



General Fee Frequently Asked Questions 2023-24

The General Fee is payable to Community Legal centres Australia by all centres, i.e. organisations that are members of their respective state or territory association.

General Fee collection occurs annually. Collections for 2023-24 is beginning in November 2023

If you have questions not answered below, [please email david.herrero@clcs.org.au](mailto:david.herrero@clcs.org.au) or [phone 02 9160 9500](tel:0291609500).

Key points

- The maximum General Fee for 2023-24 has been reduced from \$9600 (in 2021-22) to \$6000
- The minimum General Fee has been increased from \$50 to \$500
- The Auspiced CLC Fee will no longer be charged
- The assessment form for the General Fee is due from all centres by 15 December 2023

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Collection and calculation

Who pays the General Fee?

All centres that are members of their respective state or territory association (STA) pay the General Fee to CLCs Australia; this is separate to any fees levied by the STA itself.

What period does the General Fee cover?

In November 2023, we begin collection of the General Fee for the 2023-24 financial year. It is important to note that the calculation of the General Fee is based on income received in the *previous* financial year, i.e. 2022-23. This is because this is the most recent year for which centres will have financial documents.

What has changed in the last couple of years?

During 2022, the CLCs Australia Board formed a General Fee Advisory Group consisting of representatives from CLCs Australia and across the sector to review how CLCs Australia calculates the General Fee. Following this review, the CLCs Australia Board accepted recommendations to reduce the maximum payable fee and to remove the Auspiced Fee payable by legal service that were part of a larger organisation. The minimum General Fee was increased.

How much is the General Fee in 2023-24?

The General Fee is 0.5% of a centre's total income for the 2022-23 financial year up to a maximum fee, or 'cap' of \$6000, excluding GST. The General Fee cap has been reduced from the previous year's level of \$8600, and from \$9600 in 2021-22. The reduction will affect centres with an income over \$1.2 million.

There is also a minimum General Fee of \$500, which has been increased from \$50. This change will affect centres with a total income of less than \$100 000.

The changes are reflected in a revised policy approved by the Board in October 2023.

What income is used for the calculation of the General Fee?

Normally the General Fee is based on a centre's **total income** as defined in the General Fee Policy. This includes funding for non-legal services. Surplus carried forward from the previous year and funding for a centre's auspicing organisation (if it has one) are excluded.

How does CLCs Australia use this money?

The General Fee helps to fund the services and benefits that CLCs Australia provides to centres, including national advocacy and submissions, the National Accreditation Scheme, information resources and webinars.

How does the process work?

While completing an online assessment form, your centre will indicate its total income and upload an audited financial statement. You can upload your full annual report if that is more convenient. The form will provide an *estimate* of the centre's General Fee.

All centres are asked to complete the form – even if a centre intends to apply for a waiver.

CLCs Australia will use the information provided in the form to calculate the centre's General Fee, confirming the estimate provided in the form, checking that the income figure provided is consistent with the General Fee Policy, and issuing an invoice. CLCs Australia may need to contact the centre for more information. Where this is not the case, invoices will be issued within a fortnight. Forms are usually processed in the order in which they are received.

If you are unsure of any details, please complete the form as well as you can and let us know in the notes of any issues; CLCs Australia will contact you if anything needs to be clarified.

What do we do if our audited financial statement or annual report is not available?

Please email to let us know when you expect to receive it. You will not be able to complete the assessment form without uploading a financial statement.

What are the parts of the 'General Fee'?

- The **General Fee** is payable by all centres
- An **Auspiced CLC Fee** of \$1000 was previously payable by some centres; this fee will no longer be charged
- The General Fee invoice will include an **Insurance Admin Fee** for centres that are part of the CLCs Australia Insurance Scheme

When does the online form need to be completed?

The form should be completed by Friday 15 December 2023.

When is the General Fee invoice due to be paid?

Payment is due 21 days after the invoice is issued.

Why is there an extra line item on the invoice?

The Insurance Admin Fee payable by centres that use the National Insurance Scheme is included on the invoice for the General Fee. This fee is unrelated to General Fee and is included on the same invoice to reduce the administrative workload for centres and CLCs Australia.

Centres that have not paid their General Fee invoice for 2023-24 will not be eligible to participate in the National Insurance Scheme in 2024-25.

How do we pay?

We'd prefer that you pay by electronic funds transfer (EFT). Please use the invoice number as the reference for the transaction. Unidentified transactions can be very difficult to allocate and reconcile.

Please ensure you are making payment to CLCs Australia (National Association of Community Legal Centres), and not to your state or territory peak, or another organisation.

Auspiced centres and the Auspiced CLC Fee

What happened to the Auspiced CLC Fee?

The CLCs Australia Board decided not to charge the Auspiced CLC Fee in 2022-23, in response to feedback from centres. The Board has now abolished it permanently.

Audited Financial Statements

Which page do I look at in our Audited Financial Statement?

The statement you need to refer to may be called Revenue Statement, Income and Expenditure Statement, Operating Statement, Statement of Comprehensive Income or Profit and Loss (P&L) Statement.

Which figure do I use in our Audited Financial Statement?

The figure can be called *income* or *total income*; it can also be called *revenue*, *operating revenue* or *total revenue*. There is a number of different ways financial reports can be compiled and a number of different terms used for the same item.

Waivers

What if we can't afford to pay the General Fee?

The General Fee Waiver Policy makes provision for centres experiencing exceptional circumstances to apply for a Fee waiver.

You should still complete the online form.

The waiver request must first be approved by your state or territory association (STA), which will then make a recommendation to the CLCs Australia Board.

What is the process?

If your centre is applying for a waiver:

1. Complete the online form and indicate your centre is applying for a waiver.
2. Write to the head of your state or territory association (STA), stating:
 - a. the amount or percentage of the waiver sought; and
 - b. the reasons you are asking for a waiver.

There is no application form; an email or letter is sufficient.

This initial application should be made by 15 December 2023; this has been extended beyond 30 November, the date stipulated in the waiver policy.

3. The STA Board or Management Committee considers the application, evaluates whether it meets the criteria for a waiver application as provided in the General Fee Waiver Policy and passes a resolution that makes a recommendation to CLCs Australia on whether or not to approve the application. The resolution should specify what portion of the General Fee is being supported for waiver for that centre.
4. The STA emails a copy of their resolution to CLCs Australia.

5. The CLCs Australia Board or its delegate makes a decision on the waiver application taking the STA resolution into consideration.
6. CLCs Australia staff advise the centre of the Board's decision and invoice the centre if applicable.

Our centre was granted a waiver last year; do I have to apply for one again this year?

Yes, fee variations or waivers are only granted for one year and only in exceptional circumstances.

If you have any other questions about the General Fee process, please email david.herrero@clcs.org.au or phone 02 9264 9595.