

Senate Economics Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Treasury Portfolio
Budget Estimates
2017 - 2018

Division/Agency: Australian Charities and Not-for-profits Commission (ACNC)

Question No: 66

Topic: Transparency

Reference: Written

Senator: Ketter, Chris

Question:

1. There's been a feeling in the sector and among the public that sometimes they are in the dark about actions the Commission is taking against dubious charities. Why can't you explain more about decisions and investigations when there are suspicions a charity is disreputable?
2. Do you see that as a constraint that needs to be re-examined?
3. The 5 year review of the ACNC is due this year, do you have any views on how that review might be implemented and the kinds of issues it should address?
4. Could you shed some light about the 5 year review's public consultation and processes?
5. Would you like to see that review include a discussion of how the ACNC can meet the expectations of the sector and the public relating to transparency about its investigations?

Answer:

1. Division 150 of the [*Australian Charities and Not-for-profits Commission Act 2012*](#) ([Cth](#)) (the ACNC Act) defines what protected ACNC information is, and requires that this information not be disclosed.
2. The ACNC is constrained by Division 150 of the ACNC Act.
3. The Commonwealth Treasury will undertake the Review of the ACNC Act, and the ACNC will assist with the Review as requested/required.
4. This is a matter for the Commonwealth Treasury to consider.
5. This is a matter for the Commonwealth Treasury to consider.