

INQUIRY – CHAIRMAN’S UPDATE

2 November 2017

The oral evidence of the Inquiry under the *Charitable Fundraising Act 1991* (NSW) (Inquiry) is now complete and the public hearing has been adjourned until oral submissions on 9 November 2017. I wish to take a moment to acknowledge the efforts of many over the recent months and as we begin to focus on the future of this organisation.

The demands on RSL LifeCare by the Inquiry have been significant for the Board, management and support staff, who have been working very hard to cooperate with the Inquiry and respond to the Inquiry’s many requests for evidence and other information. The impact of the Inquiry has reached all corners of RSL LifeCare with both the suspension of fundraising activities and media coverage.

The Inquiry is focused on compliance with the NSW Charitable Fundraising Act and, among other things, will consider if RSL NSW entities should retain their Charitable Fundraising Authority. If an organisation or individual wishes to fundraise in NSW, they need to hold a Charitable Fundraising Authority or have been issued a Authority to Fundraise by a holder of a Charitable Fundraising Authority. If RSL LifeCare does not continue to hold a Charitable Fundraising Authority, that does not necessarily affect RSL LifeCare’s status as a registered Charity under Commonwealth legislation, but may have an impact on it.

I understand that thoughts about the organisation losing its charitable status has caused some anxiety, thus I am keen to make the point that the Inquiry is not investigating RSL LifeCare’s charitable status under Commonwealth legislation. Charitable status is regulated under the authority of the Australian Charities and Not For Profit Commission (ACNC). In my experience the ACNC as a regulator takes the approach that it will investigate and if issues are identified, the ACNC will seek to work with an organisation to assist them to become compliant. If an organisation works with the ACNC to address non-compliance matters, then the ACNC is not likely to revoke the organisation’s charitable status.

Without singling out individuals, the Board is very appreciative of the tremendous support by management and staff and their concerted efforts to ensure RSL LifeCare cooperates with the Inquiry, and begins to identify action required to ensure the organisation enhances its levels of governance and compliance.

The Inquiry continues with key dates being:

- 30 October (5pm)
 - Counsel Assisting the Inquiry provides a written outline of submissions addressing the matters relevant to the Terms of the Inquiry on all persons who have appeared at the Inquiry.

- 6 November (10am)
 - > Written Submissions close for the RSL NSW, RSL Welfare Benevolent Institution, and RSL LifeCare.
 - > Written Submissions close for any person who has appeared at the Inquiry.
- 7 November (12pm)
 - > Applications to make oral submissions close for any entity or person who have appeared at the Inquiry.
- 9 and 10 November
 - > Public Inquirer will receive oral submissions.
- 1 February 2018
 - > Public Inquirer hands down final report to the NSW Minister for Innovation and Better Regulation, the Honourable Matthew Kean MP.

Parallel to the actions of the Inquiry, RSL LifeCare has commissioned independent external reviews and internal reviews and work streams to both achieve compliance with Charitable Fundraising Act (1991), and more broadly to begin to enhance the organisation's governance and compliance culture, systems, processes and resources. There has also been important cooperation with RSL NSW to identify future opportunities to provide more effective support to veterans and families. While most of this work may not be obvious yet to the whole organisation, there has been a significant effort made to progress this work. An extensive action list has been developed and work is ongoing to both prioritise and resource these actions. This includes cooperating with the ongoing Inquiry by the ACNC.

As of today, two months have passed since my election as Chairman of the Board of RSL LifeCare, and I take this opportunity to thank staff, management and my fellow members of the Board, for their efforts and forbearance with the work undertaken already. There is much work still required to elevate the organisation's governance and compliance, draw a line in the sand and look to the future.

RSL LifeCare is a deeply committed caring organisation that is here to assist the needs of our veterans and their families, and ageing Australians more generally. I believe working together we will be able to enhance RSL LifeCare's ability to continue to care for veterans, their families and ageing Australians.

If you have any questions, please make contact with us on 0447 580 917 or by email rsllifecaremedia@rsllifecare.org.au.



ANDREW CONDON
Chairman of the Board