



This document has been provided by the International Center for Not-for-Profit Law (ICNL).

ICNL is the leading source for information on the legal environment for civil society and public participation. Since 1992, ICNL has served as a resource to civil society leaders, government officials, and the donor community in over 90 countries.

Visit ICNL's **Online Library** at
<http://www.icnl.org/knowledge/library/index.php>
for further resources and research from countries all over the world.

Disclaimers

Content. The information provided herein is for general informational and educational purposes only. It is not intended and should not be construed to constitute legal advice. The information contained herein may not be applicable in all situations and may not, after the date of its presentation, even reflect the most current authority. Nothing contained herein should be relied or acted upon without the benefit of legal advice based upon the particular facts and circumstances presented, and nothing herein should be construed otherwise.

Translations. Translations by ICNL of any materials into other languages are intended solely as a convenience. Translation accuracy is not guaranteed nor implied. If any questions arise related to the accuracy of a translation, please refer to the original language official version of the document. Any discrepancies or differences created in the translation are not binding and have no legal effect for compliance or enforcement purposes.

Warranty and Limitation of Liability. Although ICNL uses reasonable efforts to include accurate and up-to-date information herein, ICNL makes no warranties or representations of any kind as to its accuracy, currency or completeness. You agree that access to and use of this document and the content thereof is at your own risk. ICNL disclaims all warranties of any kind, express or implied. Neither ICNL nor any party involved in creating, producing or delivering this document shall be liable for any damages whatsoever arising out of access to, use of or inability to use this document, or any errors or omissions in the content thereof.

Queensland



**COLLECTIONS
AMENDMENT REGULATION
(No. 1) 1993**

SL No. 330 of 1993

.

)

)

)

)

.



Subordinate Legislation 1993 No. 330

Collections Act 1966

**COLLECTIONS AMENDMENT REGULATION
(No. 1) 1993**

TABLE OF PROVISIONS

Section	Page
1 Short title	3
2 Commencement	3
3 Amended regulation	3
4 Omission of s.2 (Arrangement) and s.3 (Repeal)	3
5 Amendment of s.4 (Interpretation)	3
6 Replacement of s.5 (Forms)	3
5 Forms	3
7 Amendment of s.6 (Application for registration)	4
8 Amendment of s.7 (Notification of determination of application)	4
9 Replacement of s.8 (Register of charities)	4
8 Register of charities (s.19 of the Act)	5
10 Amendment of s.9 (Objections to registration and applications for removal after registration)	5
11 Amendment of s.11 (Public notice of removal from the register of charities)	5
12 Amendment of s.12 (Certificate of registration to be returned)	5
14 Amendment of s.14 (Notification of determination of application)	6
15 Replacement of s.15 (Register of sanctions)	6
15 Register of sanctions (s.12 of the Act)	6
16 Amendment of s.16 (Revocation of sanction)	7

17	Amendment of s.18 (Sanction to be returned)	7
18	Amendment of s.19 (Appeals for support)	7
19	Amendment of s.23 (Register of devices)	7
20	Amendment of s.25 (Unauthorised distribution of devices)	7
21	Replacement of s.31 (Books to be kept)	8
	31 Records to be kept (s.31 of the Act)	8
22	Amendment of s.32 (Accounting requirements to be complied with)	8
23	Amendment of s.34 (Control of moneys)	9
24	Amendment of s.35 (Advertising)	9
25	Amendment of s.36 (Inspections and copies)	9
26	Amendment of s.37 (Notification of change)	9
27	Amendment of s.38 (Address for service)	10
28	Amendment of s.39 (Establishment of new branch or section)	10
29	Amendment of s.41 (Return of office bearers)	10
30	Replacement of s.44 (Offences against regulations)	10
	44 Offences against regulation	10
31	Omission of Schedule (Forms)	10

Short title

1. This regulation may be cited as the *Collections Amendment Regulation (No. 1) 1993*.

Commencement

2. This regulation commences on 1 September 1993.

Amended regulation

3. The *Collections Regulation 1975* is amended as set out in this regulation.

Omission of s.2 (Arrangement) and s.3 (Repeal)

4. Sections 2 and 3—

omit.

Amendment of s.4 (Interpretation)

5. Section 4 (definition of “Act”, “Month” and “Schedule”)—

omit.

Replacement of s.5 (Forms)

6. Section 5—

omit, insert—

‘Forms

‘5.(1) If a provision of the Act requires or permits a person to give a form in the prescribed form or approved form—

- (a) the chief executive of the department is to approve a form for the purpose of the provision; and
- (b) the form approved under paragraph (a) is the prescribed form or approved form for the purpose.

‘(2) A person may ask the chief executive for a document setting out an approved form.

‘(3) The chief executive must promptly comply with a request under subsection (2).’.

Amendment of s.6 (Application for registration)

7.(1) Section 6—

omit ‘Under Secretary’, *insert* ‘chief executive’.

(2) Section 6(1)—

omit ‘Form No. 1 in the Schedule’, *insert* ‘the approved form’.

Amendment of s.7 (Notification of determination of application)

8.(1) Section 7(1)—

omit ‘Under Secretary’, *insert* ‘chief executive’.

(2) Section 7(2)—

omit, insert—

‘(2) A list of associations that are refused registration must be kept by the chief executive.

‘(2A) The list must include the following particulars in relation to each association that is included in the list—

- (a) the name of the association;
- (b) the day registration is refused;
- (c) the objects of the association;
- (d) particulars of the governing body.’.

(3) Section 7(3)—

omit ‘Form No. 3 in the Schedule’, *insert* ‘the approved form’.

Replacement of s.8 (Register of charities)

9. Section 8—

omit, insert—

‘Register of charities (s.19 of the Act)

‘8. The following particulars in relation to an association that is granted an application for registration as a charity by the Minister must be included in the register of charities—

- (a) the name of the association;
- (b) the charitable purpose for which the association is established;
- (c) the day the grant is made;
- (d) any conditions on which the grant is made;
- (e) any particulars or remarks the Minister may require to be entered in the register.’.

Amendment of s.9 (Objections to registration and applications for removal after registration)

10.(1) Section 9—

omit ‘Under Secretary’, insert ‘chief executive’.

(2) Section 9(1)—

omit ‘Form No. 5 in the Schedule’, insert ‘the approved form’.

(3) Section 9(2)—

omit ‘Form No. 6 in the Schedule’, insert ‘the approved form’.

Amendment of s.11 (Public notice of removal from the register of charities)

11. Section 11—

omit ‘Under Secretary’, insert ‘chief executive’.

Amendment of s.12 (Certificate of registration to be returned)

12. Section 12—

omit ‘Under Secretary’, insert ‘chief executive’.

Amendment of s.13 (Application for sanction)

13. Section 13(1)—

omit 'Form No. 7 in the Schedule', *insert* 'the approved form'.

Amendment of s.14 (Notification of determination of application)

14.(1) Section 14—

omit 'Under Secretary', *insert* 'chief executive'.

(2) Section 14(2)—

omit 'Form No. 8 in the Schedule', *insert* 'the approved form'.

Replacement of s.15 (Register of sanctions)

15. Section 15—

omit, insert—

'Register of sanctions

'15.(1) A register of sanctions must be kept by the chief executive.

'(2) The following particulars in relation to an application for a sanction that is given by the Minister must be included in the register—

- (a) the name of the applicant;
- (b) the purpose for which the sanction is given;
- (c) the day the sanction is given;
- (d) any conditions on which the sanction is given;
- (e) any particulars or remarks the Minister may require to be entered in the register.

'(3) The chief executive also must include particulars on the register of any revocation of a sanction.

'(4) The chief executive must keep a record of any refusal by the Minister of an application for a sanction.'

Amendment of s.16 (Revocation of sanction)

16. Section 16(4)—

omit 'Form No. 10 in the Schedule', *insert* 'the approved form'.

Amendment of s.18 (Sanction to be returned)

17. Section 18—

omit 'Under Secretary', *insert* 'chief executive'.

Amendment of s.19 (Appeals for support)

18.(1) Section 19—

omit 'Under Secretary', *insert* 'chief executive'.

(2) Section 19(1)—

omit 'Form No. 11 in the Schedule', *insert* 'the approved form'.

(3) Section 19(4)—

omit 'Form No. 12 in the Schedule', *insert* 'the approved form'.

(4) Section 19(4)—

omit 'Form No. 13 in the Schedule', *insert* 'the approved form'.

Amendment of s.23 (Register of devices)

19. Section 23(2)—

omit 'Form No. 14 in the Schedule', *insert* 'the approved form'.

Amendment of s.25 (Unauthorised distribution of devices)

20. Section 25(2)—

omit, insert—

'Maximum penalty—2 penalty units.'

Replacement of s.31 (Books to be kept)

21. Section 31—

omit, insert—

‘Records to be kept

‘31.(1) The records specified in subsection (2) must be kept by the following persons or groups of persons—

- (a) a charity;
- (b) an association whose objects are a community purpose;
- (c) a promoter of an appeal for support for any purpose to which Part 3 of the Act applies.

‘(2) A person or group of persons mentioned in subsection (1) must keep the following records in the approved form—

- (a) a cash book;
- (b) a petty cash book;
- (c) register of receipt books;
- (d) a postage stamp record.

‘(3) If the chief executive considers it appropriate given the nature or size of the operations of a person or group of persons with respect to an appeal for support, the chief executive also may require the person or group of persons to keep any of the following records in the approved form—

- (a) a ledger;
- (b) if tickets are being sold—a register of bulk tickets;
- (c) if collecting boxes are being used—a register of collecting boxes;
- (d) if devices are being sold—a record of devices;
- (e) a register of assets.’.

Amendment of s.32 (Accounting requirements to be complied with)

22.(1) Section 32(6)—

omit ‘bank or permanent building society’, *insert* ‘financial institution’.

(2) Section 32(8)—

omit ‘bank or permanent building society’, *insert* ‘financial institution’.

(3) Section 32(9)—

omit ‘Form No. 24 in the Schedule’, *insert* ‘the approved form’.

(4) Section 32(14)—

omit from ‘After the commencement’ to ‘*Trusts Act 1973*’,

insert—

‘The charity or association may invest its assets (including cash in hand or in the financial institution) only as follows—

(a) in a way mentioned in section 21 of the *Trusts Act 1973*;

(b) in the purchase of shares in, or the deposit of money with, a credit union.’.

Amendment of s.34 (Control of moneys)

23. Section 34(a)—

omit ‘bank or permanent building society’, *insert* ‘financial institution’.

Amendment of s.35 (Advertising)

24. Section 35 —

omit ‘Under Secretary’, *insert* ‘chief executive’.

Amendment of s.36 (Inspections and copies)

25.(1) Section 36 —

omit ‘Under Secretary’, *insert* ‘chief executive’.

(2) Section 36(1)—

omit ‘bank or permanent building society’, *insert* ‘financial institution’.

Amendment of s.37 (Notification of change)

26. Section 37—

omit ‘Under Secretary’, *insert* ‘chief executive’.

Amendment of s.38 (Address for service)

27. Section 38—

omit ‘Under Secretary’, *insert* ‘chief executive’.

Amendment of s.39 (Establishment of new branch or section)

28. Section 39—

omit ‘Under Secretary’, *insert* ‘chief executive’.

Amendment of s.41 (Return of office bearers)

29. Section 41—

omit ‘Form No. 25 in the Schedule’, *insert* ‘the approved form’.

Replacement of s.44 (Offences against regulations)

30. Section 44—

omit, insert—

‘Offences against regulation

‘44. A person commits an offence if the person—

- (a) does not comply with a provision of this regulation; and
- (b) the provision does not impose a penalty.

Maximum penalty—4 penalty units.’.

Omission of Schedule (Forms)

31. Schedule—

omit.

ENDNOTES

1. Made by the Governor in Council on 26 August 1993.
2. Notified in the Gazette on 27 August 1993.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Consumer Affairs.

© The State of Queensland 1993

BY AUTHORITY
V.R. WARD, GOVERNMENT PRINTER, QUEENSLAND—1993
142532

)

)

)

)