



Charitable collections

A guide to licensing

Organisations that wish to collect money or goods from the public for charity may need to be licensed. Organisations wanting to conduct a street collection must have a permit.

Charitable Collections Advisory Committee

The Charitable Collections Advisory Committee makes recommendations to the Commissioner for Consumer Protection for the licensing of organisations that wish to collect money or goods from the public for charitable purposes. The committee consists of five independent members including a chairperson.

Who needs to be licensed?

Any organisation that collects money or goods from the public for:

- the relief of the sick, infirm, incurable, poor, destitute, helpless or unemployed people or their dependants;
- the relief of distress caused by war, and the support of people who have been members of the armed forces;
- the support of hospitals, infant health centres, and other activities of a social or welfare character, animal welfare, conservation and environmental causes; or
- any benevolent, philanthropic or patriotic purpose.

Who does not need to be licensed?

Organisations that collect and receive money from the public for non-charitable purposes do not need to be licensed, for example: social groups and sporting clubs; and schools or kindergartens that operate their own fund raising events.

Raffles

If you wish to raise funds for a charitable purpose by the sale of raffle tickets, lotteries or gaming activities you will require a charitable collections licence.

You may also require a permit from the Department of Local Government, Sport and Cultural Industries – Racing, Gaming and Liquor. For further information on permits for raffles, lotteries and gaming activities please visit the Racing, Gaming and Liquor website: www.dlgsc.wa.gov.au or phone (08) 6551 4888.

Street collections

Any organisation wanting to conduct a street collection in the Perth metropolitan area, whether or not licensed under the *Charitable Collections Act 1946*, must have a separate street collection permit. Street collections conducted under the *Street Collections (Regulations) Act 1940* must be held on a Friday unless otherwise approved by the Commissioner for Consumer Protection.

Application forms

Application forms for street collections and charitable collections licensing are available from:

- Charitable Collections Licensing
Department of Mines, Industry Regulation and Safety
Consumer Protection
Gordon Stephenson House Level 2
140 William Street
Perth, Western Australia 6000
(hours 8.30am - 5.00pm)
Telephone: (08) 6552 9364
Email: charities@dmirs.wa.gov.au
www.dmirs.wa.gov.au/charities

What does a charitable collections licence cover?

A licence covers:

- collection of money and goods from the public through the sale of any disc, badge, token, flower or other device;
- admission charged for any entertainment or function when all or part proceeds are said to go to a charitable purpose;
- advertising that suggests all or part proceeds from any event are to go to charitable purposes; and
- the donation of goods, e.g. the operation of clothing bins and op shops for a charitable purpose.

Licensing requirements

To obtain a licence your organisation will need to lodge with the Charitable Collections Advisory Committee:

- a completed application form and covering submission with details of the charity/organisation and why it requires a charity licence in Western Australia;
- a completed Principal Executive Officer Declaration and Consent form for each of the principal executive officers nominated on the application form;
- an original police clearance, no older than six months, for each of those officers;
- copies of the certificate of incorporation and constitution (or the memorandum and articles of association if appropriate) except where the organisation is incorporated under the *Associations Incorporation Act 2015* in Western Australia; and
- a copy of the financial accounts for the last 12 months including income and expenditure statements, plus a balance sheet.

Applicants are also required to supply:

- information as to whether any other organisation is operating in the field for which you propose to fundraise and whether you have approached that organisation; and
- a fundraising plan, including how much you intend to raise in the first year of operation.

Fees and period of licence

No fees are charged for licensing under the *Charitable Collections Act 1946*.

Licences are usually issued for three years and can be renewed for further periods of three years by the Commissioner for Consumer Protection.

Reporting requirements

All charitable organisations licensed under the *Charitable Collections Act 1946* are required to submit to the Charitable Collections Advisory Committee audited financial statements within six months of the end of each financial year.

Code of practice for fund raising

Once an organisation becomes licensed it may choose to comply with the Voluntary Code of Practice for Public Fundraising.

The code sets out certain guidelines which are of benefit to charitable organisations that propose to raise money from the community. The code can be found at: www.dmirs.wa.gov.au/charities.

Further information

We recommend that you refer to the *Charitable Collections Act 1946* and the *Street Collections (Regulations) Act 1940* for a more detailed explanation of this topic. Contact the State Law Publisher on 08 6552 6000 or www.slp.wa.gov.au to purchase copies of the Acts.

Information and advice can be obtained from staff at the Charitable Collections Licensing Section on 08 6552 9364.

Department of Mines, Industry Regulation and Safety

Consumer Protection:

1300 304 074

Gordon Stephenson House Level 2/140 William Street
Perth Western Australia 6000
Hours: 8.30am – 5.00pm
Locked Bag 14 Cloisters Square WA 6850
Administration: (08) 6552 9364
Email: charities@dmirs.wa.gov.au
www.dmirs.wa.gov.au/charities

Regional Offices

Goldfields/Esperance (08) 9026 3250
Great Southern (08) 9842 8366
Kimberley (08) 9191 8400
Mid-West (08) 9920 9800
North-West (08) 9185 0900
South-West (08) 9722 2888

National Relay Service: 13 36 77

Quality of service feedback line: 1800 304 059

Translating and Interpreting Service (TIS) 13 14 50

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