

General Warning

The purpose of this fact sheet is to give general introductory information about the complaints process. It does not contain legal advice.

WARNING: Alternative legal action should be considered before making a complaint. What is included in a complaint may be relevant to any current or future legal proceedings. If you are involved in legal action you should immediately see a lawyer and not proceed with a complaint.

If you (or the complainant, if you are complaining on their behalf) want financial compensation, support or money you should see a lawyer before making a complaint.

General complaint information

Complaints are rarely about just one thing. When you have a problem, it may be that a number of things have gone wrong. Below are some of the common areas where issues may arise that could lead to a complaint.

Discrimination	Disability and NDIS services	Policing, Custody and Detention
Seniors and Aged Care supports and services	Consumer and Business disputes	Phone and Internet services
Banking, Insurance and Superannuation	Energy and Water services	Housing and Real Estate
Health Care services	Employment issues	Education and Training providers
Government Agencies and Departments	Child Safety and Protection	State Fines and Debts
Corruption	Privacy and Access to Information	Media and Publications

There are different complaint bodies to handle different types of complaints. You should consider the different pathways available to decide the most appropriate pathway for your circumstances. One event could lead to multiple complaints. That means you may need to lodge more than one complaint to have all of your concerns addressed.

The online triage tool on this website can help you to identify the different complaint bodies that may be able to assist you.

It is usually quickest and easiest to try to resolve a complaint directly with the person or body you are having a problem with. Many complaint handling bodies will not act on a complaint unless you have tried to resolve your complaint directly. If you do not feel it is safe or appropriate to complain directly, you should contact the relevant complaint body to discuss your situation.

Complaints involving discrimination

There are state and federal complaints bodies that handle complaints that about discrimination. If your situation involves discrimination, you should consider making a discrimination complaint in addition to any other complaints. Discrimination may occur when someone is treated less favourably on the basis of: race; sex; gender; disability; age; sexuality; relationship status; pregnancy; caring responsibilities; or having or being thought to have an infectious disease.

WARNING: The state and federal bodies that handle discrimination complaints have different rules, including time limits. You can make a complaint to both the state and federal complaint bodies, but they may decide not to address your concerns if you have already complained elsewhere. For example, if you have already lodged a discrimination complaint to anti-discrimination NSW, it is likely that Australian Human Rights Commission will decide not to act on your complaint. Please carefully review the discrimination factsheets for information about your options before making a discrimination complaint.

Australian Charities and Not-for-Profits Commission (ACNC)

In this fact sheet, we introduce the Australian Charities and Not-for-Profits Commission (**ACNC**). We outline how complaints can be made by people to the ACNC.

The ACNC is the independent national regulator of charities. Although the objects of the ACNC Act refer to charities and not-for-profits, the ACNC currently only regulates registered charities as defined by the legislation.

Legislation and Key Terms

Relevant Legislation:

The Australian Charities and Not-for-Profits Commission (**ACNC**) was by, and administers, the *Australian Charities and Not-for-profits Commission Act 2012* (Cth) (the **ACNC Act**). Below are links to legislation that is relevant to the ACNC's complaint handling work.

- [Australian Charities and Not-for-profits Commission Act 2012 \(Cth\)](#) (the **ACNC Act**)
- [Australian Charities and Not-for-profits Commission \(Consequential and Transitional\) Act 2012 \(Cth\)](#) (the **ACNC Consequential and Transitional Act**).
- [Australian Charities and Not-for-profits Commission Regulations 2022 \(Cth\)](#) (the **ACNC Regulations**)
- [Charities Act 2013 \(Cth\)](#) (the **Charities Act**)
- [Charities \(Consequential Amendments and Transitional Provisions\) Act 2013 \(Cth\)](#) (the **Charities Consequential and Transitional Act**)
- [Charities \(State or Territory Government Entity\) Instrument 2024 \(Cth\)](#) (made under subsection 4(2) of the Charities Act)

Key Terms: Below are key terms that appear throughout this factsheet and their meaning.

ACNC means the Australian Charities and Not-for-Profits Commission.

ACNC Act means the Australian Charities and Not-for-profits Commission Act 2012 (Cth).

ACNC Consequential and Transitional Act means the Australian Charities and Not-for-profits Commission (Consequential and Transitional) Act 2012 (Cth).

ACNC Regulations means the Australian Charities and Not-for-profits Commission Regulations 2022 (Cth).

Charities Act means the Charities Act 2013 (Cth).

Charities Consequential and Transitional Act means the Charities (Consequential Amendments and Transitional Provisions) Act 2013 (Cth).

Charitable Purpose is the main reason a charity exists, such as helping people in need, advancing education, or supporting the environment.

Disqualifying Purpose means an activity like promoting a political party or breaking the law, which means an organisation cannot be registered as a charity.

Enforceable Undertaking means a formal agreement between a charity and the ACNC where the charity promises to take certain steps, and can be taken to court if it doesn't.

External Conduct Standards means special rules charities must follow if they send money or run programs outside Australia.

Federally Regulated Entities means charities that operate across state borders or online – most larger charities fall into this category.

Governance Standards means the legal standards that help make sure charities are run responsibly and transparently.

Injunction means when the ACNC asks a court to make a charity start or stop doing something because of serious problems.

Revocation of Registration means the ACNC has taken away a charity's official status, often because it broke the rules.

Step 1: What type of Complaints can be made to this body?

The ACNC has the power to take action in response to concerns about registered charities. Complaints can be made where there is a serious risk to public trust and confidence in the charity sector and where a charity may not be complying with the requirements of the ACNC Act.

The ACNC focuses on complaints including, but not limited to, the following:

Sub-category	Example
Improper registration as a charity	The charity does not meet the legal requirements to be registered or its subtype does not match its actual purpose. To be registered as a charity, an organisation must have a clear charitable purpose that fits within recognised charity types. <i>Examples:</i> <i>An organisation applied to be registered as a charity. The applicant was incorporated as a company limited by guarantee in 2017. It was intended that the applicant would raise funds in respect of different types of cancer. The ACNC refused registration on the basis that the organisation had a purpose, among others, of providing private benefits to people involved in their operations.</i> <i>A small, newly established charity was set up to advocate on a particular issue. The ACNC received a number of reports that the charity had been promoting a political party and an individual candidate for political office during the recent Federal Election. There was concern that the types of activities described may constitute a 'disqualifying purpose' as defined in the Charities Act.</i>
Inaccurate Reporting	The charity has provided incorrect or incomplete information to the ACNC, such as financial reports or details about key people. Charities must submit accurate and up-to-date information to the ACNC to maintain public trust and compliance.

Misuse of funds	The charity has used money or assets for personal benefit, non-charitable purposes, or funds have been stolen. Charity resources must only be used for their stated charitable purpose, not for private gain. <i>Examples:</i> • <i>A large sized charity provides educational services. The charity has been established for more than 15 years and was registered with the ACNC in December 2012. The ACNC received information claiming that the charity board had used charitable funds to purchase retirement gifts for two responsible persons, valued at a total of \$10,000.</i> • <i>A registered charity provides aged care services. The charity is large sized and has been registered with the ACNC since 2013. The ACNC obtained information indicating that the charity had entered into a contract with a for-profit company and this contract generated a private benefit for one of the charity's responsible persons. The available information indicated that the responsible person of the charity was also a director of the for-profit company and used this as a means to divert charitable funds to the for-profit entity.</i>
Failure to pursue charitable purpose (including improperly prioritising the interests of members)	An Australian registered charity has a purpose of furthering the interests and status of its members rather than a charitable purpose. <i>Examples:</i> • <i>A national charity representing health work professionals was registered with the ACNC. The ACNC queried whether the Charity may have a purpose of furthering the interests and status of its members rather than a charitable purpose.</i> • <i>A registered charity uses funds or assets for a non-charitable purpose such as for the private benefit of its members.</i>
Failure to comply with obligations relating to personnel and governance	The charity has leaders (Responsible People) who are not suitable or who have been disqualified. Charity leaders must meet legal requirements to ensure the organisation is run properly. <i>Examples:</i> • <i>Sam was concerned after learning that one of the board members of a local charity had previously been disqualified from managing corporations due to financial misconduct. Despite this, the individual was still involved in making key decisions for the charity. Sam believed this could affect how responsibly the charity was being run and wanted to find out what steps could be taken.</i>
Failure to comply with obligations relating to overseas activities	A failure by an Australian registered charity to comply with additional governance standards when operating overseas. <i>Example:</i> • <i>Priya supported an Australian charity that provided education programs in Southeast Asia. While reviewing the charity's website and recent updates, she noticed there was little transparency about how funds were managed overseas or who the local partners were. She also heard from</i>

	<i>a friend abroad that staff working on the ground had no clear accountability or oversight.</i>
Record-keeping failures	The charity has not kept the required records as set by the ACNC. Charities must keep proper financial and operational records to ensure transparency and accountability. This includes keeping written financial and operational records in English, or in a form that can be easily translated to English.
Failures in accountability / transparency to members	The charity has not been open with its members, such as failing to hold an annual meeting. Members of a charity should have opportunities to stay informed and involved in decision-making.
Fraud or criminal activity	Any acts of fraud or criminal activity perpetrated by an Australian registered charity such as raising money under false pretences. If fraud or crime is suspected, authorities like the police should also be contacted.
Failure to act in good faith, with a reasonable degree of care and diligence	Charity leaders have not acted in good faith, with care, or in the best interests of the charity. Leaders must act responsibly and prioritise the charity's mission over personal interests.
Falsely claiming to be a registered charity	You should make a complaint if an organisation is pretending to be a registered charity when it's not. Only charities officially registered with the ACNC are allowed to claim that status. Pretending to be a charity can mislead the public and damage trust in the sector. <i>Example: Jake saw an online fundraiser that said it was run by a registered charity, but when he checked the ACNC register, the organisation didn't appear. He was worried people were being misled into donating to a fake charity.</i>
Retaliation against someone who raised a concern	You should make a complaint if someone connected to a charity is being threatened, punished or treated unfairly for speaking up about a problem. Retaliation can include being excluded, harassed, or having your role taken away after reporting misconduct. <i>Example: After Leena told the charity board she was concerned about how funds were being spent, she was removed from the volunteer roster and excluded from meetings. She felt she was being punished for raising the issue.</i>
Conflicts of interest	Leaders have not disclosed conflicts of interest or have misused their position for personal gain. Any personal or financial interests that could affect decision-making must be properly managed.

Step 2: What is the Jurisdiction of the complaints body?

Jurisdiction	Description
State	ACNC has powers to hear complaints under the law of the Commonwealth.
Geographical Scope	The ACNC monitors how registered charities comply with their obligations as set out by the ACNC Act, the Charities Act, and the ACNC Regulations. It has the power to act on complaints about the conduct of registered charities operating in Australia and Australian registered charities that also operate overseas.
Time limitations for raising concerns	There is generally no express time limit for raising a concern with the ACNC. However, the ACNC does have discretion as to whether to investigate a complaint. The earlier a concern is raised with the ACNC, the better as it will allow the ACNC to undertake a thorough investigate.
Exclusions	The ACNC does not have the power to investigate every concern that is raised, particularly where the concern is outside our area of regulatory responsibility. Fundraising The ACNC does not administer fundraising laws – they remain the responsibility of state and territory regulators. If you have concerns, please contact the fundraising regulator in your state or territory. Internal disputes Internal disputes include disagreements between the Responsible People (board or committee members, or trustees) of a charity, and are neither a serious risk nor a breach of the ACNC Act. The ACNC will not step in just because board members or charity members disagree. It will only act if there's evidence the charity is breaking the law or failing its duties. In some states and territories there are free mediation services that may be able to help you resolve problems, such as the Victorian Dispute Settlement Centre. Find out more about dealing with internal disputes. Contractual disputes between a charity and other organisations or individuals This includes tenders and purchases. Other government departments and agencies often look at this issue. Quality of services a charity provides The agency you need to contact to raise a concern will be different depending on the services being provided. For example, if you have concerns about how a charity provides health services you can contact your state or territory Health Services Commission.

	Policies or actions of boards or directors that are within their powers If a charity's Responsible People are using their powers as set out in the charity's governing document, and the charity is ensuring that they are following their duties under the ACNC Governance Standards, then the ACNC has no power to investigate. Employment issues such as unfair dismissal Often you can raise these kinds of concerns with the Fair Work Commission.
Exercise of discretion	The ACNC has discretion as to whether to investigate a complaint. Generally the ACNC will only act on concerns where: • there is a serious risk to public trust and confidence in the sector; and • they relate to a charity's compliance with requirements of the ACNC Act.

Step 3: Who can you make a complaint against?

The ACNC deals with complaints about Australian registered charities.	
Respondent	Description
Registered charities	Registered charities are those not-for-profit organisations which are "registered entities" for the purpose of the ACNC Act. To be eligible to be registered as a charity with the ACNC, an organisation must: • be not-for-profit; • have only charitable purposes that are for the public benefit • comply with the ACNC Governance Standards; • comply with the ACNC External Conduct Standards if operating overseas; • not have any disqualifying purposes (which are engaging in, or promoting activities that are unlawful or contrary to public policy; and promoting or opposing a political party or candidate for political office); and • not be an individual, political party or government entity. Registered charities must also must also have an Australian Business Number (ABN).
Exclusions	The ACNC currently only regulates registered charities as defined by the ACNC Act. Specific entities that cannot be registered as a charity, and therefore fall outside ACNC's jurisdiction include: • a political party.

	• a 'government entity' – this is part of an Australian or foreign government or one of its agencies, and some organisations established by a state or territory under a law. • included in a written decision made by an Australian government agency or judge that lists it as engaging in or supporting terrorist or other criminal activities. • individuals (other than "Responsible Persons" of registered charities). • Partnerships.
Additional information you need to know	If you are not sure if your complaint is within the jurisdiction of the ACNC you can discuss your situation with ACNC by calling 13 22 62 (13 ACNC) between 1 – 5pm, Monday to Friday.

Step 4: Are you eligible to make a complaint?

Eligibility	Description
Who can make a complaint?	Anyone can make a complaint to ACNC.
Have you tried to resolve your complaint directly with the public authority or community service provider?	In the interests of resolving matters quickly and effectively, members of the public may wish to raise concerns with the charity first. They can then approach the ACNC if the registered charity's response is inadequate and it still does not appear to be complying with the ACNC Act.
Is there a more appropriate organisation to resolve your complaint?	When the ACNC receives a complaint, it will first consider whether the ACNC can look into the issue being raised. The ACNC only accepts complaints about charities registered with the ACNC. The ACNC Register lists all the charities registered with the ACNC (except charities which have had their information withheld or removed). The ACNC accepts complaints relating to alleged breaches of the Australian Charities and Not-for-profits Commission Act 2012 (Cth) (ACNC Act) and Australian Charities and Not-for-profits Commission Regulations 2022 (Cth) (ACNC Regulations), such as allegations of charities being non-compliant with Governance or External Conduct Standards. Examples include allegations and information about possible illegal activity, activities that are contrary to the charity's purpose or the diversion of a charity's resources for private benefit. If the ACNC determines that your complaint does not relate to charities registered with the ACNC, the ACNC may suggest that your complaint

	could be better addressed by another organisation and provide you with the contact details of that organisation.
Can a complaint be made on behalf of someone?	You can raise concerns on behalf of someone else, but unless you have their consent, the ACNC may not be able to share information with you due to privacy laws.
Exclusions	As set out in Step 2 of this Fact Sheet, the ACNC does not have the power to investigate every concern that is raised, particularly where the concern is outside our area of regulatory responsibility. In particular, the ACNC only regulates charities registered with the ACNC.
Additional information you need to know	Free complaints process The ACNC's services are free. You do not need a lawyer for the complaint process, but you can seek legal advice at any time.

Step 5: What remedies are available at this body?

Power	Description
Warnings	The ACNC has the power to issue a warning to a charity that fails to meet its obligations. This involves notifying the charity that it is not meeting its obligations and explain what action the ACNC may take if it continues to not comply with its obligations.
Directions	The ACNC has the power to issue a direction to a charity that fails to meet its obligations. This involves directing the charity to do or not do something
Enforceable undertakings	The ACNC has the power to issue an enforceable undertaking to a charity that fails to meet its obligations. This involves making arrangements with the charity for what it needs to do to meet its obligations - these arrangements can be enforced by a court.
Injunctions	The ACNC has the power to seek an injunction from a court. This involves asking a court to make the charity do or not do something.
Suspension, removal or disqualification of a Responsible Person	In some circumstances, the ACNC may suspend or remove a Responsible Person, for example, a member of the charity's board or committee. In exceptional circumstances, the ACNC may disqualify a Responsible Person who has previously been suspended or removed for 12 months – during that time, the person is not allowed to be a Responsible Person of any charity, and will be listed on the disqualified persons register.
Revocation of the charity's registration	In exceptional circumstances, the ACNC may revoke the charity's registration (which may affect its eligibility for tax concessions)

Administrative penalties	The ACNC can apply administrative penalties if a charity makes false or misleading statements or fails to submit documents on time.
Additional information you need to know	The ACNC's powers to revoke a charity's registration or apply administrative penalties can be used against any charity. The ACNC can only exercise its other formal powers on 'federally regulated entities'. More information about ACNC's compliance processes can be found here.

Step 6: Preparing your complaint. What should your complaint look like? What should it include?

Requirement	Description
Format	Complaints can be lodged: • Online: by using the online complaint form available here; • By email: by filling in this form available here and sending to charityconcern@acnc.gov.au • By post: by printing and filling in this form available here and sending to Australian Charities and Not-for-profits Commission GPO Box 5108 MELBOURNE VIC 3001 • By fax: by printing and filling in this form available here and faxing to 1300 232 569 If you would like the assistance of an interpreter or translator this can be arranged by the ACNC free of charge.
Personal Details	To raise a concern about a charity, you should include your: • First and last name • Contact number • Email and postal address However, you can remain anonymous by selecting "No" in the online form when prompted "Do you want to provide your contact details?" You should also provide details of the relationship you have with this charity. If you're not sure or would like to remain anonymous, you can always select "Member of the Public".
Respondent's Details	You must provide the: • the name of the Australian registered charity you are complaining about; • Australian Business Number (ABN) of the Australian registered charity you are complaining about.

Relevant Facts	You should provide the following details: • confirmation of whether you give consent for the ACNC to disclose the details of your concern that contain your personal information, or that may identify you, to the charity • the type of concern (you can select multiple options from a pre-defined list) • the nature of your concern • how you learnt of the concern • past events and dates • names of people involved (including any individuals who can support your version of events or have expressed similar concerns) • documents that support your concern • whether you have raised this concern with anyone else, including the charity itself or a government agency • what you want to happen for your complaint to be resolved. You should provide as much detail as possible to help the ACNC understand your complaint. However, in the online form there is a limit of 5,000 characters for the text box. If you need to provide more information, you should upload a supporting document. If you have any documents to support your complaint they should be provided, including any correspondence you had with the charity about your complaint. If you lodge your complaint through the ACNC's online complaint form you can attach up to 3 supporting documents with Individual document sizes not exceeding 9MB.
What NOT to include	You will be required to make a declaration that the information you have provided is true and correct. Do not make false or misleading statements. This may be an offence.
Additional information you need to know	The complaint form will ask if you to authorise the ACNC to share personal information contained in the form, such as relevant correspondence, with the organisation it relates to. The ACNC will also collect, use, store and disclose personal information in accordance with their privacy policy.

Step 7: Lodging your complaint and next steps.

Step	Description
Where to lodge your complaint	Complaints can be lodged: • Online: by using the online complaint form available here; • By email: by filling in this form available here and sending to charityconcern@acnc.gov.au

	• By post: by printing and filling in this form available here and sending to Australian Charities and Not-for-profits Commission GPO Box 5108 MELBOURNE VIC 3001 • By fax: by printing and filling in this form available here and faxing to 1300 232 569 • If you would like the assistance of an interpreter or translator this can be arranged by the ACNC free of charge.
Receipt	The ACNC aims to acknowledge receipt of a complaint within two working days.
Initial assessment	The ACNC assesses each complaint on its merits and considers a range of factors such as the source of the information, including the complainant's relationship to the organisation, the nature of the complaint and any evidence or information that supports the complaint. The ACNC will then consider which complaints to investigate based on its Regulatory Approach Statement and Commissioner's Policy Statement 2013/01: Compliance and Enforcement.
Non-acceptance of complaint	If the ACNC does not accept your complaint, ACNC may let you know. However, Division 150 of the ACNC Act prevents the ACNC from telling you about what, if any, response the ACNC decides to take in relation to a complaint.
Investigation of complaint	If the ACNC does accept your complaint, the ACNC may contact you to further its investigation. In this case, the ACNC will give you information about what steps to take. You may choose not to be involved further.
Additional information you need to know	The ACNC generally make details of its actions public only when they lead to the charity's registration being revoked or when the ACNC issues a warning, enforceable undertaking or a direction.

Step 8: Post-complaint – what if you are not happy with the outcome of your complaint?

Avenue	Description
Feedback and complaints about the ACNC	Feedback and complaints about the ACNC can be made via the ACNC's online general enquiries form, by calling 13 22 62, or whenever a customer communicates with the ACNC's staff. There is no charge for providing feedback or making a complaint. The ACNC aims to acknowledge receiving a complaint about the ACNC within three business days and to respond within 20 business days with the outcome.

	If the ACNC cannot resolve the complaint within this time, it will contact you to provide an update, explain the delay and provide an indicative timeframe for resolution. The time it takes to investigate a complaint depends on its seriousness and complexity. For complaints that require deeper investigation, the ACNC will provide you with the contact details of the person or team reviewing the complaint. The ACNC will explain the outcome of its investigation of a complaint to you. You will have the opportunity to respond before the ACNC finalise the complaint.
Commonwealth Ombudsman	If you are not satisfied with the outcome of the feedback investigation by the ACNC, you may seek further assistance from the Commonwealth Ombudsman, for example, by making a complaint via the Commonwealth Ombudsman's online form here, selecting "Other commonwealth government agency" in the drop-down list, identifying the Australian Charities and Not-for-Profits Commission (ACNC) as the name of the agency you are lodging a complaint about, and providing further details regarding the substance of your complaint.
Additional information you need to know	More information regarding the ACNC internal review process is available here.

Step 9: Overlapping or Related Jurisdiction to the complaints body?

Jurisdiction	Description
Commonwealth Ombudsman	The Commonwealth Ombudsman looks into complaints about Australian Government agencies and some private industries.
Australian Human Rights Commission	The Australian Human Rights Commission (AHRC) can handle complaints about discrimination that occurs in employment, education, the provision of goods and services, accommodation, sport or the administration of Commonwealth laws and services. If you have experienced discrimination, bullying or harassment on the basis of you ex, disability, race, age or sexual preference the AHRC may be able to help. There are also State Government discrimination complaint bodies who may also be able to assist.
Australian Financial Complaints Authority	Australian Financial Complaints Authority (AFCA) provides dispute resolution for financial complaints including insurance, banking, superannuation, loans and investments and financial advice.

**Courts and
Tribunals**

Unlike the ACNC, courts and tribunals can make binding and enforceable determinations. You may want to seek legal advice about the option of pursuing your complaint at court if it relates to: compensation (including workers compensation claims), development application decisions, orders made by local councils, decisions, fines and orders of regulators and licensing authorities and disputes over expert assessments.

Need help?

Organisations that can help you make your complaint, provide support or advocacy or give you more information

Organisation	Contact Details	How they can help
ACNC	Website: https://www.acnc.gov.au Email: charityconcern@acnc.gov.au Telephone: 13 22 62 between 1 – 5pm, Monday to Friday.	You can contact ACNC directly if you have any further questions or need assistance with your complaint.
Translating and Interpreter Service	Website: www.tisnational.gov.au Telephone: 131 450	Provides interpreting and translation services for people if English is not their first language.
National Relay Service	Website: www.accesshub.gov.au	Provides a range of services to support people who are deaf or have a hearing or speech impairment to communicate.

Self-help tools and additional resources

Resource	How this helps
How to make a complaint	Guidance from ACNC on how to make a general and privacy complaint
Law Society: Know Your Rights	Guidance for individuals who are uncertain about where to start when seeking legal advice.
Call It Out	Online register for racism/discrimination experienced or witnessed towards First Nations Australians. Not an official complaints body.