

Action sheet

For the Hands Off Our Charities Campaign



RESULTS CEO Maree Nutt at press conference in Parliament House

Summary

A thriving democracy needs many voices and a robust and vibrant public debate. We know Australians overwhelmingly (76%) support ALL charities having a public voice on issues like poverty and climate change. Millions of our citizens also choose to volunteer, becoming a member or donating to RESULTS and other civil society organisations to advocate on causes they believe in.

Several pieces of legislation were introduced by the current government late last year that for charities like RESULTS threaten their sources of funding, overwhelm them in 'red tape' and silence their public voices. The most destructive is the *Electoral Legislation Amendment (Electoral Funding and Disclosure Reform) Bill 2017*, which could pass Parliament as early as mid March.

Take ACTION: Write a letter to or Request a meeting with your local MP or Senator; write to the Letter to the editors

Why is this so important?

This legislation threatens RESULTS' continued operation and effectiveness. Under this legislation grant funding RESULTS from overseas would be prohibited if used for advocacy, and donations from individuals like you would be subjected to increased scrutiny. The legislation would divert significant parts of our income, including your donations, to administration rather than on the people we serve. And in principle this undermines the participation of citizens in democratic debate through the organisations they support. We need to stop it on its tracks.

Looking under the hood

Cutting off funding sourced through international philanthropy

The issues RESULTS and many other charities are tackling do not stop at borders, whether it's fighting tuberculosis and polio, rights to access to quality education, the impacts of climate change **we need a global effort for collaboration to succeed.** It's legitimate and wonderful for individuals or philanthropic foundations outside of Australia to contribute to organisations inside Australia (like RESULTS) working to address these important issues. This legislation would destroy that.

One problem is the broad and ambiguous definition of 'political purpose' in Section 287 (1) of the Legislation – particularly this definition: “(b) *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);*” Under this definition, much, if not all of RESULTS activities and advocacy could potentially be labelled as having a 'political purpose' and the funding of these activities and advocacy labelled as 'political expenditure', meaning we need to register as a 'political campaigner' and report in detail on our expenditures every year.

RESULTS would also be prohibited from using international philanthropy for political campaigning. Because international philanthropy currently constitutes 85% of RESULTS funding, the majority of RESULTS activities would cease unless this funding could be replaced by Australian philanthropists and donors.

Barrier to raising domestic funds

Many of us have donated to RESULTS to support the work to end poverty. For the 15% of RESULTS funding which is sourced from Australian donors (and if RESULTS is defined as a

'political campaigner' under the proposed legislation) any donations of more than \$250 annually could only come from 'allowable donors', who would need to provide a statutory declaration stating that they are a citizen or permanent resident. This would apply to anyone who donates as little as \$4.80 per week. In effect such onerous conditions would decimate RESULTS' domestic funding source.

Zeitgeist of a silencing and gagging of civil society

The legislation would also have a chilling effect on charities and their supporters who may choose to stay silent on public issues. By forcing organisations to choose between international funding or political advocacy, with vague definitions of what constitutes advocacy, and harsh penalties (including up to 10 years in prison) for getting it wrong. The risk of being fined due to non-compliance may be considered by RESULTS (along with many other charities who undertake advocacy) as too great, and we may self-censor and stop our vital advocacy work.

What's Next?

In recent months RESULTS has collaborated with a wide range of domestic and international focussed charities and peak bodies through the ['Hands Off our Charities Campaign'](#)¹ who are all deeply concerned by the proposed legislation. It is our united view that this legislation is deeply flawed, and must be redrafted with proper consultation. If the government refuses to withdraw the legislation, it will be necessary to have the ALP, the Greens and at least three crossbench Senators block the legislation in the Senate.

Timeline

Key upcoming dates:

Feb 19th and 20th Update and Q&A webinar with RESULTS CEO - Maree Nutt

March 2nd The Joint Standing Committee on Electoral Matters (JSCEM) will report on their findings on the Bill.

Mid-late March First Parliamentary sitting week after JSCEM has reported. This is the first opportunity for the Bill to be decided upon by the Senate.

¹ Australian Conservation Foundation; Australian Council for International Development; Australian Council of Social Services; Australian Environmental Grantmakers Network; Amnesty International; Bush Heritage; Campaign for Australian Aid; CARE Australia; Caritas Australia; Community Council for Australia; Fred Hollows Foundation; Human Rights Law Centre; Lock the Gate; Oaktree; Oxfam Australia; Pew Charitable Trusts; Philanthropy Australia; Results; Save the Children Australia; TEAR Australia; WaterAid; World Vision; WWF; 350.org

What we need to do

Write a letter to or Request a meeting with your local MP or Senator

The priority for these letters/meetings is for those MPs in Government, to request the Government to withdraw the legislation.

If your MP is in Government, the purpose of the meeting is to express your concern, and request them to write to the special minister of State, Mathias Cormann, the need to withdraw the legislation.

If you're not in a Coalition-held electorate (ALP, Greens or Independents), you may wish to prioritise writing to or organise a meeting with a Senator in your State. Because they would be the backup plan to block the legislation in Senate. And in this meeting your request will be to write to their party leaders to support the blockage.

Here're some quick [tip on writing to your MP/Senator](#); and [how to request a meeting with your MP](#).

Write to the Letter to the editors

Another great way to keep the discussion on the legislation going is to write to your local newspaper! It shapes the political discourse particularly outside metro areas, when coordinated with consistency, this will capture the eyeballs of MPs to know the public outrage on this poorly drafted legislation with potential dire consequences.

[We have drafted three versions to get the creative juice flowing!](#)