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Anna Longley  
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Australian Charities and Not-for-Profits Commission  
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Dear Assistant Commissioner,

**Proposed changes to the Commissioner’s Policy Statement:  
Withholding or removing information from the ACNC Register**

Thank you for the opportunity to provide feedback on the proposed redrafting of Commissioner’s Policy Statement.

**Who we are**

Governance Institute of Australia is a national membership association, advocating for our network of 40,000 governance and risk management professionals from the listed, unlisted, not-for-profit and public sectors. As the only Australian provider of chartered governance accreditation, we offer a range of short courses, certificates and postgraduate study. Our mission is to drive better governance in all organisations, which will in turn create a stronger, better society. Our members have primary responsibility for developing and implementing governance frameworks. We regularly contribute to the formation of public policy through our interactions with Treasury, ASIC, APRA, ACCC, ASX, ACNC and the ATO.

**General comments**

Governance Institute members broadly support the proposed changes to paragraphs 34-37 and make the following comments:

1. Our members would appreciate greater clarity across the Policy Statement on whether the ACNC Commissioner does or ever would exercise of their own volition the powers they have under section 40-10 (a) and (e) of the ACNC Act to restrict or withhold information from the register, and if so under what circumstances, or if in practice the power is only exercised in response to a request to withhold or remove.
2. In particular, the ACNC may wish to consider the scenario where a donor wishes, for any number of reasons, to be identified. It may not be appropriate for the Commissioner to withhold or restrict information from the register that would identify the donor if the donor does not object to being identified or positively desires to have their contribution recognised.

If you wish to discuss further, please contact Catherine Maxwell.

Yours faithfully,



Megan Motto  
CEO