



5 April 2012

The Manager
Consumer Policy Unit
Infrastructure Competition and Consumer Division
Commonwealth Treasury
Langton Crescent
PARKES ACT 2600

Via email nfpreform@treasury.gov.au

Dear Sir/Madam

**Submission to the Commonwealth Treasury in response to the Charitable Fundraising Reform
Discussion Paper and Draft Regulatory Impact Statement**

On behalf of The Churches Commission on Education Inc. (YouthCARE)

1 YouthCARE

1.1 Overview

- (a) YouthCARE is the trading name of The Churches Commission on Education Inc. established in 1972 by a broad group of Christian churches in Western Australia.
- (b) YouthCARE provides a broad range of services including school chaplaincy and Christian religious education throughout public schools in Western Australia.
- (c) YouthCARE believes that its presence in public schools makes a difference to educational outcomes for students and the wellbeing of school communities.
- (d) YouthCARE is grounded in three core values:
 - (i) Respect - we recognise the context in which we exist and we accept and honour the diversity of views among our membership and in the communities we serve,
 - (ii) Compassion - we reach out to others in need by providing holistic services aimed at inspiring hope, and

- (iii) Service - we serve our members and educational communities and create partnerships relying upon collaboration and we recognise the contribution of others.

1.2 Member churches

- (a) YouthCARE's member churches are as follows:
 - (i) Anglican Church of Australia
 - (ii) Assemblies of Christian Brethren
 - (iii) Australian Christian Churches – WA
 - (iv) Baptist Churches in WA Inc.
 - (v) Catholic Archdiocese of Perth
 - (vi) Christian Outreach Centre WA
 - (vii) Churches of Christ in WA Inc.
 - (viii) Church of the Foursquare Gospel
 - (ix) Greek Orthodox Archdiocese in WA
 - (x) Lutheran Church of Australia - WA District
 - (xi) Presbyterian Church in Western Australia
 - (xii) Salvation Army
 - (xiii) Uniting Church in Australia – WA
- (b) These member churches elect representatives to the YouthCARE Board, who in turn appoint YouthCARE's Chief Executive Officer who is then responsible for the day-to-day management and operation of YouthCARE.

2 Submission by Add-Ministry Inc.

You will be aware that a number of our member denominations have already made a joint submission forward under cover of letter from Add-Ministry Inc dated 4 April 2012.

YouthCARE supports and endorses that submission but also wishes to raise some additional matters of specific importance to the operations and activities of YouthCARE and similar cross-denominational religious organisations.

3 Specific issues relevant to cross-denominational religious organisations

We are grateful to read that the goal of the review of charitable fundraising regulation is, as the Foreword to the Discussion Paper suggests, reduction in red tape, streamlining of reporting, reducing compliance burdens and bringing about consistency.

It is our hope that the Commonwealth Treasury will not propose regulation for religious organisations that is more onerous than that which commonly applies at present across Australia.

With some exceptions, state and territory charitable fundraising laws in Australia commonly exempt from regulation the following activities by religious organisations:

- (a) Fundraising for the purpose of the advancement of religion,
- (b) Fundraising from members or related entities of religious organisations, and
- (c) Fundraising on premises owned or leased by a religious organisation, in the context of a religious service or gathering, or in a place that is not a public place.

In a general sense, we support the continuation of such exemptions. We note however that Consultation Questions 2.4 and 2.5 in the Discussion Paper do not specifically propose exemptions for fundraising activities for cross-denominational entities such as our own. Being cross-denominational in nature, organisations such as YouthCARE attract contributions from persons belonging to various member denominations. Donations are sought and received from not only YouthCARE members but also from individuals, groups and other interested parties who are supportive of YouthCARE's religious activities and mission.

.We submit therefore that a broad definition be inserted into any potential national regulation to exempt from regulation the obtaining of donations from *'members or individuals, groups or other interested parties who are supportive of a religious organisation's activities or mission'*.

It also seems to us appropriate that it should be for the religious organisation concerned to decide (on the grounds of reasonable belief) whether someone is a *'member or individual, group or other interested party who is supportive of the religious organisation's activities or mission'*.

Should you wish us to provide further information about the nature of our activities or elaborate on any aspect of this submission we would be most happy to assist.

Once again, we thank you for the opportunity to contribute to this consultation.

Yours sincerely

Fiona Beermier

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