

8 March 2018

Committee Secretary  
Joint Standing Committee on Electoral Matters  
PO Box 6021  
Parliament House  
Canberra ACT 2600  
e: [em@aph.gov.au](mailto:em@aph.gov.au)

creating a better life  
for children and young  
people in care

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

CREATE Foundation welcomes the opportunity to make a submission to the Joint Standing Committee on Electoral Matters Inquiry into the *Electoral Legislation Amendment (Electoral Funding and Disclosure Reform) Bill 2017*. CREATE Foundation is the national consumer body for children and young people with an out of-home care experience. We represent the voices of over 46 000 children and young people currently in care and those who have transitioned from care up to the age of 25 years. We provide programs and services to children and young people with a statutory care experience and develop policy and research to advocate for a better care system.


CREATE Foundation's primary concern regarding the *Electoral Legislation Amendment (Electoral Funding and Disclosure Reform) Bill 2017* is that the crucial advocacy role of not-for-profit organisations is at risk of being silenced. If passed, this Bill will have a significant effect on the advocacy profile of not-for-profit organisations throughout Australia, effectively silencing them and precluding them from undertaking their important work.

CREATE Foundation recommends:

- 1) The Government immediately withdraw the proposed Bill and
- 2) The Government conduct extensive consultation with the not-for-profit sector to enable appropriate regulation that does not impact the independent advocacy commitments of our not-for-profit organisations.

Australian not-for-profit organisations have a rich history of contributing to political discussion and debate. Our work in ensuring the voices of vulnerable and disadvantaged Australians has resulted in significant outcomes, often recognised internationally, including advancements for women's rights, child safety, environmental protections and mental health. A significant role of these organisations is to advocate to policy makers and politicians in order to ensure the voices of their membership are heard. As such, not-for-profit organisations undertaking advocacy work must be treated as distinct from political parties because their role is to ensure that Australia's most vulnerable are able to share a level of equity in any political debate and discussion.

CREATE recognises that existing legislation already provides for the regulation of not-for-profit organisations. Their further regulation, as proposed in this Bill, will effectively mean that not-for-profit organisations will no longer be able to comment independently during elections on issues affecting vulnerable Australians. The Bill assumes that not-for-profits can be taken to be political or third party campaigners, drawing them into the expensive and unnecessary compliances proposed within the Bill.



CREATE Foundation is calling on the Government to withdraw the proposed *Electoral Legislation Amendment (Electoral Funding and Disclosure Reform) Bill 2017* and to undertake extensive consultation with the not-for-profit sector to enable appropriate regulation that does not affect the independent advocacy strategies of our key charities and reduces the potential and unnecessary burden of the proposed compliance obligations.

Yours sincerely,



Jacqui Reed  
Chief Executive Officer

**national queensland office**

CREATE Foundation Limited ABN 69 088 075 058

A Level 1, 3 Gregory Terrace, PO Box 105, Spring Hill QLD 4004 | T 07 3062 4860

 1800 655 105  [www.create.org.au](http://www.create.org.au)  [facebook.com/CREATEfnd](https://facebook.com/CREATEfnd)  @CREATEfnd