

15 February 2018



Committee Secretary
Parliamentary Joint Committee on Intelligence and Security
PO Box 6021
Parliament House
Canberra ACT 2600

Via: pjcis@aph.gov.au

Re: Foreign Influence Transparency Scheme Bill 2017

To whom it may concern:

Volunteering Australia writes to the Parliamentary Joint Committee on Intelligence and Security on the *Foreign Influence Transparency Scheme Bill 2017*. Volunteering Australia is troubled that this Bill does not effectively encompass what it purports, and instead compromises the activities of charities.

Charities play a critical role in tackling injustice, social, economic and environmental inequalities, and are vital in keeping Governments to account. Volunteering Australia raises that this Bill will have a significant impact on charities and their ability to carry out their activities and effectively represent their constituents.

Advocacy is a core focus for many organisations within the not-for-profit sector, and there is a real risk that this Bill could dissuade many organisations from engaging in advocacy for fear of falling foul of the legislation.

It is concerning that political influence has not been clearly established in the Bill, with foreign owned businesses exempt. Despite the broad scope of the Bill, foreign owned business are under no obligation to register as a foreign principal, and can engage in lobbying activities, while the activities of charities could be compromised.

Volunteering Australia emphasises that many charities could be inadvertently caught by the Bill. There is a lack of clarity in the application of the Bill and its subsequent affect on charities, including Volunteer Involving Organisations. This lack of clarity is contained within the definitions of the Bill.¹

It remains unclear whether charities would be 'liable to register', given the broad scope purported by the definitions. For example, if an organisation made public references to associations with an international organisation, they may be liable to register. Organisations who do not comply with the legislation risk jail time, with the Bill outlining that ignorance of the conditions will not be accepted as an excuse. Furthermore, the onerous process for registration adds to the regulatory burden that many charities already face.

There is a distortion of the definition of charity, with the imposition of unnecessary red tape on the charity and not-for-profit sector. The sector is already independently regulated by the Australian Charities and Not-for-profits Commission (ACNC), and organisations face restrictions from engaging in partisan political activity.

We reiterate that this Bill will inhibit the ability of charities to carry out their activities, and recommend that the Bill is not passed in its current form. Volunteering Australia highlights that a complete redraft is required, with particular emphasis on the definitions of the Bill, to ensure that the activities of charities are not affected.

¹ Explanatory memorandum

Volunteering Australia is the peak body for volunteering working to advance volunteering in the Australian community. Our mission is to lead, strengthen, promote and celebrate volunteering in Australia. We work collectively with the seven State and Territory volunteering peak bodies to deliver national, state and local volunteering programs and initiatives in accordance with the Government's priorities.

Volunteering Australia is happy to provide further information on the matters raised above. To discuss this further please contact Ms Lavanya Kala, Policy Manager at Volunteering Australia at lavanya@volunteeringaustralia.org or (02) 6251 4060.

Yours sincerely



Ms Adrienne Picone
Chief Executive Officer
Volunteering Australia