



Australian Capital Territory

1. Conduct

Obligation	Relevant legislative provision
<ul style="list-style-type: none"> • It is an offence for a person to organise or manage, or assist in organising or managing, a collection for a charitable purpose without a licence authorising that person to do so. • It is an offence to solicit donations or act as an employee or agent of a person organising a collection without the authorisation to do so of a person who holds a licence. • A person who solicits donations for a charitable purpose in person must display an identification tag. The licence will indicate which information must be on the identification tag. • A person who solicits donations for a charitable purpose must make available certain information (as required by the licence) to the person from whom the donation is sought. It is an offence to give misleading or false information. • The licence under which a collection is carried out may contain conditions governing the conduct of the collection. 	<p>Sections 14 to 18 of the ACT Act</p>
<p>The substantive provisions of the ACT Act have not commenced. Unless they are proclaimed to come into effect earlier, they will automatically come into effect on 9 October 2003. Until these substantive provisions come into effect, charitable fundraising in the ACT will continue to be regulated by the <i>Collections Act 1959</i>.</p>	



2. Accounting

Obligation	Relevant legislative provision
<ul style="list-style-type: none"> • A licensed organisation conducting a collection must ensure that the proceeds of that collection are applied only for the purposes of that collection. • The money must be paid (after deductions for expenses) into a trust bank account used exclusively for the proceeds of collections for the licensed organisation within 5 banking days of it being collected. • A licensed organisation must finalise the required accounts (as set out in the conditions of the licence) for that collection within 90 days of the end of that collection. • A report of the final accounts for each collection must be given to the chief executive of the Department of Urban Services each year. The chief executive may require an auditor's report about the accounts and records of a collection. • A licensed organisation must keep records which give a true and fair view of income and expenditure of each collection for a period 7 years following the collection. 	<p>Sections 43 to 45, 47 to 51 of the ACT Act</p>

3. Registration

Obligation	Relevant legislative provision
<ul style="list-style-type: none"> • The licence to conduct charitable fundraising may be issued subject to conditions stated in the licence and for a period not exceeding 5 years. The licence is non-transferable. The licensee may apply for an amendment to the conditions or the term of the licence. The chief executive may refuse, amend, suspend or cancel a licence if satisfied that the collection is not for a charitable purpose. • The chief executive is to maintain a register of licences. The register is open for inspection. A licensee must inform the chief executive of a change in name, address, or contact number within 7 days of the change. 	<p>Sections 21 to 26, 34, 35, 40 to 42 of the ACT Act</p>
<p>Licences in force under the previous <i>Collections Act 1959</i> continue in force under the ACT Act</p>	<p>Section 67 of the ACT Act</p>



4. Registration

ACT Legislation

Charitable Collections Act 2003 (ACT Act)

Note: The provisions of the ACT Act will come into effect on 9 October 2003 unless earlier proclaimed.

ACT Department

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