



TO: The Administrator
Australian Government Department of Environment
Register of Environmental Organisations
GPO Box 787, Canberra ACT 2601

By email to: REO@environment.gov.au

Attention: Damian Bond, Administrator

Notice pursuant to section 70-5 of the *Australian Charities and Not-for-profits Commission Act 2012*

Pursuant to section 70-5(2)(d) of the *Australian Charities and Not-for-profits Commission Act 2012* (ACNC Act), I require you to give me copies of the documents described in the attached **schedule**:

1. for the purpose of determining:
 - a. whether Section 47E(d) - agency operations has complied with, or is complying with, the following provisions subject to monitoring:
 - i. a provision of the ACNC Act creating a condition that must be complied with in order to maintain a charity's registration (subsection 75-5(f)(i))
 - ii. a provision of the ACNC Act creating a condition that may lead to revocation of a charity's registration if it does not comply with the condition (subsection 75-5(f)(ii))
2. in writing, by any of the following methods:
 - a. post: addressed to the Australian Charities and Not-for-profits Commission, GPO Box 5108 Melbourne VIC 3001, marked for the attention of Greg Hardiman
 - b. email: compliance@acnc.gov.au, marked for the attention of Greg Hardiman;
 - c. fax: 1300 232 569 marked for the attention of Greg Hardiman
3. no later than **27 November 2014**

In this Notice, 'document' (and 'documents') has the same meaning as defined under section 2B of the *Acts Interpretation Act 1901* (Cth):

document means any record of information, and includes:

- (a) anything on which there is writing; and

- (b) anything on which there are marks, figures, symbols or perforations having a meaning for persons qualified to interpret them; and
- (c) anything from which sounds, images or writings can be reproduced with or without the aid of anything else; and
- (d) a map, plan, drawing or photograph.

Authority to issue Notice

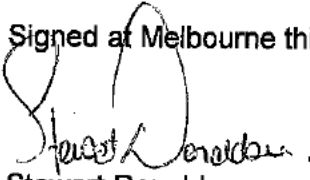
The powers of the Commissioner of the Australian Charities and Not-for-profits Commission under section 70-5 of the ACNC Act have been delegated to the Assistant Commissioners pursuant to section 115-55 of the ACNC Act. The Assistant Commissioners have authorised officers to make decisions on their behalf.

As Director of Compliance, I am authorised to issue this Notice on behalf of the Assistant Commissioner General Counsel.

Schedule

1. Copies of all documents held on case file no. Secrety
2. Any other relevant information or documents held in relation to any complaint assessment or investigation for Section 47E(d) - agency operations
Section 47E(d) - or associated parties.

Signed at Melbourne this 29th day of October 2014


Stewart Donaldson
Director Compliance

Penalties

1. Failure to comply with this Notice

If you do not comply with the requirements in this Notice, within the specified timeframe, you will be liable for an offence under subsection 70-5(4) of the *Australian Charities and Not-for-profits Commission Act 2012*.

The penalty for this offence is:

- a fine of \$3,400 (as calculated under section 4AA of the *Crimes Act 1914 (Cth)*)

2. Providing false or misleading information

If you provide false or misleading information, you will be liable for an offence under section 137.1 of the *Criminal Code Act 1995 (Cth)*.

The penalty for this offence is:

- 12 months' imprisonment

3. Providing false or misleading documents

If you provide false or misleading documents, you will be liable for an offence under section 137.2 of the *Criminal Code Act 1995 (Cth)*.

The penalty for this offence is:

- 12 months' imprisonment