



Australian
Charities and
Not-for-profits
Commission

How to Maintain Charity Status and what happens if you don't?

Presented by:
Sallyann Stonier, Director of Registration
ACNC



ABOUT THE ACNC

Background and context



ABOUT THE ACNC

Our objects



1

To maintain, protect and enhance **public trust and confidence**

2

To **support** and **sustain** a robust, vibrant, independent and innovative Australian not-for-profit sector

3

To promote the **reduction of unnecessary regulatory obligations**





WHAT THE ACNC DOES

Registers new charities

Maintains the ACNC Charity Register

Regulates charities (reporting and compliance)

Provides advice, guidance and education

Reduces red tape for charities



REQUIREMENTS TO REGISTER

To be registered with the ACNC, an organisation:

- Must be not-for-profit
- Must have a charitable purpose
- Must benefit the public
- Must also:
 - Have an ABN
 - Meet the governance standards in the ACNC Regulation, and
 - Not be a political party, government entity or terrorist/criminal organisation

Find out more at acnc.gov.au > Register My Charity



READY TO REGISTER?

- The ACNC Registration form is accessed online, via the ACNC website.
- Charities will need to have:
 - ABN details and other registrations (i.e. ASIC or ORIC identifiers)
 - Suitable governing documents
 - Information about the charity (incl. not-for-profit status, charitable purpose, responsible persons etc.)
 - Basic financial information
- Once a charity is registered, the ACNC notifies the ATO, who will then apply relevant tax concessions.

Applications can be submitted at > acnc.gov.au/Register



BENEFITS OF BEING REGISTERED

- Badge of credibility for registered charities, through the **Charity Register**
- Access to **Commonwealth tax concessions** and other benefits
- Use of the online **ACNC Charity Portal** to quickly and easily meet obligations and update information
- Timely **advice**, guidance and education to improve capacity and outcomes
- Benefits of **reduced red tape** over time
- Access to the **Registered Charity Tick** (pictured)



ONGOING OBLIGATIONS TO THE ACNC



YOUR OBLIGATIONS to the ACNC



- Maintain **charity status**
- Comply **with the five governance standards**
- Keep **records**
- Report annually (**AIS**)
- **Notify us** of certain changes.



Find out more at acnc.gov.au > Manage My Charity

ANNUAL REPORTING



- All registered charities must submit an Annual Information Statement to the ACNC.
- Medium and large charities are also required to submit an audited annual financial report.
- The information charities provide is used to populate an organisation's listing on the ACNC Charity Register, and is used to produce the annual Australian Charities Report.

**Find out more at >
acnc.gov.au/reporting**

FURTHER REPORTING OBLIGATIONS



- In addition to meeting the obligations of the ACNC, charities may be required to meet obligations to other federal government agencies or state government agencies.
- Regulators that may affect NSW charities are:
 - NSW Office of Fair Trading
 - NSW Office of Liquor and Gaming
 - NSW State Revenue Office

**Find out more at >
acnc.gov.au/OtherRegulators**

NOTIFYING OF CHANGES



Charities must inform the ACNC if there is a change to their:


- name
- address for service
- board members
- governing documents


**All changes can be made via the Charity Portal >
charity.acnc.gov.au**

CHARITY PORTAL

Skip to content | Skip to menu

 Australian Government

 Australian Charities and Not-for-profits Commission

Log Out 

CHARITY PORTAL
Welcome [Susie Cotterill](#)

Manage Back to [acnc.gov.au](#) Portal home

On Behalf Of: [Prue Monument](#)(change) ▼

[Submit Annual Information Statement](#) >

[Change charity details](#) >

[Change responsible person](#) >

[View charity entry on ACNC Register](#) >

[Ask ACNC for advice](#) >


[Apply to withhold information](#) >


[Print copy of charity certificate](#) >

[Change password](#) >

[Request a different reporting period](#) >

Alerts

 **Missing information:**
We do not have a copy of your governing documents.
[Submit now](#)

 **Responsible person:**
There are records for 0 responsible persons
[Review and change these details](#)

Information for your charity

[Ongoing obligations](#)
Understand your charity's ongoing obligations to the ACNC, including to [notify us of changes](#) and [filling in the Annual Information Statement](#).

[Sign up for email updates](#)
Subscribe to the ACNC email newsflash to receive the latest news and information.

[About the portal](#)
Find out more about this portal.

[ACNC privacy statement](#)
The ACNC is committed to ensuring your data and information is kept safe. Read our privacy statement and policies on privacy and information handling to find out more.

[Updating your address for service email address](#)
Remember to use a generic email address for your address for service e.g [info@yourcharityname.org.au](#), rather than a personal email address. This will ensure that even if your charity's contact person changes, you will still be able to receive correspondence from the ACNC to a dedicated organisational email address.



YOUR OBLIGATIONS

The ACNC Governance Standards

Charities must meet a set of core, minimum standards that deal with how charities are run.

1	Purposes and not-for-profit nature of a charity
2	Accountability to members
3	Compliance with Australian laws
4	Suitability of responsible persons
5	Duties of responsible persons

acnc.gov.au/governancestandards

COMPLIANCE ISSUES

Major issues 2012-14

- Record keeping
- Accountability to your members
- Knowing your duties



of concerns investigated
are about the
governance standards



ABR DATA EXCHANGE

- Status of charity e.g. Registered, Revoked
- ABN
- Whether charity details are withheld

ABR has access via charity passport:

- Charity name
- Address for Service
- Business Address
- Email
- RP names and positions

FURTHER RESOURCES AND SUPPORT



SUPPORT FOR CHARITIES



- Contact our Advice Services team on 13 ACNC (**13 22 62**), Monday – Friday from 9am to 6pm
- Education and advice
 - Education sessions, targeted webinars, website and factsheets
 - Governance information
 - Public events and seminars such as Ask ACNC
- Speaking and presentations at relevant conferences
- Bulk reporting and tailored support to submit AIS
- Direct email and mail contact to issue reminders and provide information via ACNC Quarterly

ADDITIONAL RESOURCES



- Justice Connect has a range of useful information to help charities navigate not-for-profit legal information and determine a new organisation's obligations in their NFP Law hub.

nfplaw.org.au

- The ACNC produces a range of specialised guidance, factsheets and templates – designed to assist charities of all sizes and subtypes.

acnc.gov.au/publications

- The ACNC also host free monthly webinars on a range of topics, all of which are published on the ACNC website for ongoing access.

acnc.gov.au/webinars



KEEP IN TOUCH & CONNECT WITH US

- Commissioners Column and email updates
- Web guidance, podcasts, video content, webinars
- 13 ACNC (13 22 62) 9.00 am – 6.00 pm AEST
- advice@acnc.gov.au

 facebook.com/acnc.gov.au

 [@acnc_gov_au](https://twitter.com/acnc_gov_au)

 youtube.com/ACNCvideos

 Aussie Charities and NFP – Group

 acnc.gov.au