



## **Charitable Fundraising Authority (CFA) Surrender Frequently Asked Questions Updated 21 February 2018**

### **1.Q. If a sub-Branch surrenders their CFA what impact does this have on their charitable status?**

**A.** None. The sub-Branch will still be a registered Charity. The Charitable Fundraising Authority (CFA), going forward, will be held by RSL NSW State Branch.

### **2. Q. What are the potential implications for a sub-Branch that decides not to surrender their CFA to Fair Trading by 1 March 2018?**

**A.** The implication could be as serious as the revocation of the sub-Branch charter.

### **3. Q. What is the authority for RSL NSW to instruct sub-Branches to surrender their charitable authority and what impact does this have on the Constitution?**

**A.** The Constitution at clause 16.1 states, "Subject to this Constitution, the law, any Standing Policy and any directions of State Congress, State Council has the following authority and powers to: (a) manage the operation of RSL NSW; (b) carry out any power, or exercise any authority, of RSL NSW under this Constitution, in order to further the aims and objects of RSL NSW;" Further, 16.5 states "Any sub-Branch or Subsidiary that fails to comply with the State Council Direction will be in default of its obligations under this Constitution and State Council may take disciplinary action against the sub-Branch or Subsidiary in accordance with this Constitution."

### **4. Q. What is the difference between a CFN and having charitable status?**

**A.** Not-for-Profit (charitable) organisations register with and are governed by Australian Charities and Not-for-profits Commission (ACNC).

A Charitable Fundraising Authority (CFN) is a requirement for any organisation that carries out charitable fundraising activities, including receiving donations. This is administered through NSW Fair Trading.

**5. Q. Can sub-Branches and subsidiaries use CFN on their letterheads to signify that they are a charitable institution?**

**A.** No, when a sub-Branch receives a CFA, it is also assigned a Charitable Fundraising Number (CFN). The CFN is not required on sub-Branch letterheads. RSL NSW is a charitable organisation which is registered with ACNC.

**6. Q. When dealing with grant applications, local government or utility companies such as electricity, gas, and water can sub-Branches and subsidiaries use CFN as proof of their charitable status?**

**A.** No, RSL NSW is a charitable organisation which is registered with ACNC. There is no requirement to provide a CFN for utility bills or communicating with Local/State/Federal Government or for grant applications.

**7. Q. Where will all the monies raised by sub-Branches for ANZAC Day 2018 go?**

**A.** All the funds raised on ANZAC Day 2018 will go to the Invictus Games.

**8. Q. Why should members of sub-Branches, RSL Women's Auxiliaries and other sub-Branch subsidiaries fundraise on ANZAC Day if all the money raised goes to the Invictus Games?**

**A.** This is a decision for sub-Branches and their subsidiaries to make and there is no compulsion to participate. RSL NSW has supported the Invictus Games since its inception because it meets the charitable purpose of the League.

**9. Q. What is the intent of the removal of a sub-Branch's CFN?**

**A.** The intent is to have one CFN under which all RSL NSW entities can operate. This gives clarity and consistency to all fundraising activities across the League.

**10. Q. Does this mean sub-Branches can only fundraise twice a year using head office CFN?**

**A.** No. Sub-Branches will be able to run other activities outside the appeals (raffles etc), provided they meet the conditions of the RSL NSW CFN.

**11. Q. Does this mean all monies received for future appeals will go to head office?**

**A.** The process of managing fundraising across the League requires further work to ensure State Branch and sub-Branches are compliant for the fundraising ban to be lifted. Information on this is still to be finalised and sub-Branches will be given plenty of notice prior to the next appeal.

**12. Q. If an entity fundraises and receives less than \$15K per annum are they still required to have a CFN?**

**A.** The focus of changes in fundraising is to ensure the League in consolidation is compliant. This negates the less than \$15K threshold.

**13. Q. Are sub-Branches restricted to selling only RSL NSW merchandise? Are they able to source and sell other fundraising merchandise from other places like the Military Shop?**

**A.** Sub-Branches will be able to run other activities provided they meet the conditions of the RSL CFN.