

WORLD VISION AUSTRALIA – SUBMISSION TO SENATE SELECT COMMITTEE ON CHARITY FUNDRAISING IN THE 21ST CENTURY

6 August 2018

1 Introduction

This paper sets out the view of World Vision Australia (**WVA**) to matters listed in the Terms of Reference of the Senate Select Committee on Charity Fundraising in the 21st Century. WVA's comments on these are set out in part 3 of this paper. In April 2012, WVA made submissions (the **2012 Submissions**) in response to the Treasury Discussion paper entitled "*Charitable Fundraising Reform: Discussion Paper and draft Regulation Impact Statement*" released in February 2012. Many of the concerns raised then remain and in this submission, we refer to our 2012 Submissions.

2 About WVA

WVA is a Christian relief, development and advocacy organisation dedicated to working with children, families and communities to overcome poverty and injustice. It is part of the World Vision International Partnership, which operates in more than 90 countries. WVA is Australia's largest overseas aid and development organisation, operating primarily to assist overseas communities living in poverty. It also carries out development work in Australia with Indigenous communities, working collaboratively with both government and non-government organisations in Australia.

The vast proportion of WVA's income is donations and ongoing pledge support from "middle Australia" Child Sponsors and general donors. Therefore, charitable fundraising, as traditionally understood, forms a significant part of WVA's operations.

Nationally, WVA engages with the public through conducting national fundraising campaigns for our programs (such as Child Sponsorship) which might include the following:

- television, radio, newspaper and billboard advertising and advertorials
- direct mail (post, email and text message)
- internet advertising and presence, including through social media (in-house and outsourced)
- outbound telemarketing (in-house).

WVA engages with the public to donate through:

- Stands at major shopping centre complexes
- Stands at selected public events
- Engaging with businesses (corporates), churches, schools and community groups who fundraise for WVA.
- Commercial fundraisers, from time to time for specific appeals.

WVA also actively encourages Australians to fundraise for us, for example, participants in our 40 Hour Famine.

In addition to this "traditional" fundraising, WVA, also:

- attends private events by invitation or as a sponsor.
- engages with corporates, philanthropists and other major donors (to donate, set up workplace giving and fundraise)
- applies for grant funding.

3 Responses to the specific items in the Select Committee's Terms of Reference:

(a) Whether the current framework of fundraising regulation creates unnecessary problems for charities and organisations who rely on donations from Australian supporters

The current seven State and Territory legislation¹ are not uniform; while there are many similarities, there are also significant differences and inconsistencies. This scenario is problematic for those who are considering the threshold question of whether the legislation applies to their activities and for those organisations such as WVA who are already registered to fundraise in the relevant jurisdictions.

We offer the following as specific examples of the differences and inconsistencies:

- (i) The laws are inconsistent as to what is regulated and what is exempted.
- All the legislation, except the *Fundraising Act 1998 (Vic Act)* (see paragraph below), are premised on “charitable fundraising” or the solicitation or collection of funds for charity but the definitions of what is charitable or charity is inconsistent so that what may be regulated in one jurisdiction would not be in another. Table 1 in **Attachment A**² summarises the inconsistencies.

The Victorian Act refers to fundraising “not solely for the profit or commercial benefit”³ and “for non-commercial purposes from the public”⁴ and states that⁵ that the object of the law is “to facilitate “protection of members of the public from whom money ... is solicited for beneficial or benevolent purposes in the course of fundraising”.

- All the laws exempt certain types of fundraising from regulation, but the exemptions available differ and are inconsistent. Table 3 in **Attachment A**⁶ summarises the inconsistencies.

These inconsistencies mean that:

- In some jurisdictions, WVA is exempt from holding a licence but not in others. For example, WVA is exempt from the *Charitable Collections Act 2003 (ACT Act)* because it is a non-government organisation accredited by DFAT but none of the legislation in the other jurisdictions contain a similar exemption.
- Notwithstanding WVA itself is already registered for fundraising across all relevant jurisdiction, every proposal from or with a prospective fundraising supporter (for example, a corporate, school, community group) or fundraising campaign or initiative needs to be examined to understand how fundraising legislation may or may not apply to both WVA and those participating. For example:
 - A typical participant under WVA's 40 Hour Famine would be exempt under the *Collections for Charitable Purposes Act*

¹ All States and the Australian Capital Territory; the Northern Territory being the only jurisdiction which does not have fundraising legislation.

² M McGregor-Lowndes & F Hannah “Fundraising Legislation in Australia: The Exemptions and Exceptions Maze” (The Australian Centre for Philanthropy and Non-profit Studies, Queensland University of Technology), page 22.

³ Section 5

⁴ Section 1

⁵ Section 2A(b)

⁶ M McGregor-Lowndes & F Hannah “Fundraising Legislation in Australia: The Exemptions and Exceptions Maze” (The Australian Centre for Philanthropy and Non-profit Studies, Queensland University of Technology), page 22.

1939 (**SA Act**)⁷ but not under the legislation of another jurisdiction.

- Bequests are exempt under the *Charitable Fundraising Act 1991* (**NSW Act**) and the ACT Act but not under the legislation of other jurisdictions.
- Limited forms of appeals in workplaces are exempt under the NSW Act and the ACT Act but not under the legislation of other jurisdictions.
- Religious bodies (including churches, many of whom support WVA) and related organisations (religious organisations) enjoy exemptions but not under the SA Act or the ACT Act and even in those jurisdictions where exemption is available, the exemptions are not similar in their reach:
 - The NSW Act, exempts a religious body or a religious organisation in respect of which a proclamation is in force under section 26 of the Marriage Act 1961 of the Commonwealth and also a religious body, or an organisation or office, within a denomination⁸.
 - The Vic Act⁹ only exempts the religious body or a religious organisation itself but not any other organisations in the same denomination (more limited than the NSW Act exemption).
 - The Tas Act¹⁰ exempts not the religious body or organisation but appeals within premises that are used by a religious organisation.
 - The *Collections Act 1966* (**QLD Act**) exemption¹¹ would not be available to religious denominations unless they are fundraising for the advancement of religion (which they would not be doing if they are fundraising for WVA).

(ii) The laws are out of date and inconsistent with modern developments in law and fundraising practices:

- All were enacted prior to the *Charities Act 2013* (*Cth*) which codified the meaning of what is charitable purpose¹² but none have been updated to reflect this. Instead, as stated in 3(a)(i) above, there is inconsistency as to what is charitable purpose across the legislation.
- Today fundraising appeals are made via emails and text messages and appeals on the web (social media) and television and new channels (including digital media). None of the current legislation regulate these in any meaningful way.

(iii) The out of date nature of the legislation and the inconsistencies mean that the task of analysing what is required and then of compliance, is particularly challenging (and therefore expensive) for fundraising initiatives and activities which are usually nation-wide in their reach:

- Today, only the smallest charities in Australia fundraise locally. Even so, the use of emails and text messages and appeals on the web

⁷ Section 6(2)(a) of the SA Act exempts a person who “only collects or attempts to collect money or property from persons known to the person or with whom the person regularly associates” from the requirement to hold a licence or being authorised by a licence holder.

⁸ Section 7

⁹ Section 4(d)

¹⁰ Section 4

¹¹ Section 6(2)

¹² Prior to the *Charities Act 2013* (*Cth*), the term ‘charitable purposes’ as used in a statute is assumed to have a technical legal meaning - that is, the meaning as defined by Lord Macnaghten in *Commissioners for Special Purposes of the Income Tax v Pemsel* [1891] AC 531 by reference to the preamble to the *Statute of Charitable Uses 1601*.

(social media) which can be picked up and received wherever the owner of the PDA is present, mean that while a charity may be present and therefore consider that it is fundraising locally, under relevant laws the activity can be considered to have taken place in another one or more jurisdictions. For larger charities, appeals on television and via the above channels as well as news (in particular, digital news channels) mean that their fundraising activities and initiatives will invariably be in every jurisdiction in Australia and beyond.

- On a matter such as receipting, for example:
 - Under the NSW Act and the Vic Act, there are requirements that receipts be consecutively numbered but not in the other jurisdictions.
 - For non-monetary donations, the Vic Act requires receipts to be provided but the laws of the other jurisdictions do not contain this requirement.
 - Receipts are to be contemporaneous under the NSW Act and the Vic Act but there are no such time limits under the laws of the other jurisdictions.
- NSW, Queensland and Western Australia all have requirements about the involvement of children in fundraising but not the other jurisdictions. And even so, the requirements in these three jurisdictions differ.

(b) whether current fundraising laws meet the objectives that guided the decision to regulate donations

The legislation of the different jurisdictions has different purposes and so it is difficult to offer a view as to whether the laws meet the objectives. We note the following:

- (i) While it is generally accepted that the legislation is to protect the donor, this goal is only stated in the legislation of three jurisdictions:

- In two of these jurisdictions, this is stated in a very narrow sense:
 - Under the NSW Act, the third object of the legislation¹³ is to “prevent deception of members of the public who desire to support worthy causes”. This is a narrow casting of donor protection; it is limited to deception only.
 - The ACT Act¹⁴ states it as “to ensure that the public has access to information about collections”.
- The Vic Act has the broadest statement¹⁵:

“The object of this Act is to facilitate—

- (a) transparency and public confidence in the fundraising industry and in not-for-profit organisations that conduct fundraising; and*
- (b) the protection of members of the public from whom money or a benefit is solicited for beneficial or benevolent purposes in the course of fundraising; and*
- (c) the protection of the public interest in relation to fundraising.”*

¹³ Section 3.

¹⁴ Section 6

¹⁵ Section 2A

- (ii) The preamble to the legislation in the other jurisdictions do not mention protection of donors at all:
- The SA Act is described as an “Act to provide for the control of persons soliciting money or property for certain charitable purposes; and for other purposes.”
 - The *Collections Act 1966 (QLD Act)* is described as an “Act relating to collections from the public for purposes of charity and otherwise of the community, and for other purposes”
 - The Tasmanian Act is described as an “Act to regulate the collection of donations for charities and for other purposes”.
 - The *Charitable Collections Act 1946 (WA Act)* is described as an “Act to provide for the regulation and control of the collection of money or goods for charitable purposes, and to repeal the *War Funds Regulation Act 1939*.”

- (iii) Currently, the legislation applies to charities predominantly. WVA has pointed out in our 2012 Submission that if this legislation is still considered necessary, then commercial fundraisers (those businesses who undertake fundraising for fees) and those who operate online platforms on which fundraising takes place should also be regulated.

Self-regulation for commercial fundraisers (through the Public Fundraising Regulatory Association (**PFRA**) in the main) is considered to be adequate, yet such self-regulation for charities (through the Fundraising Institute of Australia (**FIA**) and for overseas aid and development organisations like WVA, the Australian Council for International Development (**ACFID**)) is not. There seem not to be sound logic for this, yet many of the issues which has eroded public (donor) confidence (for example, of those engaged to do the work of fundraising not being properly remunerated, cold calls and unsolicited mail) about donations to charities have arisen not from the misconduct of charities but of commercial fundraisers.

- (iv) There is also the rise of “citizen fundraisers” – those who fundraise for the benefit of a cause or specific charities they have independently nominated – who have generally not been regulated. Belle Gibson in Victoria is probably the most well-known case of non-compliant fundraising by a “citizen fundraiser.”
- (v) Further, because of the focus on fundraising for charitable purposes (other than Victoria, where the focus is broader on fundraising for non-commercial purposes), there are many not-for-profit organisations also fundraising which are not regulated. There does not seem to be sound logic for this.

(c) whether current fundraising compliance regimes allow charities to cultivate donor activity and make optimal use of resources donors provide

In our view the current regime of laws is seen as a matter of compliance for charities rather than as regulation which facilitate, enable or encourage donors. Resources are being spent for the purposes of compliance, not to cultivate donors.

In our 2012 Submission we provided specific examples of the legislation placing burdens on us and donors (therefore discouraging them) and of opportunities lost because compliance is too complex (and therefore too expensive):

- The requirement for separate bank accounts for funds raised which applies to those who fundraise for charities, for example, individuals, businesses, schools.
- Engagement of a commercial fundraiser to undertake fund raising in Queensland was abandoned because of the requirement that the agreement must be approved by the Minister. The Queensland regulator did not and could not provide information about the approval process or the likely timing for the matter to be considered.
- Of corporate donors who wish to pursue fundraising initiatives for our benefit, we said:

“Third parties such as corporates, businesses and individuals are sometimes discouraged from pursuing commercially sound fundraising initiatives due to the compliance burden: particularly in relation to separate bank accounts, name badges and receipts One such corporate supporter of WVA paid their own compliance person to navigate the maze of requirements for a particular fundraising initiative which had a significant expected return. In our experience, however, for every one of these that goes ahead, there will be one that is abandoned as “too hard” as our corporate supporters are generally not prepared to take the risk of not complying (they usually have direct compliance obligations).”

- The SA Act requires a separate licence to be maintained for fundraising through entertainment events. While WVA does not itself raise funds this way, it must keep this licence current so that it can authorise others to fundraise for it in this way.
- Aspects of the fundraising laws are simply not well thought through, resulting in anomalies which take time and effort to work through. For example, WVA is exempt from fundraising laws in the ACT as it is accredited by DFAT and because it is a registered charity, yet this leaves it unable to authorise others to fundraise for it in ACT and there is no other mechanism for those people to separately obtain permission to fundraise.

(d) the loss in productivity for the thousands of charities who try to meet the requirements of the seven different fundraising regimes

See our comments in relation to 3(a), 3(b) and 3(c) above.

(e) whether the current frameworks for investigation and enforcement are the best model for the contemporary fundraising environment

See our comments in relation to 3(a) and 3(c) above.

(f) how Federal, State and Territory Governments could work together to provide charities with a nationally-consistent, contemporary and fit-for-purpose fundraising regime

- (i) The ACNC has the object to “promote the reduction of unnecessary regulatory obligations on the Australian not-for-profit sector”¹⁶ and it has in its first five years (three of which were years of uncertainty) been successful in reducing some red tape in this area with those charities registered with the ACNC exempt from the requirement to obtain a fundraising licence in two of the seven jurisdictions: under the SA Act and the ACT Act. Registered charities must however still comply with the requirements of these laws.

¹⁶ Section 15-5(1)(c) of the Australian Charities and Not-for-profits Commission Act 2012 (Cth)

The situation has also now become more urgent and we encourage political leadership to bring governments together (perhaps through the COAG forum) to consider this.

- (ii) In our view, a broader and more fundamental consideration is necessary. The issues to be addressed is not just exemption from licensing or authorisation but:
- whether it is in fact necessary to regulate fundraising for charitable purposes through fundraising legislation specifically; and
 - *if so*, what should be regulated and how.

We address these in 3(g) below.

- (iii) In our view, given that fundraising today is rarely undertaken in only one or two jurisdictions but more usually nationwide what should be pursued, if necessary, is one single uniform legislation common in all jurisdictions.

(g) the appropriate donor-focused expectations and requirements that should govern fundraising regulation in the 21st century

- (i) In 3(f) above, we pointed out that the two key considerations are:
- whether it is in fact necessary to regulate fundraising for charitable purposes through fundraising legislation specifically; and
 - *if so*, what should be regulated and how.
- (ii) In relation to whether it is necessary to regulate fundraising for charitable purposes through fundraising legislation specifically:
- the question should be asked why donors to charitable purposes need specifically to be protected in this way. There are fundraising activities and initiatives which are not regulated today. For example, fundraising for animal welfare purposes is not regulated in most of the Australian jurisdictions – see the Table 1 in Attachment 1 This raises a further issue whether regulation creates an imbalance in competition.
 - the other question is what is already regulated – and therefore donors protected – under other legislation. See our comments on this below.
- (iii) In relation what should be regulated:
- In our 2012 Submission (written prior to the establishment of the ACNC), we listed the following as the key issues:
 - How to ensure that funds get to the named charity?
 - How to ensure that the public understand how funds are applied by the charity?
 - How to ensure that fundraising is not for inappropriate private gain?
 - How to ensure that those who fundraise are not making a nuisance of themselves while doing so.

To the above list, we would now add how to ensure that donation platforms are secure to mitigate against cyber security risks.

We also pointed out that there is already regulation through existing industry codes and standards (then the FIA Code and the ACFID Code) and existing laws such as the Australian Consumer Law (**ACL**)

and those relating to theft and fraud, use of telecommunications and public nuisance.

Since our 2012 Submission, the PFRA has come into being and the ACNC has been established and it is at the forefront of making information available about how funds are applied by charities. And in respect of what may be considered “new” risks in terms of cyber security, there are existing laws and standards such as the criminal law, the *Spam Act 2002 (Cth)*, the *Privacy Act 1988* and the *Payment Card Industry Data Security Standards* which apply to charities through their payment card service provider contracts with banks.

We continue to hold the view that specific fundraising legislation adds little value to the proper regulation of the sector.

- If, however such legislation is considered necessary:
 - The law should be targeted (very particularly focused) on those matters relevant to key issues only. For example:
 - The NSW Act contains a provision about remuneration of board members of charitable organisations¹⁷. What is the relevance of this for protection of donor? Note that there are governance standards under the ACNC Act and other laws or legal instruments about remuneration of board members.
 - Pursuant to the NSW Act and the WA Act, there are specific requirements relating to children being involved in fundraising. Are these for donor protection or for child protection?
 - The law should dovetail with other essential matters not already covered by other laws. For example, the SA Act contains a provision that a person who in the conduct of an activity that is or is required to be authorised by a licence under the Act, acts in a dishonest, deceptive or misleading manner is guilty of an offence¹⁸. This would be unnecessary given there is the ACL and other consumer protection legislation.
 - The law should contain practical mechanisms to deal with specific issues or situations. For example, under the SA Act, it is provided that in a scenario where the Minister determines that funds raised cannot be applied for the charitable purpose for which they have been raised, the Governor may, by proclamation made on the recommendation of the Minister, direct that the funds be applied to a similar charitable purpose¹⁹. It is not practical that a Minister and the Governor should have to be involved in such a situation.
 - The law needs to follow through comprehensively with protecting donor interests. For example, donors are interested that funds or property they have given are ultimately utilised for the charitable purposes for which they have given such resources. The current legislation all impose penalties for breaches of requirements by those who fund raise. Penalties generally includes fines payable to government; they do not benefit the charities to whom the resources are originally intended. In our view, the penalty regime should include

¹⁷ Section 48

¹⁸ Section 15D

¹⁹ Section 16(1)

mechanism whereby such charities do receive what is originally intended for them on the principle that this is what donors intended.

(h) how the Australian consumer law should apply to not-for-profit fundraising activities

Our view is that the provisions of the ACL relating to misleading and deceptive conduct²⁰, unconscionable conduct²¹, false or misleading representations²² and harassment or coercion²³ apply to fund raising activities by charities and others who fundraise.

In our view, the following should be considered carefully in addressing the question of whether the ACL should replace fundraising legislation:

- (i) The constitutional basis for the ACL to apply. The ACL is predicated on the “trade and commerce” power of the Commonwealth under the Constitution. Not all fundraising is conduct in trade and commerce. Is a school child who seeks donations for their participation in WVA 40 Hour Famine engaged in trade or commerce? There is also the policy question of whether such a fund raiser should be regulated by the ACL.
- (ii) The ACL does not contain, and the ACCC does not administer, any registration, licensing or permit system. Can it take on this task, assuming that registration, licensing or permit is accepted as necessary for donor protection?
- (iii) Are there any adjustments necessary to the ACL for it to apply appropriately to fundraising? For example:
 - We have pointed out in our 2012 Submission, the ACL’s restrictions around permitted calling hours are not appropriate for charitable fundraising. We pointed out that permitted hours should be consistent with the *Telemarketing and Research Industry Standard 2007*. We provided examples of the inappropriateness including:
 - A blanket prohibition on soliciting on public holidays would be problematic in the event of an emergency appeal.
 - Many public events at which WVA has stands for the public to make donations occur outside the hours set out in the ACL.
 - Soliciting a charitable donation is fundamentally different to the sale of goods and services; a charitable donation is a gift from the donor. The application of the unsolicited selling provisions of the ACL to the collection of charitable donations would not be appropriate.

Alternatively, if reliance can be placed on the ACL, amongst other legislation, there appears to be little left over that needs to be regulated.

(i) what are the best mechanisms to regulate third party fundraisers and to ensure the culture of third party fundraisers matches community perceptions of the clients they work with

In our 2012 Submission and above (see 3(b)(iii)) we pointed out that if regulation of fundraising by charities is considered necessary, commercial fundraisers (those

²⁰ Section 18

²¹ Sections 20-22

²² Section 29

²³ Section 50

businesses who undertake fundraising for fees) and those who operate online platforms on which fundraising takes place should also be regulated.

Since 2012, the PFRA has been formed. Whether it will be successful in ensuring that its members live up to community perceptions is a matter to be considered.

- (j) whether a harmonised, contemporary fundraising regime could help in addressing concerns about the potential influence of foreign money on civil society and political debate in Australia**

In our view, this is not a matter for fundraising regulation but for other laws.

- (k) the cost to the charity and not-for-profit sector, and the communities they serve, of postponing fundraising reform**

See our comments in relation to 3(c) above.

- (l) any other related matters**

Nil.

4 Conclusion

Please contact Quinton Clements, Government Relations Manager, if you have any questions about this submission.

Attachment 1

Tables extracted from M McGregor-Lowndes & F Hannah “Fundraising Legislation in Australia: The Exemptions and Exceptions Maze” (The Australian Centre for Philanthropy and Non-profit Studies, Queensland University of Technology).

Table 1: Fundraising legislation in Australia – definitions of charitable purposes

	New South Wales	Victoria	Queensland	South Australia	Western Australia	Tasmania	Australian Capital Territory
Charity/charitable purposes (common law meaning)*	section 4(1) definition; section 5(1) application		section 5 definition at (a)			section 3(1) definition	section 3 and dictionary to the Act definition
Relief to diseased, sick, infirm, incurable, poor, destitute, helpless or unemployed				section 4 definition at (a)	section 5 definition at (a)		
Relief of distress of war				section 4 definition at (b) and (e)	section 5 definition at (b)		
Provision of equipment or comforts to military					section 5 definition at (c) and (d)		
Support for hospitals, infant health centres, kindergartens and other activities of a social welfare or public character					section 5 definition at (f)		
Any benevolent, philanthropic or patriotic purpose	section 4(1) definition				section 5 definition at (g)	section 3(1) definition	section 3 and dictionary to the Act definition
Provision of welfare services to animals				section 4 definition at (f)		section 3(1) definition	
Non-commercial purposes		section 4(1)					
Aid to hospital, ambulance or nursing services			section 5 definition at (c)				
Help (whether spiritual, mental, physical, technical, social or otherwise) for any person in distress with respect to education, instruction, housing or other assistance			section 5 definition at (b)				

*Includes relief of poverty, advancement of education, advancement of religion, other purposes beneficial to the community for the public benefit.

Table 3: Fundraising legislation in Australia – exclusions and exemptions

	New South Wales	Victoria	Queensland ⁵³	South Australia ⁵⁴	Western Australia ⁵⁵	Tasmania ⁵⁶	Australian Capital Territory
Fundraising appeals by Local Government	Section 5(3)(e); Reg 7					Section 4(e)	Section 7(3)(f)
Fundraising appeals by State Government	Section 5(3)(e)					Section 4(e)	Section 7(3)(f)
Fundraising appeals by Commonwealth Government	Section 5(3)(e)					Section 4(e)	Section 7(3)(f)
Council trustees of trusts	Reg. 7						
Common employer/ place of work	Section 5(3)(d)						Section 7(3)(e)
Company sponsorships							Section 7(3)(h), Reg. 6(1)(e)

	New South Wales	Victoria	Queensland ⁵³	South Australia ⁵⁴	Western Australia ⁵⁵	Tasmania ⁵⁶	Australian Capital Territory
Trustee companies							Section 7(3)(h), Reg. 6(1)(f)
Family / close associates				Section 6(2)(a)			
Funeral flowers (in lieu of)		Reg. 6(a)					
Membership fees	Section 5(3)(a)					Section 4(a)	Section 7(3)(c)
Commercial fee for service						Section 4(f)	
Nonprofit organisation internal soliciting	Section 5(3)(b)					Section 4(b)	Section 7(3)(d)
Nonprofit gaming						Section 4(g)	Section 7(3)(a)
Licensed clubs						Section 4(c)	
Supported employment for the disabled ⁵⁷	Reg. 4(c) (genuine fees or charges only)						
Nursing or medical/health services	Reg. 4(d) (genuine fees or charges only)	Section 16(c)					
Other welfare services	Reg. 4(e) (genuine fees or charges only)						
Non-government aid organisations accredited with AUSAID							Section 7(3)(h), Reg. 6(1)(d)
Trade unions/associations		Section 16(f), (g)					
Employer associations							
Religious organisations/purposes	Section 7(1); Reg. 6	Section 16(d)	Section 6(2)		Generally exempt. There is no specific section reference, and exemption depends on interpretation.	Sections 4(d), 4(j) and Reg. 4	
Political parties		Section 16(e)					
Universities	Reg. 8	Section 16(b)					
TAFE	Reg. 4(a) (genuine fees or charges only)	Section 16(b)					
Government schools	Reg. 4(a) (genuine fees or charges only)	Section 16(a)					
School councils, parents associations/school fees	Reg. 4(a) (genuine fees or charges only)	Section 16(a)					Section 7(3)(h), Reg. 6(1)(a)
Kindergartens/child minding	Reg. 4(b) (genuine fees or charges only)	Section 16(ba)					
Bequests	Section 5(3)(c)						Section 7(3)(b)
Annual collections under \$15000							Section 7(3)(h), Reg. 6(1)(c)
Organisations incorporated within the State						Sections 6(1), 5(2) and section 3(2)	