

FT301*

Charitable Collections Act 1946

Charitable Collections Amendment Regulations 2000

Made by the Administrator in Executive Council.

1. Citation

These regulations may be cited as the *Charitable Collections Amendment Regulations 2000*.

2. The regulations amended

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

[* Reprinted as authorised 26 July 1966.

For amendments to 15 June 2000 see 1999 Index to Legislation of Western Australia, Table 4, p. 31.]

3. Regulation 3 replaced

Regulation 3 is repealed and the following regulation is inserted instead —

“

3. Form of application for licence

- (1) An application by a charitable organisation for a licence under section 11 of the Act must include the following —
 - (a) the name of the charitable organisation;
 - (b) details of the charitable purpose or purposes for which the applicant seeks the licence;
 - (c) details of each means by which the organisation proposes to collect or attempt to collect money or goods for the charitable purpose or purposes;
 - (d) an estimate of the amount of money or the value of the goods to be collected in the first 12 months of operating under the licence, if it is issued;
 - (e) the name, address and description of each of the principal executive officers of the organisation;
 - (f) the name of the bank at which the organisation holds the account required to be opened under regulation 11;
 - (g) the name, address and qualifications of the auditors of the organisation's accounts;
 - (h) any other information that the Minister requires that is relevant to deciding whether to grant or refuse the licence.
- (2) The applicant must submit the following documents with the application —
 - (a) a certified copy of the constitution or rules governing the affairs of the organisation;
 - (b) a certified copy of the organisation's last income and expenditure account and balance sheet.
- (3) The person making the application on behalf of the organisation must sign the application and indicate the office that he or she holds in the organisation.

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4. Regulations 5, 6 and 7 repealed.

Regulations 5, 6 and 7 are repealed.

5. Regulation 8 amended

Regulation 8 is amended as follows:

- (a) by inserting before “Any charitable organisation” the subregulation designation “(1)”;
- (b) by inserting at the end the following subregulations —

“

- (2) Without limiting the generality of subregulation (1), if there is a change of a licensee’s executive officers, the licensee must give the Minister written notice of the change in accordance with subregulation (3) within one month after the change.

Penalty: \$40.

- (3) The notice must state —
 - (a) the name, address and designation of each new executive officer of the organisation; and
 - (b) the name of each person who has stopped being an executive officer of the organisation.

”.

6. Regulation 9 repealed

Regulation 9 is repealed.

7. Regulation 11 amended

Regulation 11 is amended as follows:

- (a) in subregulation (c) by deleting “in or to the effect of Form No. 9 in the Appendix hereto”;
- (b) by repealing subregulation (d) and inserting instead the following subregulation —

“

- (d) Every bank account of a charitable organisation is to be operated by authority signed by 2 officers of the organisation appointed in writing for the purpose by the governing body of the organisation.

”.

8. Regulations 12 and 13 repealed

Regulations 12 and 13 are repealed.

9. Regulation 14 replaced

Regulation 14 is repealed and the following regulation is inserted instead —

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14. Permitted collection times

- (1) A collector must not visit a house for the purpose of making an appeal or of selling goods for support of the charitable purpose —
 - (a) on a Sunday or public holiday; or
 - (b) on any other day before 9 a.m. or after 6 p.m.,unless authorised by the Minister in writing to do so.
- (2) A collector must not telephone another person for the purpose of making an appeal or of selling goods for support of the charitable purpose —
 - (a) on a Sunday or public holiday; or
 - (b) on any other day before 9 a.m. or after 8 p.m.,unless authorised by the Minister in writing to do so.

”

10. Regulation 15 repealed

Regulation 15 is repealed.

11. Appendix repealed

The Appendix is repealed.

12. Savings and transition

- (1) A licence that was in force immediately before the commencement of these regulations, and any terms or conditions to which the licence was subject immediately before that commencement, are not taken to be affected by the amendments that are effected by these regulations.
- (2) However, on and after the commencement of these regulations, the *Charitable Collections Regulations 1947*, as amended by these regulations, apply to a licence that was in force immediately before that commencement, and to the licensee, as if the licence had been issued after the commencement of these regulations.

By Command of the Administrator,

ROD SPENCER, Clerk of the Executive Council.