

17 September 2026

Submission to:

The Attorney General's Department
PrivacyReform@ag.gov.au

Privacy Reform Exposure Draft: Privacy Amendment (Personal Data Protection) Bill 2026

The Community Council of Australia (CCA) welcomes the proposed privacy reforms that will support a fairer and safer environment for Australians as we transition to a modern digital age. Australia needs robust fit for purpose protections where privacy is taken seriously and no longer misused by those who collect, share and profit from our data.

However, at a time when both demand and costs on our sector's charities and not-for-profits (NFPs) are increasing, while facing multiple emerging operational, fundraising and sustainability challenges, our sector is being asked to do increasingly more with less. This includes meeting the significantly higher bar of the proposed reforms and safely collecting, managing, storing and disposing of the vast amounts of critical data handled by our sector, including the highly sensitive personal information of some of the most vulnerable members of our society.

Our sector is also being asked to deal with growing cyber security threats, digital capacity, artificial intelligence and data privacy needs without the many incentives, concessions, programs and extra funding that the government is providing to small business¹ that would help accommodate for many of the extra regulatory and compliance obligations of these reforms.

Australia's charities and NFPs need equal assistance so that they can sustainably meet these important privacy requirements. The government can start by supporting our sector's urgent digital, data governance and capacity uplift needs by providing greater investment towards the NFP Digital Futures co-funding initiative², and by extending the appropriate incentives, concession and programs afforded to small businesses to similar sized charities and NPFs.

¹ <https://ministers.treasury.gov.au/ministers/anne-aly-2025/media-releases/small-businesses-embrace-digital-support>

² <https://www.infoxchange.org/au/news/2026/05/major-cross-sector-collaboration-launches-build-digital-capability-australia-s-not>

Summary of recommendations

Our recommendations:

1. The Community Council of Australia (CCA) supports the proposed reforms and further action to strengthen protections, including those relating to the privacy of the most vulnerable Australians and children as recommended in the Alannah & Madeline Foundation (AMF) submission to this consultation.
2. The government must provide more support to enable charities and not-for-profits (NFPs) to meet the greater regulatory requirements and compliance costs of the proposed privacy reforms and prioritise our sector's urgent digital capability, data governance and capacity uplift needs before imposing additional administrative burdens or penalties, including by:
 - Matching the \$25 million investment for the 'NFP Digital Futures' being raised from philanthropy and corporate partners.
 - Extending the appropriate incentives, concession and programs afforded to small businesses to similar sized charities and not-for-profits.

Support for stronger data privacy laws to protect Australians and vulnerable consumers

CCA supports the protections contained in the proposed Privacy Amendment (Personal Data Protection) Bill to strengthen the data privacy and digital experience of consumers, including the:

- Introduction of a 'fair and reasonable test' with a 'best interests of the child' provision to help prevent personal information from being collected and used in ways that harms consumers or others;
- Stronger consent requirements to ensure businesses only collect what's necessary;
- Modernised definitions including for 'personal' and 'sensitive' information that includes more information that specifically relates to us and our geo-location;
- Clear pathways to opt-out of direct marketing.;
- A right to erasure (although this should not be limited to large digital platforms); and
- Stronger support for the privacy regulator.

CCA also supports further amendments to strengthen protections to better address the significant harms and growing risks to the most vulnerable members of society, including children, as highlighted in the Alannah & Madeline Foundation (AMF) submission to this consultation.

Recommendation

The Community Council of Australia (CCA) supports the proposed reforms and further action to strengthen protections, including those relating to the privacy of the most vulnerable Australians and children as recommended in the Alannah & Madeline Foundation (AMF) submission to this consultation.

The government must prioritise our sector's digital capability, data governance and capacity uplift needs to support the privacy reforms

Although our sector supports the greater privacy protections, the proposed reforms impose greater compliance obligations, reporting requirements and regulatory expectations without government providing the corresponding sector investment to address the sector's growing workforce capacity and digital capability uplift needs.

These changes also bring significant data management implications for our sector, including in a complex and increasingly challenging fundraising regulatory environment, placing further risk and pressures on charities and NPFs already operating with constrained resources and short-term funding arrangements.

In fact, recent independent trawling through government data relating to more than 15,000 charities by researchers have found that the median length of a Commonwealth government contract issued to one of those charities was 12 months, a figure that had not changed since 2019³. Short-term

³ <https://www.communitydirectors.com.au/articles/the-elephant-in-the-funding-room;>
<https://www.communitydirectors.com.au/articles/snap-poll-shows-many-in-the-sector-arent-advocating-for-themselves>

funding contracts are also just another driver of increased reporting, shifting of risk and diminished productivity affecting our sector.

A number of additional compliance, reporting and safety requirements that charities and NFPs will be required to meet as part of the proposed privacy reforms include:

- New and stricter security obligations when collecting and handling all personal information;
- Further governance and compliance provisions when engaging third-party service providers to handle personal information on their behalf;
- Stronger requirements for entities to notify and respond to data breaches including a 72-hour breach reporting deadline;
- The requirement for organisations to have embedded mature incident response, remediation, data visibility and escalation processes; and
- Compliance with broader powers provided to the privacy regulator.

Furthermore, the government seems to regularly overlook the needs of the charities sector, while investing in business. Around \$3.8 billion has recently been invested by government into various small business initiatives to support uplift capacity⁴ – but most of the extensive incentives, concessions, programs and grants are not available to our sector.

Charities face many of the same pressures as small business but also need to fulfill additional responsibilities to the communities they serve. At a time when both demand and costs are increasing charities must deal with cyber security threats, digital capacity and data privacy needs, upskill staff, adapt to climate change, transition to energy efficiency, invest in infrastructure, capacity, reporting, evaluation and the growing expectations of funders and communities.

Charities turn over more than \$239 billion a year – 8 per cent of our GDP – and hold over \$500 billion in assets. Charities are also 11 per cent of our workforce – a custodian for 1.6 million workers and 3.9 million volunteers – and employ more people than the manufacturing, construction and retail sector. The importance of ensuring the sector's sustainability before imposing extra regulatory burdens on such a significant and impactful part of our economy and our communities should be a key agenda for government.

Fit-for-purpose investment to support our sector's workforce capability and digital uplift is also likely to deliver stronger outcomes than prematurely imposing additional requirements that many of our sector's smaller organisations who lack the resources are unlikely to be able to meet.

The government can help support this by taking the immediate step to match the \$25 million investment being raised from philanthropy and corporate partners for the NFP Digital Futures initiative being led by Infoxchange.⁵

⁴ <https://ministers.treasury.gov.au/ministers/anne-aly-2025/media-releases/small-businesses-embrace-digital-support>

⁵ <https://www.infoxchange.org/au/news/2026/05/major-cross-sector-collaboration-launches-build-digital-capability-australia-s-not>

For over 35 years, Infoxchange has developed an intimate knowledge and expertise of the digital and security needs of our sector and has already supported more than 20,000 NFP organisations, including through the Digital Transformation Hub.

Further investment for the NFP Digital Futures would also:

- Strengthen the digital maturity and capability uplift needs across the sector to sufficiently implement the privacy reforms;
- Better safeguard the financial data and information of millions of donors and individuals supported by the sector, including the highly sensitive personal information of the most vulnerable Australians;
- Protect the delivery of critical services delivered by charities and NFPs, including the hundreds of millions contracted by government; and
- Encourage more philanthropic giving by reinforcing public trust and confidence in the sector.

Recommendation

The government must provide more support to enable charities and not-for-profits (NFPs) to meet the greater regulatory requirements and compliance costs of the proposed privacy reforms and prioritise our sector's urgent digital capability, data governance and capacity uplift needs before imposing additional administrative burdens or penalties, including by:

- ***Matching the \$25 million investment for the 'NFP Digital Futures' being raised from philanthropy and corporate partners.***
- ***Extending the appropriate incentives, concession and programs afforded to small businesses to similar sized charities and not-for-profits.***

Please contact Director of Policy, **David Hofierka** at davidh@communitycouncil.com.au or Research Manager, **Stuart Barrow** at stuartb@communitycouncil.com.au at Community Council for Australia or on 02 6198 3435 if you have any questions about this submission.

Yours sincerely



David Crosbie

CEO, Community Council for Australia

About Community Council for Australia (CCA)

The Community Council for Australia (CCA) is an independent non-political member-based organisation dedicated to building flourishing communities by enhancing the extraordinary work undertaken by the charities and not-for-profit sector in Australia. CCA seeks to change the way governments, communities and not-for-profits relate to one another by providing a national voice and facilitation for sector leaders to act on common and shared issues affecting the contribution, performance, and viability of NFPs in Australia. This includes:

- promoting the values of the sector and the need for reform
- influencing and shaping relevant policy agendas
- improving the way people invest in the sector
- measuring and reporting success in a way that clearly articulates value
- building collaboration and sector efficiency
- informing, educating, and assisting organisations to build sustainable futures

Our success will drive a more sustainable and effective charities and not-for-profit sector in Australia making an increased contribution to the well-being and resilience of all our communities.

Community Council for Australia

Current Membership:

Adult Learning Australia	Community Broadcasting Association of Australia
Alannah and Madeline Foundation	Community Education Australia
Alliance for Gambling Reform	Connecting Up
AMP Foundation	Drug Arm Australia
Arab Council Australia	Ethical Jobs
Australian Communications Consumer Action Network	Everyman
Australian Conservation Foundation	Fitted for Work
Australian Council for International Development	For Purpose Alliance
Australian Environmental Grantmakers Network	Fragile X Association of Australia
Australians Investing in Women	Good Samaritan Foundation
Australian Red Cross	Hope Economy
Barnardos Australia	InfoXchange
Benefolk Foundation	Justice Connect
Camp Quality	Kilfinan Australia
Carers Australia	Life Without Barriers
Centre for Social Impact	McGrath Foundation
Chain Reaction Foundation	Menslink
Churches of Christ Community Care Vic/Tas	Missions Interlink
	Our Community
	OzHarvest
	Philanthropy Australia

Physical Disability Australia

Queensland Water & Land Carers

Regional Arts Australia

RSPCA Australia

Saba Rose Button Foundation

Safe Places Australia

Save the Children Australia

Settlement Services International

Smith Family

Social Ventures Australia

St John Ambulance Australia

Social Leadership Foundation

Starlight Foundation

Tanarra Social Purpose

The Centre for Volunteering

**Variety – the Children’s Charity of
Victoria**

Volunteering Australia

Wesley Mission

WWF Australia