**Reference:** Hansard page no. 44 - 10 February 2016

**Senator:** Canavan, Matthew

**Question:**

**Senator CANAVAN:** Just following on from Senator Siewert's questions, you mentioned there were two organisations that were taken off the list last week. Who were they?

**Ms Pascoe:** One was Help Save the Furry Ones and the other was White Ridge Rescue Inc.. They were both animal refuge charities.

**Senator CANAVAN:** Were they taken off for noncompliance with forms or—

**Ms Pascoe:** They were the subject of allegations. We investigated, and the end result of those investigations was that we revoked their charitable status.

**Senator CANAVAN:** Okay. You also mentioned an enforceable undertaking.

**Ms Pascoe:** Yes.

**Senator CANAVAN:** Which organisation did that involve?

**Ms Pascoe:** Sure. I will just get that.

**Mr Baird:** I might be able to assist with that. Yipirinya School Council gave a number of enforceable undertakings.

**Senator CANAVAN:** And one got a direction?

**Mr Baird:** That was the New Connection Church of the ACT.

**Senator CANAVAN:** And there were two warnings, I think?

**Mr Baird:** They were to the Islamic Society of Belconnen—and, in due course, the New Connection Church was also the subject of a warning.

**Senator CANAVAN:** Are you able to provide broad reasons for those warnings and enforceable undertakings?

**Mr Baird:** We publish an annual compliance report. Whilst we are unable to publish the reasons for each of those actions, we do publish examples of the way we deal with certain situations, but they are anonymous. They do give the public an indication of our approach to these matters.

**Senator CANAVAN:** I am a little surprised. Why should that information be confidential? Do you have some reason for that? These are concluded investigations; they are not ongoing.

**Mr Baird:** Yes. That is as a result of the secrecy provisions of our act.

**Senator CANAVAN:** Of the tax act or the charities act?

**Mr Baird:** No, of the ACNC Act—which were in turn based on the tax act.

**Senator CANAVAN:** All right. Could you take on notice whatever information you can provide on the reasons for those? I will have to have a look at the act, I suppose. It seems strange that in other areas, like the ACCC, they usually put out a press release on those things.

**Answer:**

*Response to AET 33*

The ACNC has given two warnings and one direction to the following charities:

- New Connection Church (1 warning, 1 direction)
- Islamic Society of Belconnen (1 warning)

The ACNC has accepted one enforceable undertaking from the Yipirinya School Council.

A summary of these actions are published on the ACNC Register and are attached. The summaries no longer appear on the New Connection Church page, as it is no longer a registered charity.



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