

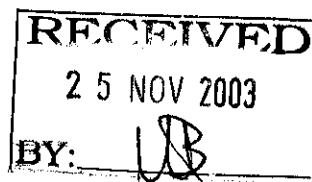
P223

**Edmund Outreach Services Association (EOSA)**

**Christian Brothers Community  
LMB 1 Post Office  
Strathfield NSW 2135**

**Phone 02 97643796  
Fax: 02 9764 3566  
e-mail: [erc@erc.org.au](mailto:erc@erc.org.au)**

Consultation on the Definition of a Charity  
The Board of Taxation  
c/- The Treasury  
Langton Crescent  
PARKES ACT 2600



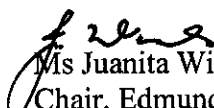
Dear Sir

- I enclose a submission responding to the Exposure Draft of the Charities Bill, 2003, on the Definition of a Charity released by the Treasurer on 22<sup>nd</sup> July 2003, prepared on behalf of a group of charitable organisations represented by *the Edmund Outreach Services Association*. Our submission supports that of the *Catholic Church in Australia*.

We are grateful for the opportunity to comment on the Draft Bill. We hope that the final legislation will address the perceived ambiguities in the current draft giving "greater clarity and transparency" to charities. We also see a need to address the perception that some elements of the Draft Bill could be seen as an attempt to prevent charitable organisations advocating on behalf of those with and for whom they work. If such perception was in fact well founded, this would represent a significant blow to robust democracy in our country.

We look forward to a redrafted Bill that includes the positive aspects of the current draft and addresses the concerns of significant groups involved in the charitable sector of our society.

- Yours faithfully

  
Ms Juanita Winks  
Chair, Edmund Outreach Services Association  
12th November, 2003.

## Edmund Outreach Services Association (EOSA)

Christian Brothers  
LMB 1 Post Office  
Strathfield NSW 2135

Phone 02 97643796  
Fax: 02 9764 3566  
e-mail: [erc@erc.org.au](mailto:erc@erc.org.au)

### Submission responding to the Exposure Draft of the Charities Bill, 2003

This submission responds to the Exposure Draft of the Charities Bill, 2003, released by the Treasurer on 22<sup>nd</sup> July, 2003. The submission is made on behalf on the *Edmund Outreach Services Association (EOSA)*, a peak body representing an number of organisations operating under the auspices of the Christian Brothers, working collectively to address and alleviate disadvantage at local, and national levels. These organisations include the Edmund Rice Camps (NSW), Edmund Rice Community Services, the Edmund Rice Centre for Justice and Community Education, Edmund Rice Volunteers, the Edmund Rice Foundation, St Gabriel's School, St Edmund's School, Obley Education Centre and Eddy's Annexe.

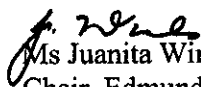
All of the organisations listed are not for profit organisations and work for the education and care of disadvantaged young people in various ways. Some of these organisations receive minimal government funding and must supplement this funding with donations from the public to support their work. The majority of the organisations receive no government funding and must rely completely on donations and the support of volunteers to carry on their work for the disadvantaged. Under the current structure some of these organisations do not have Public Benevolent Institution or Deductible Gift Recipient status.

We endorse the *Submission to the Board of Taxation on the Definition of a Charity*, October 2003, by the Catholic Church in Australia.

In particular we endorse the comments under the headings "*Not for Profit*" (Sections 30 to 35), "*Dominant Charitable Purpose*" (Sections 36 to 41) and "*Public Benefit Test*" (Sections 42 to 47). Some of the organisations which we represent, though not working for profit and working within the broad area of education to address the immediate and long term disadvantage of those we work with, are currently excluded from designation as a 'charitable organisation'.

We strongly support the sentiments expressed in Paragraph 50. "*Yet it is fundamental to the very nature of a charitable body that it will seek to advocate its moral beliefs and to represent the poor, disadvantaged and those who would not otherwise have a voice in public debate. This sort of advocacy should not be a disqualifying purpose and indeed should be included in the definition of "advancement".*" For example, one of the organisations we represent receives no government funding at all, relying on its current charitable status to raise funds to maintain its work for up to 300 troubled young people each year. If this status was lost as result of their 'advocacy' on behalf of these young people, their work for these young people would be jeopardised.

As a peak body within the Christian Brothers representing some hundreds of staff and volunteers working with and for more than a thousand highly disadvantaged young people in our society, we welcome the opportunity to contribute to the debate of the significant issues covered by the proposed legislation. We support the Submission by the Catholic Church in Australia and ask that the needs of the ministries we represent be carefully considered in the final formulation of the legislation.

  
Ms Juanita Winks  
Chair, Edmund Outreach Services Association  
12<sup>th</sup> November, 2003.