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Australian Capital Territory

# **Magistrates Court (Charitable Collections Infringement Notices) Regulations 2003**

**Subordinate Law SL2003-36**

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The Australian Capital Territory Executive makes the following regulations under the *Magistrates Court Act 1930*.

Dated 29 October 2003.

JON STANHOPE  
Minister

BILL WOOD  
Minister

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Australian Capital Territory

# Magistrates Court (Charitable Collections Infringement Notices) Regulations 2003

Subordinate Law SL2003-36

made under the

*Magistrates Court Act 1930*

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## 1 Name of regulations

These regulations are the *Magistrates Court (Charitable Collections Infringement Notices) Regulations 2003*.

## 2 Commencement

These regulations commence on the day after their notification day.

*Note* The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

## 3 Purpose of regulations

The purpose of these regulations is to provide for infringement notices under the *Magistrates Court Act 1930*, part 8 for certain offences against the Charitable Collections Act.

*Note* The *Magistrates Court Act 1930*, pt 8 creates a system of infringement notices for offences against various Acts. The infringement notice system is intended to provide an alternative to prosecution.

## 4 Notes

A note included in these regulations is explanatory and is not part of these regulations.

*Note* See Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.

## 5 Meaning of *Charitable Collections Act*

In these regulations:

*Charitable Collections Act* means the *Charitable Collections Act 2003*.

## 6 Administering authority

The administering authority for an infringement notice offence against the Charitable Collections Act is the chief executive for that Act.

## 7 Infringement notice offences

The *Magistrates Court Act 1930*, part 8 applies to an offence against a provision of the Charitable Collections Act mentioned in schedule 1, column 2.

## 8 Infringement notice penalties

- (1) The penalty payable by an individual for an offence against the Charitable Collections Act, under an infringement notice for the offence, is the amount mentioned in schedule 1, column 4 for the offence.
- (2) The penalty payable by a corporation for an offence against the Charitable Collections Act, under an infringement notice for the offence, is 5 times the amount mentioned in schedule 1, column 4 for the offence.
- (3) The cost of serving a reminder notice for an infringement notice offence against the Charitable Collections Act is \$34.

## 9 Contents of infringement notices—other information

- (1) An infringement notice served on a company by an authorised person for an infringement notice offence against the Charitable Collections Act must include the company's ACN.

*Note* The requirement under this regulation is additional to the requirement under the *Magistrates Court Act 1930*, s 121 (1) (c).

- (2) In this regulation:

***company*** means a company registered under the Corporations Act.

**10 Contents of infringement notices—identifying authorised person**

An infringement notice served on a person by an authorised person for an infringement notice offence against the Charitable Collections Act must identify the authorised person by—

- (a) for an authorised person who is a police officer—the service number for the police officer; and
- (b) for an authorised person to whom the Act, section 55 (Identity cards) applies—
  - (i) any unique number given to the person by the administering authority under regulation 6 (Administering authority) for these regulations; or
  - (ii) the authorised person’s full name, or surname and initials.

**11 Contents of reminder notices—identifying authorised person**

A reminder notice served on a person by an authorised person for an infringement notice offence against the Charitable Collections Act must identify the authorised person by—

- (a) for an authorised person who is a police officer—the service number for the police officer; and
- (b) for an authorised person to whom the Act, section 55 (Identity cards) applies—
  - (i) any unique number given to the person by the administering authority under regulation 6 (Administering authority) for these regulations; or
  - (ii) the authorised person’s full name, or surname and initials.



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## **12    Authorised people for infringement notice offences**

Anyone who is an authorised person under the Charitable Collections Act, section 54 (Authorised people), may serve—

- (a) an infringement notice for an infringement notice offence against the Charitable Collections Act; and
- (b) a reminder notice for an infringement notice offence against the Charitable Collections Act.

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## Schedule 1 Charitable Collections Act infringement notice offences and penalties

(see reg 7 and reg 8)

column 1 item	column 2 offence provision	column 3 offence penalty (penalty units)	column 4 infringement penalty (\$)
1	section 16 (1)	50	50
2	section 47 (1)	50	150
3	section 47 (2)	50	150
4	section 47 (3)	50	150
5	section 48 (1)	50	150
6	section 53 (4)	50	150
7	section 56 (3)	5	50

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### Endnotes

**1 Notification**

Notified under the Legislation Act on 30 October 2003.  
(see [www.legislation.act.gov.au](http://www.legislation.act.gov.au))

**2 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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