



NIMBIN NEIGHBOURHOOD & INFORMATION CENTRE INC.

71 CULLEN STREET PHONE: (02) 6689 1692
NIMBIN N.S.W. 2480 FAX: (02) 6689 1492

EMAIL: nimbinnic@yahoo.com.au

ABN: 18 607 837 325

Community Welfare Workers: (02) 6689 1453

28 August 2003

Consultation on the Definition of a Charity
The Board of Taxation
c/- The Treasury
Langton Crescent
PARKES ACT

charitydefinition@taxboard.gov.au

Dear Charity Consultation members

RE: DEFINITION OF A CHARITY

Nimbin Neighbourhood and Information Centre Inc (NNIC) is a non-profit community-based organisation, registered as a Public Benevolent Institution and a Charity with Income Tax Exempt and Deductible Gift Recipient status, which provides referral and information to the general community and to target groups, provides crisis counselling and case management to targeted clients, manages child protection issues, is a mental health information site, promotes, develops and supports community services, provides Community Access to technologies and secretarial services and support, accommodates the Nimbin Centrelink Agency, auspices numerous projects including WRAP (Women's Referral and Access Project – Volunteer Support Group for Drug Dependant Women), Nimbin Vacation Care Program, Nimbin Anti-Domestic Violence Committee, Life Experience Counts course (life skills for people out of training or workforce for significant periods), Nimbin Work Experience (Work for the Dole) project and the Emergency Relief program.

We provide meals, tea and coffee and blankets to those in need. We also operate a Soup Kitchen once per week. We also accommodate various outreach services such as Financial Counselling, Drug and Alcohol counselling, Centrelink Personal Support Program, Probation and Parole, and Legal advice and referrals.

NNIC is registered with Centrelink to provide volunteer placements for participants, and also with Probation and Parole and Juvenile Justice to provide community placements for Community Service Order/Community Aid Panel clients. We also provide a CDEP (Aboriginal work placement program) placement at NNIC.

NNIC is involved in too many community partnerships and interagency groups to list here.

As a result of our extensive involvement with the community, NNIC collects a large range of statistical information about our clients and services, as well as being in an excellent position to monitor the effect of policies and laws upon such clients and services. We feel very strongly that charities such as ourselves must play a primary role in advocating on behalf of our clients, particularly as many of our clients are highly marginalised individuals, who are poorly placed to advocate on behalf of themselves.

We are the primary point of contact with Government and non-government services for many of our clients, and without our advocacy, many of these people would be essentially invisible to policy and law makers.

Tempting as it may be to render the more marginalised members of society and their complex and often unattractive problems invisible, surely this is not an appropriate path for any civilised society to take. It is essential that the impact of laws and policies upon the members of society be transparent and clearly understood, in order to continue to improve social conditions for all citizens.

We are pleased that the Government is attempting to update the charity laws, and agree that the draft reform Bill is in many ways progressive legislation.

However, we are very concerned about the proposal to render advocacy which attempts to change the law or policy, as a “disqualifying purpose”. We understand the proposal is to disqualify organisations from charitable status if they carry out such advocacy if it is “more than ancillary to or incidental to the other purposes of the entity”. We question the meaning and interpretation of “ancillary or incidental”, and we are also unclear as to the justification for disqualifying organisations from charitable status on this basis at all. For example, would the writing of this letter warrant our disqualification from charitable status?

Surely we cannot be expected to work long and hard, often with poor wage and work conditions and relying heavily on volunteers, to ease the effects of poverty, without being able to address the causes of poverty through public advocacy?

We believe that, provided an organisation is characterised by altruistic purposes, is non profit, serves the community and acts legally, governments should avoid prescribing how we may go about our work.

Further, we are disappointed that the Government has chosen to mar an otherwise progressive Bill with this proposal, and has failed to follow the recommendation of its own Inquiry into the Definition of Charities and Related Organisations, that charities “should be permitted to engage in advocacy on behalf of those they represent”.

We strongly urge the Government to remove these provisions which seek to curb the advocacy work of charities.

Please do not hesitate to telephone me with any queries.

Yours faithfully

Natalie Meyer
Team Leader
On behalf of the Management Committee of NNIC