

Released under FOI Act 1982  
Australian Charities and Not-for-profits Commission

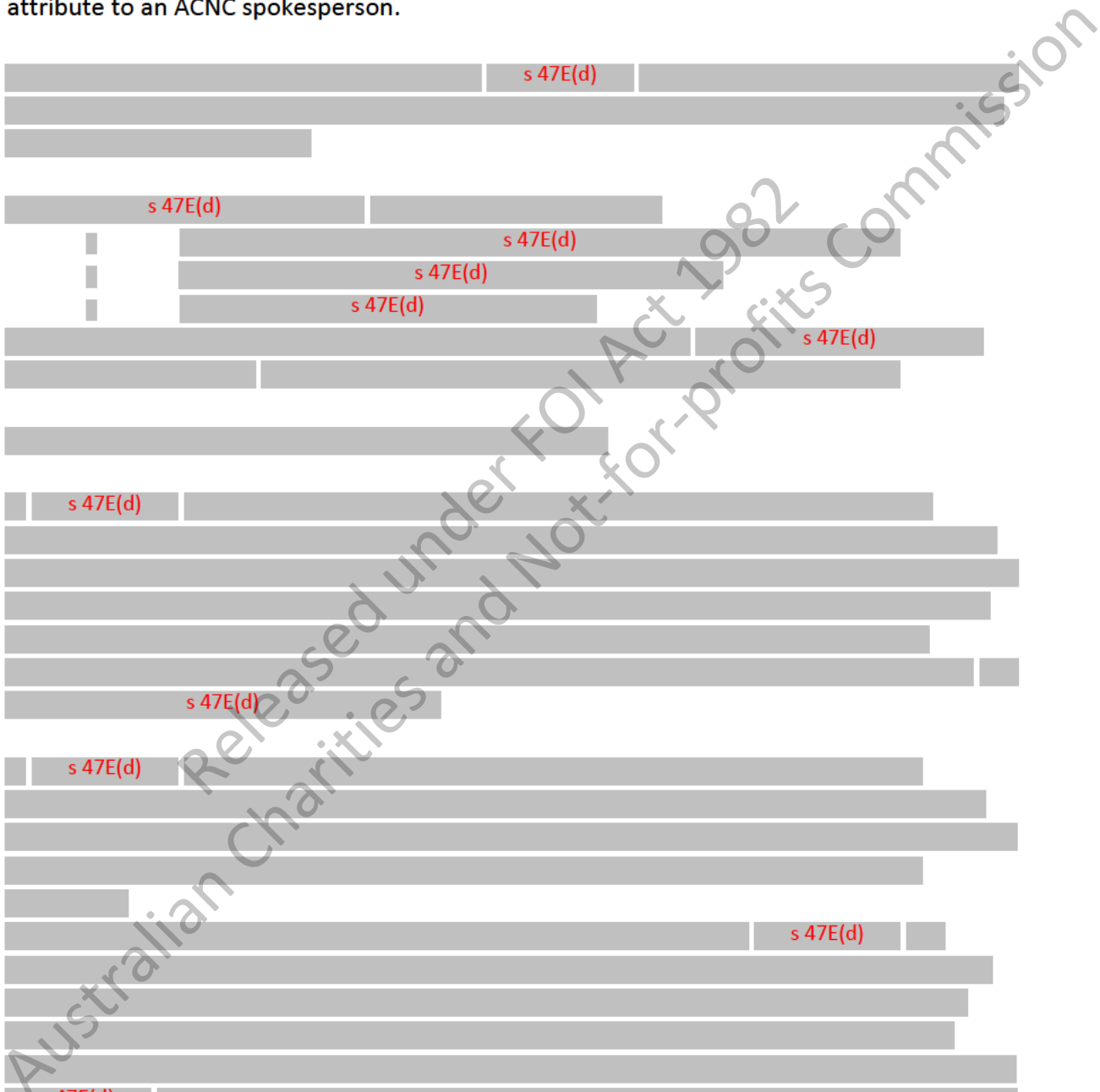
Hi All

Alerting you to the below enquiry and proposed response to Michael West Media due to the nature of the enquiry. Journo has requested response by midday tomorrow.

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Please see a reply to your queries below, and if needed, please attribute to an ACNC spokesperson.

[Redacted text block containing multiple paragraphs of information, with several instances of "s 47E(d)" indicating redacted content. The text is largely obscured by grey bars and a large diagonal watermark.



By law the ACNC cannot speak publicly about the circumstances of any charity, apart from referring to information published on the Charity Register, or [unless an exception applies](#) in limited circumstances.

The ACNC administers the ACNC Act and Regulations. Australian registered charities that operate outside of Australia must comply with the requirements of these laws, including the [Governance Standards](#) and [the External Conduct Standards](#) (ECS).

ECS 1 covers the way a charity manages its activities overseas and how it is required to control its finances and other resources including ensuring resources are applied in accordance with charitable purposes and that reasonable risk management processes are in place to protect against misuse. ECS 1 also requires registered charities to comply with Australian laws while operating overseas, including to take reasonable steps to ensure they are not breaching international sanctions (this only applies where international law has been incorporated into Australian domestic legislation).

The United Nations' view that settling civilian populations in an occupied territory is contrary to international law has not, at this stage, been incorporated into domestic Australian law. The ACNC cannot enforce international law unless that law has been incorporated into Australian domestic legislation.

Speaking generally, the ACNC has a range of formal and informal tools to monitor charity compliance with obligations.

Our

[Commissioner's Policy Statement: Compliance and enforcement](#) sets out the scope of our compliance functions and powers.

Anyone can [raise a concern](#) about a charity with the ACNC and we take all concerns seriously.

When a concern is raised, we use a standard independent process to review details and, if necessary, commence an investigation.

We will act when there is evidence that a charity has breached its obligations. The action we take is proportionate to the wrongdoing we find.

The ACNC works collaboratively with other Australian Government agencies to ensure the best placed agency takes a lead. If our intelligence work uncovers broader illegal activity, we [refer](#) these matters to the appropriate authorities.

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