

House of Representatives

Supplementary Order Paper

Tuesday, 30 May 2023

Charities Amendment Bill

Proposed amendments

Hon Priyanca Radhakrishnan, in Committee, to move the following amendments:

Clause 2

In *clause 2(1)*, after “**17,**” (page 4, line 5), insert “**17A,**”.

Clause 6: new section 12A

In *clause 6, new section 12A*, after “observed by charities” (page 5, line 26), insert “, officers,”.

Clause 17A

In the heading to *clause 17A*, replace “**Duty to**” (page 10, line 1) with “**Duty of**”.

After the heading to *clause 17A* (page 10, after line 2), insert:

- (1) In the heading to section 39, delete “**telephone and Internet**”.

Explanatory note

This Supplementary Order Paper makes minor and technical changes to the Charities Amendment Bill. The amendments are summarised below.

The commencement clause (*clause 2*) has been amended to provide for *clause 17A* to come into force 3 months after the date of Royal assent instead of on the day after that date. *Clause 17A* amends section 39 of the Charities Act 2005 (the **Act**) to impose a duty on all collectors (which under the definition of that term in section 4(1) of the Act means all persons who request funds, canvass for subscriptions, sell raffle or lottery tickets, or appeal for donations on behalf of charitable entities) to disclose on request the registration number of the relevant charity on whose behalf they are collecting. Currently, this duty applies only to telephone and Internet collectors. The change to the commencement date provides for the chief executive of the Department

of Internal Affairs to provide any necessary guidance to the sector in advance of this law change coming into force.

Clause 6 has been amended to clarify that the requirement under *new section 12A* for the chief executive of the department to consult before issuing any significant guidelines or recommendations relating to the best practice to be observed by charities and persons concerned with the management or administration of charities also includes significant guidelines or recommendations relating to best practice to be observed by officers of charities.

Clause 17A has been amended by inserting a new subprovision that removes the reference to telephone and Internet collectors from the heading to section 39.

Departmental disclosure statement

The Department of Internal Affairs considers that a departmental disclosure statement is not required to be prepared for this Supplementary Order Paper.