

## ACNC Adviser Forum – Friday 27 March 2020

### Agenda Item 3: Stimulus Package

- The cash flow boost measure provides up to \$100,000 to eligible small and medium businesses and not-for-profits with an aggregated annual turnover of under \$50 million. The minimum payment is \$20,000.
- Charities registered with the Australian Charities and Not-for-profits Commission (ACNC) after the 12<sup>th</sup> of March 2020 can still be eligible for the boost payment if they employ staff and withhold an amount on the salary and wages paid to staff prior to 30 June 2020.
- Intention is to provide the payments automatically, to as many recipients as possible.
- Charities need to lodge their activity statements as they normally would, and no further action required to receive payments. The boost will be provided as a credit upon lodgement of activity statements, starting 28/4/2020.
- Eligibility criteria:
  - o For initial tax flow boost, delivered on lodgement of March-June statements:
    1. Aggregated turnover is under \$50 million.
    2. Charity is registered with ACNC.
    3. Have payments to employees been reported? Directors fees if corporation, voluntary withholding etc.
    4. Sunset clause - lodge within two years of due date of activity statements.
    5. Integrity measure - confirmation of not engaged in a scheme to obtain payment.
  - o Second payment:
    1. If received payment 1.
    2. If June - September activity statements lodged
- Where charities are not registered for GST, the ATO will make the assumption they are eligible.
- Further guidance is available on the [ATO COVID-19](#) webpage under Cashflow Boost for Employers Measure. Please check regularly for updates.

### Agenda Item 4: Roundtable discussion on impacts of COVID-19

- The ACNC is interested in understanding particular issues that may be impacting charities or advisers' practices. Matters raised:
  - o Insolvent Trading – whether personal liability relief for directors can be extended to responsible persons of charities.
  - o AGMs - Many registered charities encountering issues holding their AGMs  
Response: If a charity cancels, delays or postpones its AGM due to social distancing requirements and an inability to hold them electronically, it should consider alternate ways to demonstrate accountability to members within current operational circumstances. The ACNC will not take action unless there is evidence of wider non-compliance. A charity may

need to contact its state or territory regulator for further guidance. Please refer to the [ACNC COVID-19](#) webpage.

- AIS statements

Response: charities with AIS due dates between 12 March 2020 and 30 August 2020 now have an extension until 31 August 2020.

- DGR Review

Response: We are reconsidering our approach to DGR reviews. In line with extension for AIS submission, the ACNC won't be making contact in relation to any reviews prior to 31 August. There is no need to put resources aside in anticipation these reviews.

- Repurposing of Charity resources to COVID-19 activities

Response: ACNC understands the urgency around this and are currently working on guidance.

- Should there be other issues not raised during the discussion, please email Anna Longley separately.

### Agenda Item 5: Treasury Update

- Treasury resources are currently focussed on the Government's COVID-19 responses. Further, Parliament is now not scheduled to sit again until 12 August 2020. This has impacted the ability to progress work on:
  - Men's and women's sheds
  - DGR reform
  - ACNC legislative review

### Agenda Item 6: ACNC Operational matters

- The ACNC has a [COVID-19](#) webpage with guidance and information to assist charities, as well as information relevant to the operation of ACNC.
  - Our Advice team is available throughout the day – please [Contact-us](#) using the online form or email [advice@acnc.gov.au](mailto:advice@acnc.gov.au). We may give call backs in certain situations.
- No contact has been made with PBIs regarding DGR review since initial media release. There will be no contact before 31 August at the earliest.
- AIS submissions: The ACNC will continue to monitor whether 31 August 2020 is a sufficiently long deferral and may reconsider at a later date.
- Review of Advisor Forum charter: Comments regarding the draft charter to be provided to Anna Longley please.
- Other business:
  - The Commissioner thanked attendees for a worthwhile discussion and feedback and asked attendees to provide additional examples where guidance would be useful.
  - On Monday 30 March, the ACNC and the ATO jointly hosted a Charities, the ACNC and COVID-19 webinar. The webinar can be viewed on the [ACNC website](#).