



General Fee Frequently Asked Questions 2022-23

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 2022-23 is beginning in January 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 2022-23 has been reduced from \$9600 to \$8600, and will be reduced further to \$6000 from 2023-24 onwards
- The Auspiced CLC Fee will no longer be charged
- The assessment form for the General Fee is due from all centres by 24 February

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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 January 2023, we begin collection of the General Fee for the 2022-23 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. 2021-22. This is because this is the most recent year for which centres will have financial documents.

Why is General Fee collection later than in previous 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. Collection, which would normally begin in November of the financial year, was delayed until January to allow for this review to be completed.

How much is the General Fee in 2022-23?

The General Fee is 0.5% of a centre's total income for the 2021-22 financial year up to a cap of \$8600, excluding GST.

There is also a minimum General Fee of \$50.

The General Fee cap has been reduced from the previous year's level of \$9600. This change was made as a one-off measure by the CLCs Australia Board before the General Fee review was complete. The change will affect centres with an income over \$1.7 million. The Board has decided to reduce the fee cap further from 2023-24 onwards, among other changes.

The permanent changes to the General Fee will be reflected in a new policy that the Board will finalise during 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. 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?

CLCs Australia uses this money to help fund the services it provides to centres, including national advocacy, the National Accreditation Scheme, information resources and webinars.

How does the process work?

While completing an online form, your centre will provide us with income information as well as uploading an audited financial statement. You can upload your full annual report if that is more convenient.

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, checking that the income figure provided is consistent with the General Fee policy, and will then issue an invoice. Invoices will be issued by the end of February 2023 if we have all the information needed for processing. 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; we 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 (more information below).
- The General Fee invoice will include an **Insurance Admin Fee** for centres that are part of the CLCs Australia Insurance Scheme; this is unrelated to General Fee and is included on the same invoice to reduce the administrative workload for centres and CLCs Australia

When does the online form need to be completed?

The form should be completed by Friday 24 February 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 CLCs Australia Insurance Scheme is included on the invoice for the General Fee. In earlier years this was invoiced separately.

How do I 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.

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 subsequently resolved to abolish it permanently

What does CLCs Australia mean by 'auspiced'?

An auspiced centre is a centre that operates as a distinct and separate program of another organisation; the centre is not separately incorporated and shares the same ABN as the parent or auspice organisation.

There doesn't have to be a formal auspicing agreement in place between the centre and the parent or auspice organisation. For example, a centre would be considered auspiced if it is referred to as a program or service of a larger organisation whose primary function is very different, such as a university, a neighbourhood centre, a health service or a faith-based community agency. Previously, auspiced centres were charged an additional fee, but this is no longer applicable.

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 24 February 2023.

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.