



Toukley Neighbourhood Centre

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TNC is the heartbeat of a connected, supported, empowered, inclusive and thriving community. We partner with the broader community to share what we can and provide a hand up to those in need, so they can Wallamba-bayn (come back) and join us in delivering our vision.

POLICY - FUNDRAISING AND RAFFLES

1 Policy Information

Title:	Fundraising and Raffles
Effective Date:	01-Apr-2026
Policy Owner:	Executive Officer
Applies To:	All Staff and Volunteers
Next Review Date:	March 2027

1.1 Change Control

Effective Date	Author	Approver	Comments
26/03/2025	Donna Tudman	Board of Management	Initial Draft
01-Apr-2026	Bronwyn Evans	BoM	Updated to reflect amendments to the Charitable Fundraising Act 1991 (NSW) commencing 1 April 2026: updated Act reference in Purpose; revised Legislative Compliance section to reflect deemed authority status and removal of separate NSW Fair Trading annual return obligation; added mandatory National Fundraising Principles (Attachment A).

1.2 Contents

1	<i>Policy Information</i>	1
	1.1 <i>Change Control</i>	1
	1.2 <i>Contents</i>	2
2	<i>Policy Overview</i>	3
	2.1 <i>Purpose</i>	3
	2.2 <i>Context</i>	3
	2.3 <i>Overview</i>	3
	2.4 <i>Definitions</i>	3
3	<i>Policy Principles</i>	4
	<i>Principle 1: Compliance and Integrity</i>	4
	<i>Principle 2: Transparency and Accountability</i>	4
	<i>Principle 3: Responsible Fundraising</i>	4
4	<i>Policy Guidelines</i>	5
	4.1 <i>Legislative Compliance</i>	5
	4.2 <i>Eligibility to Conduct Raffles</i>	5
	4.3 <i>Authorisation and Applications</i>	5
	4.4 <i>Prizes</i>	5
	4.5 <i>Ticketing Requirements</i>	6
	4.6 <i>Advertising and Promotion</i>	6
	4.7 <i>Financial and Reporting Obligations</i>	6
	4.8 <i>Contacts and Support</i>	7
5	<i>National Fundraising Principles</i>	8
	5.1 <i>Principles 1–10: Conduct of Representatives</i>	8
	5.2 <i>Principles 11–16: Obligations of TNC as Authority Holder</i>	8



2 Policy Overview

2.1 Purpose

This policy outlines the rules and procedures for conducting raffles and art unions at Toukley Neighbourhood Centre (TNC), ensuring full compliance with:

- Community Gaming Act 2018 (NSW)
- Community Gaming Regulation 2020 (NSW)
- Charitable Fundraising Act 1991 (NSW) — as amended by the Customer Service Legislation Amendment Act 2024 (NSW), effective 1 April 2026.

2.2 Context

At Toukley Neighbourhood Centre (TNC), policies are developed in alignment with the [TNC Policy Framework](#).

TNC Policy documents are developed to:

- Assist TNC to meet the objects of the organisation and manage risk effectively
- Assist TNC staff and volunteers in performing their duties
- Outline how TNC will meet governance expectations
- Provide transparency and clarity to TNC staff and volunteers.

TNC is bound by the [Australian Charities and Not-for-profits Commission Act 2012 \(Cth\)](#) and regulated by the [ACNC](#).

2.3 Overview

This policy applies to all staff, volunteers, and authorised representatives of TNC involved in planning, conducting, or promoting raffles or art unions for fundraising purposes.

2.4 Definitions

Term	Explanation
ACNC	Australian Charities and Not-for-profits Commission
Art Union	A lottery with a prize pool of \$30,000 or more
BoM	Board of Management
EO	Executive Officer
Raffle	A lottery with a total prize pool under \$30,000
TNC	Toukley Neighbourhood Centre

3 Policy Principles

Policies always contain a set of principles that provide information relating to the rationale for the document. Staff and volunteers must consider and comply with these guiding principles when performing their duties.

Principle 1: Compliance and Integrity

TNC is committed to complying with all relevant legislation governing charitable gaming activities, including the Community Gaming Act 2018, Community Gaming Regulation 2020, and Charitable Fundraising Act 1991. All raffles and art unions must be conducted with transparency, fairness, and full legal compliance to protect public trust and organisational integrity.

Principle 2: Transparency and Accountability

All raffle and art union activities must be conducted in a transparent manner that allows donors, participants, and the broader community to understand how funds are raised, how prizes are awarded, and how proceeds are used. Accurate records, proper disclosures, and honest communication are essential to maintaining the confidence of the public and regulatory authorities.

Principle 3: Responsible Fundraising

TNC acknowledges its duty of care in ensuring that all fundraising activities are ethical, respectful, and socially responsible. This includes avoiding misleading promotions, protecting vulnerable individuals, ensuring ticket sales are conducted appropriately, and ensuring that a meaningful portion of proceeds directly supports the Centre's charitable objectives.

4 Policy Guidelines

4.1 Legislative Compliance

4.1.1 Community Gaming Act & Regulation

- Governs how community gaming activities (raffles/art unions) are conducted in NSW.
- Establishes permit requirements, conduct rules, prize restrictions, ticketing standards, and reporting obligations.

4.1.2 Charitable Fundraising Act 1991

TNC is a registered charity and must comply with this Act, which governs:

- Authorisation to conduct fundraising
- Use of funds
- Disclosure requirements
- Proper financial record-keeping
- Ethical conduct during fundraising activities

4.1.3 Key requirements include:

- **Authority to Fundraise:** TNC holds a current charitable fundraising authority (No. 12988, valid to 10 October 2027). From 1 April 2026, as an ACNC-registered charity that previously held a NSW fundraising authority, TNC is automatically a "deemed authority holder" under the amended Act. This eliminates the need to separately apply for or renew a NSW fundraising authority while TNC remains ACNC-registered.
- **National Fundraising Principles:** From 1 April 2026, compliance with the 16 National Fundraising Principles is a mandatory condition of holding a fundraising authority in NSW. The Principles govern the conduct of TNC and all its representatives (staff, volunteers, and contractors) when fundraising. The full Principles are set out in Attachment A to this policy.
- **Use of Funds:** All proceeds must be applied toward the charitable purpose stated in the fundraising materials.
- **Public Disclosure:** TNC must identify itself clearly as a charitable organisation and disclose how funds will be used.
- **Receipting and Record-Keeping:** All funds raised must be properly receipted and recorded.
- **Annual Reporting:** TNC meets its NSW fundraising reporting obligations by lodging the Annual Information Statement with the ACNC. A separate annual return to NSW Fair Trading is not required while TNC maintains its ACNC registration.

4.2 Eligibility to Conduct Raffles

Only not-for-profit organisations like TNC may conduct raffles. Any third-party fundraiser must have written permission from TNC's management.

4.3 Authorisation and Applications

- Raffles: No NSW Fair Trading authority required if prize pool < \$30,000.
- Art Unions: Requires an authority from NSW Fair Trading. Application via email to: CElottery@customerservice.nsw.gov.au.
- TNC must also comply with its fundraising authority conditions under the Charitable Fundraising Act 1991.

4.4 Prizes

4.4.1 Prohibited Prizes:

- Firearms, ammunition, weapons
- Tobacco or vaping products
- Cosmetic surgery
- Excessive alcohol (limits apply)

4.4.2 Conditions:

- Real estate prizes must be maintained and insured.
- Cash prizes in art unions must not exceed \$30,000 per prize.
- Unclaimed prizes to be held for 3 months.

4.5 Ticketing Requirements

4.5.1 All tickets must display:

- Ticket price
- TNC name
- Description and value of prizes
- Draw date/time/location
- Authority number (for art unions)

4.5.2 Ticket Sales:

- Uniform pricing unless clearly stated in bundle deals.
- Sellers must return butts, unsold tickets, and funds before the draw.

4.6 Advertising and Promotion

All promotional material must:

- Clearly state key details (ticket price, draw date, prize)
- Include authority number (if required)
- Avoid misleading claims or implication of guaranteed returns
- Comply with the Charitable Fundraising Act by disclosing:
 - ◆ TNC's name
 - ◆ Charitable purpose
 - ◆ Fund use statement

4.6.1 Conducting the Draw

- Draws must be random and transparent.
- TNC must notify winners within 2 days.
- Prizes >\$10,000 must be published in a local newspaper within 7 days.
- Prizes may be redrawn after 3 months if unclaimed.

4.7 Financial and Reporting Obligations

4.7.1 Minimum fund allocations:

- Raffles: At least 40% of proceeds to TNC
- Art Unions: At least 30% of gross proceeds to TNC

4.7.2 Record Retention:

- Raffles (<\$10,000 prizes): 3 months
- Raffles (>\$10,000): 3 years
- Art Unions: As per NSW Fair Trading standards

4.7.3 Charitable Reporting:

- Maintain detailed records of income/expenditure
- Meet annual reporting obligations by lodging the Annual Information Statement with the ACNC (this satisfies NSW Fair Trading requirements from 1 April 2026)
- Make financial summaries available on request

4.8 Contacts and Support

- NSW Fair Trading – Community Gaming & Charitable Fundraising
Website: <https://www.fairtrading.nsw.gov.au>
Email: CElottery@customerservice.nsw.gov.au
Phone: 13 32 20

5 National Fundraising Principles

Agreed by Commonwealth, state and territory Treasurers in February 2023 and mandatory in NSW from 1 April 2026 as a condition of holding a charitable fundraising authority.

In the Principles below, "representatives" means TNC's employees, volunteers, contractors, and anyone else engaged or arranged to raise funds on TNC's behalf.

5.1 Principles 1–10: Conduct of Representatives

When conducting fundraising activities, TNC must ensure its representatives comply with the following:

- **Principle 1 — Purpose** Always explain the purpose of TNC and the purpose to which the funds raised will be applied, in ways that are appropriate for the audience.
- **Principle 2 — Identification** Always be clearly and individually identifiable by the public, displaying identification that contains: their name; whether they are a volunteer, employee, or acting in some other capacity; and TNC's name and contact details.
- **Principle 3 — Written Records** Always make and keep written records of fundraising activities that can be easily read and understood.
- **Principle 4 — Solicitations** Always acknowledge and comply with a refusal to donate; a request not to receive future solicitations; a request to be contacted at a more convenient time or by a different means; and a request to limit the number, type, or frequency of solicitations.
- **Principle 5 — Hours of Contact** Never conduct door-to-door or telephone fundraising:
 - ◆ before 9am or after 5pm on a weekend
 - ◆ before 9am or after 6pm (door-to-door) or 8pm (telephone) on a weekday
 - ◆ on a public holiday, unless the public holiday is closely connected with TNC's charitable purpose.
- **Principle 6 — No False Information** Never mislead, deceive, or knowingly use false or inaccurate information when fundraising.
- **Principle 7 — No Undue Pressure** Never place undue or unreasonable pressure on a person when fundraising, or act unconscionably in any way to obtain a donation.
- **Principle 8 — No Exploitation** Never exploit the trust, lack of knowledge, lack of capacity, apparent need for care and support, or vulnerable circumstances of any donor.
- **Principle 9 — One-off or Ongoing Donations** Always make it clear whether a donation is a one-off or an ongoing donation, and clearly explain how to end an ongoing donation.
- **Principle 10 — Commercial Fundraisers** Where a commercial fundraiser is engaged, they must never accept a donation without first explaining that they are part of an organisation that makes a profit from fundraising and how they are paid.

5.2 Principles 11–16: Obligations of TNC as Authority Holder

TNC must at all times comply with the following:

- **Principle 11 — Due Diligence** Conduct all reasonable due diligence when engaging third parties to assist, support, or deliver fundraising activities on TNC's behalf.
- **Principle 12 — Organisation Records** Make and keep written records of the total funds raised and the purposes for which funds are applied.
- **Principle 13 — Health, Safety and Wellbeing** Take all reasonable measures to protect the health, safety, and wellbeing of fundraisers employed or directly engaged by TNC, as well as members of the public, when fundraising.
- **Principle 14 — Complaints Process** Establish and maintain a complaints process that allows for proper investigation and redress of fundraising complaints made by the public, and encourages anyone with concerns about a fundraising activity conducted by or on behalf of TNC to contact TNC directly.
- **Principle 15 — Privacy** Ensure all information covered by the [Privacy Act 1998](#) (Cth) is collected, used, and managed in accordance with the Australian Privacy Principles.
- **Principle 16 — Commercial Fundraiser Remuneration** Ensure that remuneration paid to any commercial fundraiser engaged by TNC is not excessive when compared to the money or goods received for TNC's charitable purpose.