

CE303\*

Charitable Collections Act 1946  
Criminal Procedure Act 2004

## **Charitable Collections Amendment Regulations 2006**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Charitable Collections Amendment Regulations 2006*.

**2. Commencement**

These regulations come into operation on the later of —

- (a) the day on which they are published in the *Gazette*; and
- (b) the day on which the *Criminal Procedure Amendment Regulations (No. 2) 2006* come into operation.

**3. The regulations amended**

The amendments in these regulations are to the *Charitable Collections Regulations 1947\**.

[\* Reprinted as at 3 October 2000.]

**4. Regulation 2 amended**

Regulation 2 is amended by inserting in the appropriate alphabetical position —

“

“**Commissioner**” has the same meaning as it has in the *Consumer Affairs Act 1971*;

”.

**5. Regulations 18 and 19 and Schedules 1 and 2 inserted**

After regulation 17 the following regulations and Schedules are inserted —

“

**18. Infringement notices**

- (1) The offences specified in Schedule 1 are offences for which an infringement notice may be issued under Part 2 of the *Criminal Procedure Act 2004*.
- (2) The modified penalty specified opposite an offence in Schedule 1 is the modified penalty for that offence for the purposes of section 5(3) of the *Criminal Procedure Act 2004*.
- (3) The Commissioner may, in writing, appoint persons or classes of persons to be authorised officers or approved officers for the purposes of Part 23 of the *Criminal Procedure Act 2004*.
- (4) The Commissioner is to issue to each authorised officer a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices.

**19. Forms**

The forms set out in Schedule 2 are prescribed in relation to the matters specified in those forms.

**Schedule 1 — Prescribed offences and modified penalties**

[r. 18]

<b>Offences under <i>Charitable Collections Act 1946</i></b>		<b>Modified penalty</b>
s. 6	Unlicensed person collecting for charity .....	\$20
s. 9	Failing to deliver moneys, books etc. when authority revoked .....	\$20
<b>Offences under <i>Charitable Collections Regulations 1947</i></b>		<b>Modified penalty</b>
r. 8(1)	Failing to provide information required by Minister .....	\$8
r. 8(2)	Failing to notify change of executive officers .....	\$8

<b>Offences under <i>Charitable Collections Act 1946</i></b>		<b>Modified penalty</b>
r. 14(1)	Visiting a house for purposes of collecting outside permitted hours .....	\$8
r. 14(2)	Making telephone call for purposes of collecting outside permitted hours .....	\$8

## Schedule 2 — Forms

[r. 19]

### Form 1 — Infringement notice

<i>Charitable Collections Act 1946</i>		Infringement notice no.	
<b>Infringement notice</b>			
<b>Alleged offender</b>	Name: Family name _____		
	Given names _____		
	or Company name _____		
	ACN _____		
Address _____		Postcode _____	
<b>Alleged offence</b>	Description of offence _____		
	<i>Charitable Collections Act 1946 s.</i>		
	<i>Charitable Collections Regulations 1947 r.</i>		
	Date / 20	Time	a.m./p.m.
Modified penalty \$ _____			
<b>Officer issuing notice</b>	Name _____		
	Signature _____		
	Office _____		
<b>Date</b>	Date of notice / /20		
<b>Notice to alleged offender</b>	<p>It is alleged that you have committed the above offence. If you do not want to be prosecuted in court for the offence, pay the modified penalty within 28 days after the date of this notice.</p> <p><b>How to pay</b></p> <p><b>By post:</b> Send a cheque or money order (payable to ‘Approved Officer — <i>Charitable Collections Act 1946</i>’) to: Approved Officer — <i>Charitable Collections Act 1946</i> Department of Consumer and Employment Protection Locked Bag 14 Cloisters Square Perth WA 6850</p> <p><b>In person:</b> Pay the cashier at: Department of Consumer and Employment Protection 219 St George’s Terrace, Perth WA</p> <p><b>If you do not pay</b> the modified penalty within 28 days, you may be prosecuted or enforcement action may be taken under the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i>. Under that Act your driver’s licence and/or vehicle licence may be suspended.</p> <p><b>If you need more time</b> to pay the modified penalty, you can apply for an extension of time by writing to the Approved Officer at the above postal address.</p> <p><b>If you want this matter to be dealt with by prosecution in court</b>, sign here _____ and post this notice to the Approved Officer at the above postal address within 28 days after the date of this notice.</p>		

**Form 2 — Withdrawal of infringement notice**

<i>Charitable Collections Act 1946</i>		Withdrawal no.
<b>Withdrawal of infringement notice</b>		
<b>Alleged offender</b>	Name: Family name _____	
	Given names _____	
	or Company name _____	
	ACN _____	
Address _____		Postcode _____
<b>Infringement notice</b>	Infringement notice no. _____	
	Date of issue / /20	
<b>Alleged offence</b>	Description of offence _____	
	<i>Charitable Collections Act 1946 s.</i> <i>Charitable Collections Regulations 1947 r.</i>	
	Date / /20	Time a.m./p.m.
<b>Officer withdrawing notice</b>	Name _____	
	Signature _____	
	Office _____	
<b>Date</b>	Date of withdrawal / /20	
<b>Withdrawal of infringement notice</b>	The above infringement notice issued against you has been withdrawn.	
	If you have already paid the modified penalty for the alleged offence you are entitled to a refund. * Your refund is enclosed. or * If you have paid the modified penalty but a refund is not enclosed, to claim your refund sign this notice and post it to: Approved Officer — <i>Charitable Collections Act 1946</i> Department of Consumer and Employment Protection Locked Bag 14 Cloisters Square Perth WA 6850	
<i>[*delete whichever is not applicable]</i>	Signature _____ / /20	

By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.