

Welfare Rights Centre Inc
Submission to the Board of Taxation
on the
Charities Bill 2003

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Main Purpose of the Organisation

The main purpose of the Welfare Rights Centre (WRC) is noted in the organisations' vision and mission statements they are:

Vision

The Welfare Rights Centre Inc. strives to alleviate hardship caused by poverty and discrimination. Through the work of the Centre, it strives to challenge societal structures to achieve an inclusive society.

Mission

The Welfare Rights Centre Inc. is committed to increasing the community's access to justice by providing a specialist advocacy service in the areas of social security and disability discrimination law; by advocating for fair and just decisions, challenging unjust laws, institution and community values.

Activities

The WRC is funded as a community legal centre to deliver services in, and for, the community. This service delivery maybe in the form of information or advice, it could even include representation at one of the various tribunals or in the courts. However, the organisation also provides community education and has input into government consultations on social policy and law reforms that affect the organisations areas of interest. In some instances the WRC may not be consulted and therefore it will lobby the governments with its concerns. If and when necessary the service may instigate or participate in public campaigns to ensure its concerns are raised in a public forum.

Workability

- Public Benefit
Section 7 is unclear as to what "practical utility" includes. Does this include advocacy, lobbying and working with, or without government on the development of social policy? The WRC would be very concerned if it didn't, and feels that advocacy and lobbying is an essential activity in organisations whose purpose is focused on the public benefit, specifically public benefit of lower income and marginalised groups of individuals.
- Disqualifying Purpose

Section 8 causes this organisation concern, particularly the use of the words *advocating a political party or cause* and *attempting to change the law or government policy*. As a significant “watchdog” on the development and implementation of social policy it is essential that the wording in this section is changed to allow us to continue to do our work within our current budget. These activities may not be viewed as ancillary or incidental. In many situations they are integral to achieving our vision and mission, for example:

- *Participating in a campaign to increase pensions and allowances to a liveable rate.*
- *Going to the Federal Court in relation to a person’s right to claim a benefit from the Commonwealth*
- *Using the tribunals and or courts to demonstrate that activities of the government are discriminatory.*

Additional Administrative Burden

- Assuming the WRC services remain being deemed as charitable then there is unlikely to be any administrative burden. However, should these definitions work against us then there is likely to be an impact on the organisational budget. This is particular to the organisations use of salary sacrifice arrangements to attract staff as the Industrial Award is relatively low in comparison with private and public sectors.
- Also like many community based organisations the WRC rely on trusts and benefit funds to resource a variety of projects and major expenses that are not afforded in current government funding.

Flexibility

The Bill, as it is currently worded, is quite a threat to organisations who speak out for the rights of individuals and groups. Whilst the rhetoric about intent of this Bill has been heard, the implementation of this Bill will work as a threat to silence many advocacy organisations that, in the past, have led to governments undertaking progressive law reform and/or change in social policy.

Altruism

Whilst the WRC is confident it fits the definition of a charitable organisation, it is the threat that looms because of the wording in s8. Inclusion of a clause about being “altruistic” will not take away that threat, but it will not cause us concern either.