

AUSTRALIA BRANCH
(Via CompuServe)

LLA August 28, 2001 No. 354

Governing Body of Jehovah's Witnesses
Publishing Committee

Re: Interbranch Indebtedness

Dear Brothers:

The Australian government has recently passed the *Privacy Amendment (Private Sector) Act 2000*. The object of this legislation, which will come into effect in December, 2001, is to provide a code to control the collection, holding, use, correction, disclosure, and transfer of personal information by private sector organisations to meet international concerns and Australia's international obligations relating to privacy. Organisations caught by the Act must provide to an individual with access to any personal information the organisation may hold about that individual, and it can only hold "sensitive" information with the individual's consent. "Sensitive" information includes matters relating to religious, ethnic, and sexual practices.

The application of these principles to the Society would seriously affect the way we collect and collate information about ethnic witnessing territory, some congregation records, and the way we handle judicial matters, especially those relating to child abuse.

The legislation applies to non-profit organisations such as charities and religious organisations. However, "small businesses" are exempt from the operation of the Act. A business is a "small business" if its annual turnover for the previous year is AUD 3,000,000 (USD 1,500,000) or less. Turnover does not include contributions or donations, but does include amounts charged to other branches for items supplied by the Australia Branch. Where funds are transferred without consideration, that is, they are donations or cash transfers, then those amounts would not be included in the turnover figure.

We believe that it is important for the Australia branch to discontinue the practice of treating transfers to other branches as receivables, in a general sense, and should enter these transactions in the records as outright donations. If a branch, such as India or New Zealand, has some unusual situation that affects the transferring of funds, and for that reason a charge must be made for literature and other items supplied, we do not see these few instances as causing a difficulty. However, we would need to monitor the situation so that we did not at any time exceed the threshold.

In your letters AF:AG February 19, 1999 No. 142, AF:AG November 8, 1999 No. 139, AOK:ACB August 16, 2000 No. 301, and others the principle of holding sufficient debt between branches to enable a claim to be made in the event that adverse circumstances endanger the property of the branch, is clearly made. At present our records show substantial indebtedness between Australia branch and branches to which we are currently sending literature, funds, and other items. We do not see any need to write off these amounts already shown on the records.

We now seek your permission to write off all future branch transfers, treating them as outright donations. In this way we will keep our "turnover" below the threshold and so avoid the difficulties and obligations that will otherwise apply if we come within the jurisdiction of this Privacy Act.

Thank you for your consideration of this matter.

Please accept our warm Christian love.

Your brother,
G. D. King
For the Branch Committee
AUSTRALIA BRANCH