



Australian  
**ZEN**  
Studies Institute

Mr Murray Crowe

Individuals and Indirect Tax Division

The Treasury

Langton Crescent

PARKES ACT 2600

We think the powers of the ACNC should not be increased unless there are safeguards that ensure the ACNC will not abuse it's powers wether by deliberate action or by neglect.

Under proposals to expand the ACNC powers there is open possibility for the ACNC to act as a political stick against organizations and individuals that the sitting government of the day simply does not like through the direction of the Minister and the appointed Commissioner. We point out that many environmental and social welfare and religious organizations will be adversely affected by any powers that the ACNC is given to deregister, wind up or even issue warrants against officers and organizations in return for their criticism of sitting governments.

We believe that the ACNC is an unnecessary duplication of State government and ATO powers that already exist with a proposal to extend to powers that are not considerations of the Treasury but political in nature.

We remind that the Treasury and the Australian government as a whole, like any government exists for the protection advancement of it's citizens and borders. It is a function of democratic social life that governments will sometimes be criticized, asked to account in public etc. and it is a function of Non Government Organizations and Officers to seek that accountability.

Further the ACNC is blind to the nature of NGO's the ACNC is lacking in defining the difference between Benevolent organizations and non-benevolent organizations. The ACNC uses the blanket term 'Charity' only. Under the definitions of the ATO some of the 'Charities in this country, have never been Charities.

Further it would shock the Commissioner to understand that in this country there still remain clergy that like myself have incomes of less than \$20 000 dollars a year gross. This seems unknown to the officers of the ACNC to understand that this does still exist and that religious officers exist like this in a voluntary state. We are dealing with people who are paid anything of 60000 dollars upwards as salaries who have not an idea of any other life and the problems posed by poverty. Further volunteering just does not happen as the ACNC currently imagines it does, and many small organizations would not exist without informal volunteers.

The current language of the ACNC in dealing with organizations is belligerent. How can it be trusted with more powers? If the ACNC currently deems an organization to be failing it's obligations to the register, it is simply threatened and deregistered and publicly listed as such without explanation to the public included on why. Simply being late or defaulting on the annual records for example can lead to be listed in such a way as giving the impression a major criminal offence has taken place.

Indeed there are problems in this country where certain Charities are functioning as high level business' and have become distanced from their original charters. However it is not the way to solve this issue with a heavy handed club.

The Australian Government has a poor record of interaction and understanding of the Non Profit sector and it's contribution socially and economically. I would point to the fact that roughly a third of the economy of the United States is Non Profit, while in Australia Non Profit is actively discouraged. Added powers to the ACNC and in our belief the existence of the ACNC at all only add to this problem.

The Australian Government has a culture of seeing the Non Profit sector as a 'problem'.

Foreign interference can indeed be an issue, there are indeed issues, but these are issues that should be dealt with by other bodies such as the Federal Police, the ATO etc. And further in an adult democracy, not a children's playground we accept other's views and efforts even when they are not our own and try to prove the contrary through our virtue. Not simple issue organizations the power for warrants against whom we don't like.

In our own experience with the ACNC we were sent threatening letters, offered no contact and then deregistered quietly. The register gives no proper explanation and nor were contacted further. If this is an indication of the ACNC at present the proposal to give the ACNC further powers will be handled how?

Reverend .Venerable, Mujyo Williams



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