



Western Australia

1. Conduct

Obligation	Relevant legislative provision
A collector must not visit a house to make or attempt to make a collection on Sundays or public holidays or before 9am or after 6pm. A collector must not telephone anyone for the purposes of collecting on Sundays or public holiday, or before 9am or after 8pm.	Regulation 14 of the WA Regulations
A collector on a public street must wear an identification badge bearing the permit holder's name. No one under 16 may collect on behalf of a permit holder. The Western Australian Department of Consumer and Employment Protection grants permits to organisations who apply for a permit on the prescribed form.	Regulations 3, 5 & 6 of the WA Street Collections Regulations
A permit holder must provide a sealed collection box to each collector on a public street which bears the name of the permit holder and the date of the collection. The boxes must be consecutively numbered and a record must be maintained of which boxes are issued to collectors.	Regulation 7 of the WA Street Collections Regulations
Contributions made on a public street must be placed into the collection box. Upon completing the collection, the collector is to give the collection box, with proceeds, to the permit holder.	Regulation 8 of the WA Street Collections Regulations
A collector on a public street must not obstruct the street or any person on the street. A collector or promoter of a collection must not be paid for their services unless authorised by the permit to be so paid.	Regulation 9 & 11 of the WA Street Collections Regulations



2. Accounting

Obligation	Relevant legislative provision
If required by the Minister, a licensee shall submit an audited account setting out the money and goods collected by the licensee.	Section 15 of the WA Act
The Auditor General or some other officer appointed by the Minister may inspect and audit the accounts of the licensee and report the results of the audit to the Minister.	Section 20 of the WA Act
An executive officer of a charitable organisation who receives money donated for a charitable purpose will, within 7 days, pay that amount into a bank account to be opened for that purpose.	Regulation 11(1) of the WA Regulations
Every person, who is not an executive officer of the charitable organisation, who receives money for a charitable purpose on behalf of that organisation will, within 14 days, pay that money to the controlling body of the organisation.	Regulation 11(2) of the WA Regulations
Every charitable organisation shall maintain a register of assets if it has non-cash assets.	Regulation 11(3) of the WA Regulations
Every bank account of a charitable organisation is to be operated by authority signed by 2 officers of the organisation.	Regulation 11(4) of the WA Regulations
<p>A charitable organisation may only invest money belonging to the organisation:</p> <ul style="list-style-type: none"> • in a fixed deposit with any company registered as a bank in WA; or • as trust funds may be invested under Part III of the <i>Trustees Act 1962</i> <p>unless otherwise permitted by the Minister.</p>	Regulation 16 of the WA Regulations
Within 30 days after the date of a collection on a public street, the permit holder must give to the Minister a written statement setting out the amount collected, the expenses incurred by the collection and the amount to be distributed to each of the persons for whom the collection was made.	Regulation 10 of the WA Street Collections Regulations



3. Registration

Obligation	Relevant legislative provision
A person must not collect money or goods for a charitable purpose unless they hold a licence under the WA Act or they are an authorised member of a licensee or are authorised to so collect by the licensee.	Sections 24 to 24D of the Vic Act
A licensee under the WA Act may grant an authority to a person to collect money or goods on its behalf, with the approval of the Minister. The licensee may also revoke that authority.	Sections 8 & 9 of the WA Act
An application for licence under the WA Act is to be made to the Minister who will refer the application to an advisory committee. In considering the application the committee will have regard to whether the objects of the applicant would be better served by another party who is a licensee or an applicant. The licence may be granted under certain conditions determined by the Minister.	Section 11 & 12 of the WA Act
A licence may be revoked if money or goods obtained by collection are used for purposes other than that for which they were collected.	Section 13 of the WA Act
There is no fee charged to obtain the licence	Section 14 of the WA Act
A person may not make a collection in a public street in the Perth metropolitan area unless authorised by the Minister. The permit may set out the times at which the person may collect, and those allowed times are not to exceed a total of 50 days per year.	Sections 3 & 4 of the WA Street Collections Act



4. Notes

West Australian Legislation

- *Charitable Collections Act 1946 (WA Act)*
- *Charitable Collections Regulations 1946 (WA Regulations)*
- *Street Collections (Regulation) Act 1940 (WA Street Collections Act)*
- *Street Collections Regulation 1999 (WA Street Collections Regulations)*

Note: The WA cabinet has approved the drafting of the Public Collections Bill which will replace the WA Act and the Street Collections Act.

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