



Anglican Church Diocese of Sydney

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Circular to Ministers and Wardens

Australian Charities and Not-for-profits Commission: Annual Information Statement Legal Name of Parishes

Purpose of this circular

1. The purpose of this circular is to –
 - provide parishes with some initial advice in relation to the Annual Information Statement (AIS) required under the Australian Charities and Not-for-profits Commission (ACNC) legislation, and
 - explain the changes to the legal name of parishes approved recently by Standing Committee.

Annual Information Statement

2. The ACNC has written recently to all charities (including parishes) giving them their unique user name and password to access the ACNC database, and asking that they complete their 2013 AIS.
3. The first thing to say is that parishes do not need to do anything at this stage in relation to the AIS for the main or only ABN for the parish. In fact, as you may recall from our last ACNC Circular (dated 23 May 2013), we have applied to the ACNC for a substituted accounting period with a year end 31 December on behalf of all parishes of the Diocese. As a result, the first AIS your parish will be required to lodge will be for the calendar year 2013 and that AIS will need to be completed between 1 January and 30 June 2014.
4. Of course, if your parish operates other ABNs (“ancillary parish charities”) and you have not already applied for a substituted accounting period for those ABNs, then you will need to lodge an AIS in respect of each of those ancillary parish charities by 31 December this year.
5. Secondly, we have reviewed the questions in the 2013 AIS and closer to the time for lodgement we intend to issue a further Circular with more detailed advice to help parishes complete their first AIS. That advice will include “standard” answers to be used in relation to a number of the questions, as well as guidance as to how to formulate the answers for your parish in relation to a number of other questions.

Legal Name of parishes

6. The legal name of the parish is the name associated with the parish's Australian Business Number ("ABN"). In most cases the existing legal name reflects whatever the relevant parish officers nominated when the parish first applied for an ABN in order to be registered for GST. Typically this involves some (possibly abbreviated) form of the main church's name. However, the variety, and in some case ambiguity, of these existing legal names is considerable. In most cases the existing legal name of the parish is not the same as the name last designated by the Archbishop pursuant to the Parish Administration Ordinance.
7. This lack of consistency, variation from what is provided in the parish's governing documents, and in some cases absence of any 'Anglican' branding, led the Standing Committee to agree recently to adopt a new protocol for the legal name of all parishes.
8. The formal naming protocol agreed by Standing Committee is "Anglican parish of [insert name last designated by the Archbishop, ie, as it appears in the Year Book]".
9. In many cases this new protocol will require a change to the name currently recorded on the Australian Business Register ("ABR") and the ACNC Register. We will shortly be applying to the ACNC to change the legal name of all parishes of the Diocese where the current name is not consistent with this protocol. Wherever a change is required to the legal name we will ask the ACNC to add the previous legal name to the "other names" field on the ACNC Register.
10. We would therefore ask that, going forward, parishes not change their legal name unless the Archbishop has agreed to a new name as a result of an application made pursuant to Rule 9.1 under either Schedule 1 or Schedule 2 of the Parish Administration Ordinance 2008.
11. On the other hand, there is no limit to the number or style of "other names" that a charity can record on the ACNC Register. The parish can register any 'trading' names or other names by which it is known in the community in the "other names" field.

Contact

12. If you would like to discuss these matters further, please contact our Charities Compliance Officer, Mr Brian Ducker, (by email at bcd@sydney.anglican.asn.au or by phone on 9265 1646).

MARTIN THEARLE
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