

Submission to the Board of Taxation on the draft Charities Bill, 2003

Submitted by Royal Blind Society  
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Royal Blind Society of NSW (RBS) is an organisation primarily concerned with minimising the impact of blindness and sight loss for children and adults in NSW and the ACT.

Our vision is: Blindness and vision impairment will no longer be a barrier to full participation in the community.

Our mission is: To use our specialist knowledge and skills to achieve equity and access for people who are blind or vision impaired.

RBS delivers extensive services to children and adults who are blind or vision impaired in order to provide the skills and equipment needed to live and work as blind people. In addition to direct service delivery however, we also find that an essential element of working to minimise the effect of blindness is the need to work as an advocate to eliminate the barriers that blind people face.

We would argue that in today's disability services sector that advocacy is a vital element to maximise opportunity and access for people with a disability. Advocacy also plays a key role in eliminating disability discrimination and in influencing government policy to ensure that it takes the needs of people with a disability into account.

While RBS is of the view that the definition of a charity proposed in the draft bill would not disadvantage RBS we would like to see the bill allow for advocacy to have a higher profile. In our view the draft Charities Bill contains unreasonable restrictions on the role disability organisations can have as advocates.

Generally we welcome the broad direction of the Bill and support the move to redefine charity. We also believe however that the draft bill is unnecessarily restrictive and could lead to difficulties for the disability sector. Clause 8 of the draft Bill would exclude from charitable status organisations that have among their purposes:

- \* changing the law or government policy
- \* advocating a cause

unless these purposes are no more than ancillary or incidental to the other purposes of the organisation.

While RBS's current advocacy would be considered as "ancillary or incidental" given that our primary role is one of direct service delivery we would like to see disability advocacy given equal status alongside disability services. This would eliminate any confusion or possible conflict over what amount of advocacy would be possible before it would be considered no longer ancillary or incidental.

RBS would also support a review of the definition of public benevolent institution, PBI, and the establishment of a charities commission, as recommended by the Charity Definitions Enquiry, to oversee the sector.

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