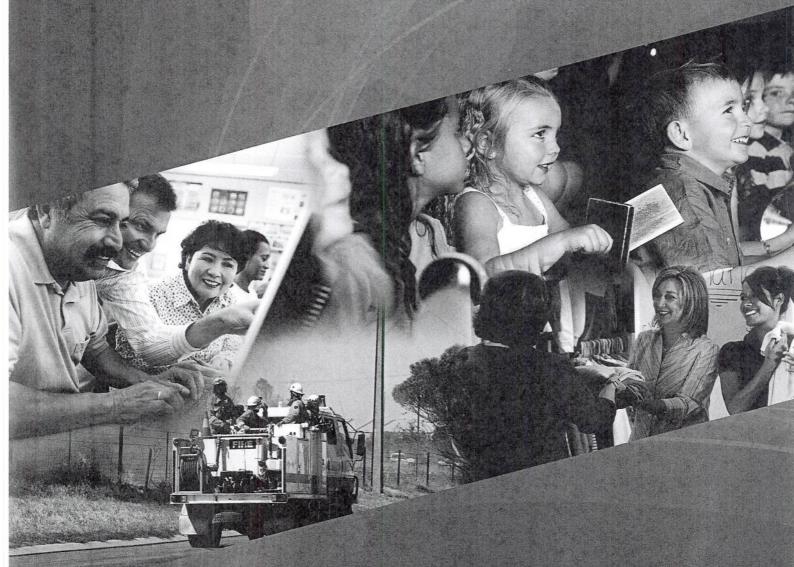


AUSTRALIAN CHARITIES AND NOT-FOR-PROFITS COMMISSION

IMPLEMENTATION TASKFORCE



Implementation Report

Prepared by: The Australian Charities and Not-for-profits Commission ACNC Implementation Taskforce

Diagram 2: Regulatory pyramid of support and compliance

Suspension and deregistration

Graduated and proportionate sanctions — imposing proportionate and appropriate sanctions, for example: warning, directions, enforceable undertakings and injunctions

Proactive compliance — investigations, responding to serious complaints/alleged breaches, use of compulsory powers to gather information

Assisted compliance — monitoring activities, letters, phone calls and site visits to discuss compliance concerns and actions to ensure compliance

Education and support — good guidance materials, advice services, education, capacity building, supporting sector initiatives such as forums and excellence awards

The ACNC will engage actively with stakeholders on its proposed regulatory approach to ensure it recognises and respects the nature of the sector, meets the intention of government in creating the ACNC, and achieves its goal of being a fair but firm regulator.

In time, the ACNC may have regulatory responsibilities for other non-charity NFP entities. Consideration is still being given to when, and in which order, other categories of NFPs might be brought within the regulatory scope of the ACNC.

An effective regulatory approach will enable the ACNC to address its regulatory objectives such as red tape reduction and increased public confidence in the sector.

The strong sector support over many years for the establishment of a regulator lays a promising foundation for NFPs to voluntarily meet their reporting and compliance obligations.

The ACNC will develop service standards and report on these in its annual report to Parliament. Consistent with its proportional regulatory approach, it will equip charities with the information and tools to manage their compliance obligations and reduce the need for the ACNC to intervene. The ACNC will provide information and guidance to enable charities to