

CE320\*

Street Collections (Regulation) Act 1940  
Criminal Procedure Act 2004

## **Street Collections Amendment Regulations 2006**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Street 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 *Street Collections Regulations 1999\**.

[\* *Published in Gazette 7 December 1999, p. 5991-4.*]

**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. Regulation 14 replaced by regulations 14 and 15**

Regulation 14 is repealed and the following regulations are inserted instead —

“

**14. Infringement notices**

- (1) The offences specified in Schedule 2 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 2 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 2 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.

**15. Forms**

The forms set out in Schedule 3 are prescribed in relation to the matters specified in those forms.

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**6. Schedules 2 and 3 inserted**

After Schedule 1 the following Schedules are inserted —

“

**Schedule 2 — Prescribed offences and  
modified penalties**

[r. 14]

<b>Offences under <i>Street Collections (Regulation) Act 1940</i></b>	<b>Modified penalty</b>
s. 3(1), 8    Unauthorised person making collection in public street .....	\$400
s. 4(2), 8    Making collection in public street outside permitted times or permitted area .....	\$400

### Schedule 3 — Forms

[r. 15]

#### Form 1 — Infringement notice

<i>Street Collections (Regulation) Act 1940</i>		Infringement notice no.
<b>Infringement notices</b>		
<b>Alleged offender</b>	Name: Family name	
	Given names	
	or Company name _____	
	ACN _____	
Address _____		Postcode _____
<b>Alleged offence</b>	Description of offence _____	
	<i>Street Collections (Regulation) Act 1940 s.</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>Street Collections (Regulation) Act 1940</i>') to:            Approved Officer — <i>Street Collections (Regulation) Act 1940</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>Street Collections (Regulation) Act 1940</i>		Withdrawal no.
<b>Withdrawal of infringement notice</b>		
<b>Alleged offender</b>	Name: Family name	
	Given names	
	or Company name _____	
	ACN _____	
Address _____		Postcode _____

