



Submission in Response to the Inquiry into the Electoral Legislation Amendment (Electoral Funding and Disclosure Reform) Bill 2017

Introduction

The Chinese Australian Services Society Limited (commonly known as “CASS” in the community) welcomes the opportunity to provide a submission in response to the Inquiry into the Electoral Legislation Amendment (Electoral Funding and Disclosure Reform) Bill 2017. As a long standing community organisation, CASS has been dedicated to assisting disadvantaged people from local communities and advocating on their behalf. Our submission is a reflection of the views and concerns that we received from our service users and people in our community, as well as observation and conclusions we made while delivering services to our clients, who are significantly affected by Australia’s welfare measures.

About Our Organisation

CASS was founded in 1981. Its main service objective is to provide a wide range of welfare services to the community, and assist migrants to settle and integrate into the Australian society. The comprehensive range of community services and activities provided by CASS include residential aged care, home ageing services, disability services, vocational training, settlement and health, volunteering, as well as family and children services. Most of the services we provide cover the whole of Metropolitan Sydney, with some covering areas down to Wollongong. We serve the Chinese, Korean, Indonesian, Vietnamese, people from other CALD communities, as well as mainstream Australians. At present, more than 2,400 families access our services and activities weekly.

Our response to the Inquiry into the Electoral Legislation Amendment (Electoral Funding and Disclosure Reform) Bill 2017

Under the Electoral Funding and Disclosure Reform Bill 2017 (thereafter referred as ‘the Bill’), an organisation is required to register as a political campaigner if during the current or any of the previous three years the “political expenditure” was \$100,000 or more. According to the Bill, “political expenditure” includes, amongst others, the following:

- the public expression by any means of views on an issue that is, or is likely to be, before



- electors in an election (whether or not a writ has been issued for the election);
- the carrying out of an opinion poll, or other research, relating to an election or the voting intentions of electors.

The definition will in reality force many charities to register as ‘political campaigners’ as they do from time to time express views on social issues on their clients’ behalf, especially on issues which may impact on the welfare of those they serve. As ‘political campaigners’, charities will be required to keep records to show whether donations of more than \$250 were from what the Bill calls “allowable donors” or from “non-allowable” donors (non-citizens or residents of other countries). There is also the possibility of fines of over \$50,000 for charities who breach the legislation. Charities will need to set up separate sets of accounts for the two categories of donations. No funds from ‘non-allowable’ donors could be used for the ‘political expenditure’. The setting up of separate accounts for the different streams of donations, together with the strenuous reporting requirements, will increase the administrative costs of charities, which have limited resources in the first place. This will in effect drain the charities’ resources from the primary focus of its work, that is, providing services to that in need in the community, to unnecessary cumbersome administrative tasks.

Charities cannot afford to put their limited resources into administrative tasks in order to meet the requirements of the Bill and to avoid being fined. The end result will prevent good organisations like CASS from speaking out on behalf of the poor, the sick, those with a disability and those who are disadvantaged in the community.

Charities assist people, they are not political parties! If enacted, the Bill will impose new reporting requirements on charities that have no interests in using donations from overseas to influence Australian elections.

In the past, the Government welcomed feedback from the community when Senate Inquiries went public. Community organisations were often invited or encouraged to give feedback. When community organisations express their views, they are voicing the concerns of the people whom they serve. They serve as a bridge between the Government and the people, raising views so that government policies can best meet the needs and interests of the people, especially those who are disadvantaged and not able to voice their opinions. Social issues sometimes carry political overtones, unwittingly, charitable organisation discussing these issues could be misconstrued as political campaigners under the proposed Bill.



The Government needs to differentiate between community feedback and the conducting of a campaign to destabilise the Government. These are two totally different matters. By categorizing the vast number of charities as ‘political campaigner’ and thrusting them with cumbersome and costly administrative requirements, the Government is in fact forcing charities to be silent!

We strongly object to the Bill! Charities are not political organisations. Charities should not be considered as ‘political campaigners’ and be required to meet the reporting requirements that will drain their limited resources further from their primary focus of providing services for the underprivileged in the community. Some charities do receive donations from people and/or organisations overseas from time to time because they appreciate the work the charities are doing. Charities should not be penalized because they receive donations from overseas. The Bill must make the distinction between foreign donations to political parties and international philanthropy for charitable purposes. Charities work for the community and are strongly connected to the community. They listen to the people they work with. They see the problems people face and are aware of social issues. The public wants charities to speak up about the important issues in our community. Charities should be allowed to express views on social issues and not be subjected to strenuous administrative compliance! There are sufficient safeguards under current reporting requirements under ACNC and any additional workload will increase the operating cost of charitable organisations.

Conclusion

We welcome the opportunity to provide feedback to the Inquiry into the Electoral Legislation Amendment (Electoral Funding and Disclosure Reform) Bill 2017. We would appreciate if the Committee takes into account the viewpoints and concerns raised in this submission. We are happy to have a further discussion to elaborate these viewpoints/concerns and we consent to our submission made public.

Anthony Pang
Deputy Chairperson /Secretary
CASS Group

24 January 2018