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**FAIR TRADING**

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FT301\*

Street Collections (Regulation) Act 1940

**Street Collections Regulations 1999**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Street Collections Regulations 1999*.

**2. Definitions**

In these regulations —

“**authorize**” means authorize in writing;

“**permit**” means a permit under section 4 of the Act;

“**permit holder**” means a person to whom a permit has been granted.

**3. Application for permit**

An application for a permit is to be in a form approved by the Minister.

**4. Form of permit**

A permit is to be in the form set out in Schedule 1.

**5. Identification badges**

- (1) A collector must wear an identification badge bearing the name of the permit holder in a conspicuous place at all times while taking part in a collection.
- (2) A collector must allow a person authorized by the Minister to inspect the collector's identification badge on request.

**6. Minimum age for collectors**

A permit holder must not allow a person who is under 16 to be a collector unless authorized by the Minister to do so.

**7. Collection boxes**

- (1) A permit holder must provide one or more collection boxes to each collector.
- (2) A collection box —
  - (a) may be a box, tin, or other receptacle capable of securely holding money;
  - (b) must not be fixed to a pole or otherwise designed to be held beyond the reach of the collector;
  - (c) must be securely closed and sealed so that it cannot be opened or money removed from it without the seal being broken; and
  - (d) must have prominently displayed on it —
    - (i) the name of the person or persons for whom the collection is being made; and
    - (ii) the date of the collection.
- (3) A permit holder must consecutively number all of the permit holder's collection boxes and keep a record of which boxes are issued to each collector.

**8. Making a collection**

- (1) If a person wishes to contribute to a collection a collector must offer a collection box to the person so the person can put the contribution into the box.
- (2) If a person gives a contribution to the collector the collector must immediately put it into a collection box.
- (3) A collector must not open or break the seal on a collection box.

- (4) A collector who has finished collecting is to give all the collector's collection boxes to the permit holder or a person authorized by the permit holder to receive collection boxes.

**9. Obstruction**

While taking part in a collection a collector must not obstruct a public street (as defined in section 3 of the Act) or annoy any person using a public street.

**10. Collection returns**

Within 30 days after the date of a collection a permit holder must give to the Minister a written statement, signed by the permit holder, setting out —

- (a) the amount collected;
- (b) the expenses incurred in carrying out the collection; and
- (c) the amount that has been, or is to be, distributed to each of the persons for whom the collection was made.

**11. Collectors, promoters etc. not to be paid**

- (1) A person must not pay —
- (a) a person for being a collector; or
  - (b) any other person for promoting or otherwise assisting with a collection,
- unless the permit authorizes that payment.
- (2) In subregulation (1) —
- “pay” includes give, whether directly or indirectly, any benefit or reward.

**12. Investigation by Commissioner**

- (1) The Minister may request the Commissioner for Fair Trading under the *Consumer Affairs Act 1971* to investigate a collection.
- (2) On receipt of a request the Commissioner is to —
- (a) make all investigations the Commissioner considers appropriate; and
  - (b) report the result of the investigations to the Minister.
- (3) For the purpose of subregulation (2) the Commissioner may direct a person to produce any documents specified in the direction and the person must comply with that direction.

**13. Offence**

A person who fails to comply with these regulations commits an offence.

Penalty: \$40.

**14. Repeal**

The *Street Collections Regulations 1941* are repealed.

**Schedule 1 — Form of Permit**

[r. 4]

*Street Collection (Regulation) Act 1940***Permit to conduct a Street Collection**

(Name)

has permission under the *Street Collections (Regulation) Act 1940* to conduct a street collection in the Perth metropolitan area.

The street collection may be carried out —

on (date)

between  a.m. /p.m. and  a.m. /p.m.

Signature of Minister

Date 

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.