

28 February 2018

Mr Murray Crowe  
Individuals and Indirect Tax Division  
The Treasury  
Langton Crescent  
PARKES ACT 2600  
Emailed to [ACNCReview@treasury.gov.au](mailto:ACNCReview@treasury.gov.au)

Dear Mr Murray,

**Re: Review of Australian Charities and Not-for-profits Commission (ACNC) legislation**

Dementia Australia welcomes the opportunity to provide input to the Treasury's Review of the Australian Charities and Not-for-profits Commission (ACNC) legislation (the Review).

Dementia Australia (formerly known as Alzheimer's Australia) is the peak, non-profit organisation for people with dementia and their families and carers. We represent the more than 425,000 Australians living with dementia and the estimated 1.2 million Australians involved in their care.

Dementia Australia works with consumers, all levels of government, and other key stakeholders to ensure that people with dementia, their families and carers are appropriately supported – at work, at home (including in residential aged care), or in their local community.

Our close engagement with consumers means that we are an important advocate for those impacted by dementia and we are also well placed to provide input on policy matters, identify service gaps and draw on our expertise to collaborate with a wide range of stakeholders, including researchers, technology experts and providers.

In addition to advocating for the needs of people living with all types of dementia, and for their families and carers, Dementia Australia provides support services, education and information aimed at addressing the gaps in mainstream services. Many (though not all) of these functions are achieved through Commonwealth funding. We are also a registered charity and each year receive donations from thousands of families and carers to support the work that we undertake on their behalf.

As such, this Review and its recommendations will have a direct impact on our work as an organisation. Right now, the ACNC Act has three main objectives: to maintain, protect and enhance public trust and confidence in the Australian not-for-profit sector; to support and sustain a robust, vibrant, independent and innovative Australian not-for-profit sector; and to promote the reduction of unnecessary regulatory obligations on the Australian not-for-profit sector.

These objectives have so far delivered a regulatory environment that, for organisations engaged in the type of work that Dementia Australia undertakes, has fostered a healthy not-for-profit sector. It is therefore vital that the current discussions on the future of the ACNC and the regulatory framework for not-for-profits in Australia do not negatively impact the effectiveness of the ACNC, nor have unintended consequences for charitable organisations that fulfil the needs of the communities they serve.

In particular, we note the recommendations made by the ACNC to this Review.<sup>1</sup> In their submission, the ACNC called for the addition of two new objects to the act: to promote “the effective use of the resources of not-for-profit entities”; and to “enhance the accountability of not-for-profit entities to donors, beneficiaries and the public”.

While we understand the intent behind these objectives, it is important that their implementation does not contradict or undermine the existing objectives of the ACNC, such as the reduction of unnecessary regulatory obligations on the Australian not-for-profit sector.

Further clarity is also required on how and who would be able to meaningfully assess how a charity is ‘effectively’ using its resources and how ‘misconduct’ might be defined. For example, while Dementia Australia’s advocacy is under no circumstances political in nature, our role does charge us with the responsibility to advocate for our vulnerable consumers, especially where existing government policy is failing to meet their needs. We therefore seek clear articulation of the issues being explored as part of this Review, along with thoughtful, targeted definitions of ‘effectiveness’ and ‘misconduct’.

Finally, Dementia Australia urges this Review to consider the implications of introducing additional regulatory impositions on a sector that is often considerably under resourced and largely trying to advocate on behalf of vulnerable sections of our community who can’t advocate for themselves.

We look forward to the recommendations from this significant review and hope to continue to work with the ACNC as part of an efficient and productive not-for-profit sector.

Yours Sincerely



Maree McCabe

Chief Executive Officer  
Dementia Australia

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<sup>1</sup> ACNC submission to the review of Australian Charities and Not-for-profits Commission legislation. Access online [here](#).



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