

Guide to Fundraising (SA)

Information for organisations undertaking fundraising activities in South Australia

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What is fundraising?

What is fundraising?

Organisations that fundraise need to comply with laws about fundraising. These laws are different in each state and territory.

This guide covers the laws on fundraising in South Australia only, including the *Collections for Charitable Purposes Act 1939 (SA)*.

When organisations undertake regulated fundraising activities in South Australia, they need to comply with requirements for fundraisers, including applying for fundraising approval where necessary.



Fundraising activities

Fundraising activities include:

- telephone appeals
- public auctions
- doorknock appeals
- tin collections
- clothing bins, public appeals to support clubs, associations, causes or people, and
- a range of other activities that raise funds

The South Australian Government Consumer and Business Services (**CBS**) is the regulator of regulated fundraising activities in South Australia.

Each Australian state and territory has its own rules relating to fundraising activities and there are differences across jurisdictions. Your organisation may need to comply with multiple fundraising laws (including registering as a fundraiser in multiple jurisdictions) if it intends to fundraise in more than one state or territory.

For further information, a link to the relevant state and territory government agencies is provided in the resources section at the end of this guide.



Note

Changes to the *Collections for Charitable Purposes Act 1939 (SA)* in 2016 sought to reduce the administrative burden on organisations wishing to fundraise in South Australia.

Charities registered with the Australian Charities and Not-for-profits Commission (ACNC)

- After 2016, an organisation registered as a charity with the ACNC is deemed to hold a Collections for Charitable Purpose Licence (**Licence**) if it notifies the CBS of its intention to fundraise in SA. This means that an organisation does not need to apply for a Licence if it wishes to engage in regulated fundraising activities.
- If those organisations have complied with their reporting requirements to the ACNC (submitted an information statement and other applicable audit or review obligations), they will not be required to comply with the reporting requirements in relation their fundraising activities under the *Collections for Charitable Purposes Act 1939 (SA)*. However, charities must still comply with various obligations when fundraising, including the [Charities Code of Practice](#) (see the next part of this guide for more information).

Other licensing changes after 2016

- Section 6A Licences (for collection agents) no longer exist. Collection agents no longer require a Licence to fundraise on behalf of another Licence holder.
- Activities previously permitted by Section 7 Licences (charging an admission fee for entertainment, with proceeds going to a charitable purpose) are now covered by the Licence.

You can apply for a charitable purposes licence or (if registered with the ACNC) notify your intention to fundraise via an online form available on the South Australian Government website.

What is a fundraising activity?

A fundraising activity can be a single event over a limited period of time or an ongoing activity.

Generally, fundraising activities involve asking the public for money or property and may include:

- door knock appeals
- telemarketing
- donations to clothing bins
- sales of goods and merchandise
- seeking bequests
- badge days
- public appeals, and
- events

What is a regulated fundraising activity?

Some types of fundraising for non-charitable purposes, such as raising money for a local sports club, don't need licences.

However, if fundraising is for a charitable purpose (or is partly for a charitable purpose) a licence will be required unless a special exemption applies (discussed further below).

South Australia's fundraising law regulates 'collectors'.



What is a 'collector'?

A person acts as a 'collector' if they:

- collect or attempt to collect money or property
- obtain or attempt to obtain money by the sale of a disc, badge, token, flower, ribbon or other device
- obtain or attempt to obtain a bequest, devise or other grant of money or property, or
- sell or attempt to sell a ticket for admission to entertainment and it is held out that the proceeds of the sale are to be devoted, wholly or partly for a **'charitable purpose'**



What is a 'charitable purpose'?

'Charitable purpose' means:

- the provision, assistance or support of health services or research in the field of health
- the affording of relief, assistance or support to diseased, disabled, sick, infirm, incurable, poor, destitute, helpless, or unemployed persons, or to the dependents of such people
- the relief of distress due to war (whether caused by a war in South Australia or elsewhere)
- the affording of relief, assistance, or support to people who are or have been members of the armed forces of Australia or to their dependents, or
- the provision of welfare services for animals



Example

A company sells a toy and a portion of the profits from the sale of the toy are given to an orphanage overseas. As the money is being obtained, in part, for a charitable purpose, the company will require a Licence.



Note

The definition of charity at a federal level (which is the definition used to assess whether an organisation is eligible to register as a charity with the Australian Charities and Not-for-profits Commission), is a different definition. Read more about the federal definition on [our charity webpage](#).



Collections for Charitable Purposes Licence

Collections for Charitable Purposes Licence

This section covers:

- ▶ does our organisation need to obtain a Collections for Charitable Purposes Licence?
- ▶ how can our organisation obtain a Collections for Charitable Purposes Licence?
- ▶ what are some other relevant permissions and laws to consider when collecting for a charitable purpose? and
- ▶ what are our obligations after obtaining a Collections for Charitable Purposes Licence?

It's important to understand the fundraising licensing process well in advance of your fundraising activities.

Getting approvals right from the start can prevent issues further down the track.

Does our organisation need to obtain a Collections for Charitable Purposes Licence?

Generally, an organisation (or person) that intends to fundraise for charitable purposes will need to obtain a Collections for Charitable Purposes Licence (**Licence**) or obtain authority from a holder of a Licence, unless they fall under an exemption discussed below.



Note

Since 2016, licence requirements under the *Collections for Charitable Purposes Act 1939* (SA) have been simplified. Section 6A Licences (for collection agents) no longer exist as organisations which hold a Licence may now authorise collection agents to fundraise on their behalf.

Activities previously permitted by Section 7 Licences (charging an admission fee for entertainment, with proceeds going to a charitable purpose) are now covered by the Section 6 Licence.

Authority to fundraise

Any organisation (or person) that holds a Licence may give another organisation (or person) authority to fundraise for a charitable purpose and may place any conditions on this authority it thinks fit (subject to approval from the Minister).

A person must not act as a collector unless the person holds a Licence, or has been authorised to collect on behalf of a holder of a Licence.

Failure to obtain the appropriate Licence or authority may leave an organisation or person exposed to penalties of up to \$8,000.

Exemptions from the requirement to obtain a Licence

Charities registered with the ACNC

If your organisation is a registered charity with the ACNC, it is deemed to hold a Licence if it notifies the CBS of its intention to fundraise in SA. This means it does not need to apply for a Licence if it wants to engage in regulated fundraising activities in SA.



Note

- When an organisation registers with the ACNC, it must advise CBS of its registration to be exempt from the requirement to hold a Licence.
- If your organisation is already registered with the ACNC and wishes to fundraise, it must first complete [the online notification form](#) advising CBS of its registration and intention to collect. It cannot fundraise until this is done.
- Charities registered with the ACNC will still be required to comply with other obligations when fundraising (as set out under the Charities Code of Practice) and will be listed on the CBS Public Charities Register (see below).

For more information about this exemption and what is required of registered charities (including those that held a Licence on 1 December 2016), visit the [CBS website](#).

Fundraising for a non-charitable purpose

Charitable organisations that are not fundraising for a charitable purpose, as discussed above, don't require a Licence. For example:

- some religious organisations
- most environmental groups
- sporting groups, and
- some educational institutions

South Australia's fundraising law also allows for certain types of collections for charitable purposes without the need to obtain a licence:

- if the collector fundraises only by collecting money or property from people known to them, the money or property is given to the holder of a Licence, and the collector is a volunteer, or
- if the collector fundraises only by collecting money or property for the benefit of a particular person or their dependants, the money or property is given to that person or to those dependants, and the collector is a volunteer



Examples of fundraising where a Licence or Authority IS required

- People with collection tins collecting donations for a charitable purpose on the street.
- Television or radio stations that promote a competition, talent quest or reality TV programs, where the public is invited to vote for a particular contestant, with a percentage of the funds raised by the telephone billing process being donated to a nominated beneficiary or charity which meets the South Australian definition of charitable purpose.



Example of fundraising where a Licence is NOT required

- A local football club raises funds to send its players on a football tour around Australia. Funding a football tour does not meet the definition of charitable purposes, and therefore this is not a regulated fundraising activity.

How does our organisation obtain a Collections for Charitable Purposes Licence?

If your organisation needs to obtain a Licence, you must apply to CBS for the Licence before you start fundraising.

To apply for a Licence, your organisation must submit the online form, 'Collections for charitable purposes application/notification form', on the [CBS website](#). No fee is payable. Assessment of an application may take six to eight weeks, so you should apply well in advance of any fundraising activity.

Licences are generally valid for 12 months and will expire six months after the organisation's financial year ends. CBS will send a reminder to your organisation three months before the expiry of the Licence.

To renew a Licence, your organisation must submit the online form, 'Collections for charitable purposes application/notification form' and select 'Renewal of an existing SA licence (not registered with the ACNC)'.

There is a publicly accessible list of current, expired and revoked Licences published on the [CBS website](#).

What are some other relevant permissions and laws to consider when fundraising?

Depending on the activity, you may require some other permission to fundraise and you may need to approach other organisations to get these permissions in addition to the CBS.

Extra permissions needed

- **door knock appeals** – you may require permission from the local council of the area in which the door knock is to be conducted.
- **street collections** – if CBS allows you to conduct street collections, you may also require permission from the local council of the area in which you are collecting. You may also require a permit from the police.
- **large event taking place outdoors** – again, you should consider whether you need to contact other authorities such as the local council or the police to obtain additional permits.
- **running lotteries or raffles** – in South Australia, there are laws relating to gaming activities. For more information on raffles or minor gaming activities, visit our [fundraising webpage](#).

Other laws

- **Australian Consumer Law (ACL)** – it's also important to consider the ACL when fundraising, particularly when your fundraising involves the sale of goods (like merchandise or event tickets) or services. The ACL prohibits conduct in:
 - trade or commerce that is misleading or deceptive, and
 - prevents fundraisers from making false or misleading representations in relation to the sale of goods and services as part of a fundraising campaign

For more information, see our [guide to the laws of advertising and your community organisation](#).

- **Telecommunications (Telemarketing and Research Calls) Industry Standard 2017**, published by the Australian Communications and Media Authority, which sets out rules relating to fundraising telemarketing, including information to be provided in calls, timing of calls, caller identification and termination of calls (for more information, see the full Standard at www.acma.gov.au/)

- **Privacy laws** (state and federal), which set out requirements relevant to the collection, use and disclosure of 'personal information' in connection with fundraising activities (for more information, see our privacy guides and privacy compliance manual on our [privacy webpage](#)).
- **Work, health and safety (WHS)** laws, which set out obligations around protecting the health, safety and welfare of employees and other persons who are at, or come into contact with a 'workplace' (for more information, see our [WHS Guides](#)).

There are also a range of self-regulatory codes that fundraisers can sign up to that provide further requirements as well as guidance on properly conducting fundraising activities.

More information on self-regulation is available on our [fundraising webpage](#).



Note

Organisations often engage third party commercial fundraisers to raise funds on their behalf. The ACNC has published a guide, '[Working with fundraising agencies](#)', to help charities identify and manage key issues associated with these arrangements. The guide is a useful resource for any not-for-profit organisation engaging third parties to assist with their fundraising.

What are our obligations when fundraising?

Generally, when undertaking collections for charitable purposes (even if exempt from the requirement to obtain a charitable collection licence) organisations should:

- ensure that fundraising campaigns are truthful, that no misrepresentations are made, and comply with requirements around adding licence or registration numbers to advertising materials, packaging or communications
- ensure that any money raised is given to the intended beneficiaries or used for the purpose for which it was obtained
- ensure that high standards of governance and risk management are applied to any campaign, including considering whether people involved in administering the campaign are suitably qualified and of proper character (you may like to consider screening volunteers and staff – see our [webpage on background checks](#)), and whether appropriate safety measures have been taken to protect staff and volunteers involved
- meet all legal requirements for involving children in fundraising and ensure appropriate risk management for the involvement of children in collections
- ensure all those authorised to collect on their behalf are aware of particular obligations applicable to the fundraising activities
- properly account for funds received provide people participating in an organisation's campaign with an identification badge including a unique identifying number, and keep records of collector identity and identifying numbers (see specific requirements below)
- through fundraising activities, which may include issuing receipts (especially where donations are received in cash), and putting funds raised into a dedicated bank account
- ensure appropriate safeguards are in place for managing cash donations in regards to collection, storage and emptying of collection tins, boxes or envelopes
- meet reporting requirements in relation to funds raised
- conducting the fundraising in accordance with the conditions of any Licence granted by CBS, and
- comply with directions given by the regulator (for example, providing certain information or documentation relating to the fundraising activities), if and when a written notice is given.

Obligations while undertaking collections for charitable purposes

There are certain general obligations that people and organisations must comply with when collecting for charitable purposes. These are set out in the *Collection for Charitable Purposes Act 1939 (SA)* and the [Code of Practice](#) for charitable collections in South Australia.

These obligations include:

- in the case of face-to-face collections:
 - collectors must wear clearly visible identification badges which state their name and unique identification number (where applicable), the name of the licensed charity, the telephone number or website of the licensed charity and whether they are a paid collector or a volunteer, and
 - at residential premises they must only take place between 9am and 6pm on weekdays, 9am and 5pm on Saturdays, and 11am and 5pm on Sundays and public holidays. Collections in a public space must only take place between 7am and 6pm on weekdays, 9am and 5pm on Saturdays, and 11am and 5pm on Sundays and most public holidays
- in the case of telephone collections:
 - collectors must properly state their name, their unique identification number and whether they are a paid collector or a volunteer, and
 - they must only take place between 9am and 8pm on weekdays and between 9am and 5pm on Saturdays (no Sundays or public holidays)
- collectors must generally, on request, provide the following information:
 - the name and contact details for the licensee (including address, telephone number and email if applicable), and
 - the website address where the income and expenditure statement for the licensee can be viewed
- when conducting entertainment or selling tickets for entertainment, or advertising entertainment for charitable purposes:
 - if any speaker or other performer of the entertainment is to be paid a fee that exceeds \$5,000, the licensee must, if asked, disclose the amount they are paid, and
 - entertainment can't be advertised or tickets sold unless the advertisement or ticket states the name of, and contact details for, the licensee, and the website where the income and expenditure statement for the licensee can be viewed, and a statement indicating that disclosure of amounts paid (if any) to entertainers can be obtained from the licensee on request
- when using unattended collection boxes (this includes any type of container for the collection of money, whether a donation or for the purchase of an item, but does not include boxes selling sweets or snacks), they must be marked in a reasonably prominent position with the following information:
 - the name of the licensee
 - a contact name and address
 - a telephone number
 - an email address if applicable, and
 - the website where the income and expenditure statement for the licensee can be viewed (either the licensee's website or the [SA government website](#))

Failing to comply with these obligations may attract a fine of up to \$4,000.

Financial management and reporting obligations

Receipts

A collector is required to issue a receipt for any donation made personally, where the amount given is more than \$2.00 and the donor requests a receipt. An authorised receipt can be a printed receipt or anything else that acknowledges a donation of a particular amount. Examples of non-printed receipts include badges of different colours or designs that indicate the amount of the donation.

If your organisation is endorsed as a deductible gift recipient (**DGR**), your donors may ask for a receipt in a form that will allow them to claim a tax deduction. For more information, visit our [DGR webpage](#).

Reporting

The holder of a Licence must keep proper records relating to the money received and submit a copy of **audited** accounts for the last financial year to CBS. Audited accounts must be prepared by:

- a registered company auditor
- a firm of registered company auditors
- a person who is a member of the Australian Society of Certified Practising Accountants or The Institute of Chartered Accountants in Australia
- a person approved by the Corporate Affairs Commission as an auditor of the accounts of the relevant charity, or
- a person approved by the Minister under the *Collections for Charitable Purposes Act 1939 (SA)*

There may be exemptions from audit requirements for fundraising by a person – they will need to speak to CBS to confirm this position in relation to their fundraising.

Licence holders must also submit a 'Fundraising Income and Expenditure Statement', at the time stated on the Licence. This Statement will be made publicly available on the regulator's website.



Caution

If your organisation is a registered charity with the ACNC (and has been deemed to hold a Licence) and it has complied with its reporting requirements to the ACNC (submitted an information statement and other applicable audit or review obligations), it will not be required to comply with the CBS reporting requirements in relation to its fundraising activities outlined above.

For more information about the changes in reporting requirements for registered charities, go to the [Changes for charities in South Australia](#) page on the CBS website.



Related resources

There are several situations where community organisations may be required to report to government, in addition to in relation to its fundraising obligations, such as annual reporting and to meet notification requirements (for example, change of directors or officers).

Depending on its structure, your organisation may need to report to:

- the ACNC (for charity annual reporting)
- the Australian Tax Office (in relation to tax), or
- the Australian Securities and Investments Commission (for organisations that are structured as Companies Limited by Guarantee)

For more information about various reporting obligations, go to our [webpage on reporting](#).



Fundraising and tax

Fundraising and tax

Some not-for-profit organisations may be entitled to certain tax concessions in relation to their fundraising.

Your not-for-profit organisation must be registered with the ACNC to apply for charitable tax concessions from the ATO. The ATO determines whether your charitable organisation is entitled to any tax concessions. The ACNC link in the resources section at the end of this guide provides further information on registering as a charity.

What are some of the tax concessions available?

GST

A not-for-profit organisation is required to register for goods and services tax (**GST**) when its annual turnover is \$150,000 or more, but can choose to voluntarily register if its turnover is less. If your organisation is registered for GST, or is required to be registered, it may be required to pay GST on any goods or services sold (supplied) as part of its fundraising events. These amounts must then be remitted to the ATO.

An organisation registered for GST can choose to treat all sales made in connection with fundraising events as 'input taxed'. This means that its sales will not be subject to GST. However, the choice to treat the sales as 'input taxed' must be made before any sales take place. Additionally, the organisation will not be able to claim 'input tax credits' for the costs incurred in making the sales (ie. the GST component that was paid by the organisation in initially acquiring the supplies).

For more information about GST concessions that may be available to your organisation, see our [tax webpage](#).

We recommend your organisation talk to a specialist about GST.

Income Tax

An organisation operating as a charity must be endorsed by the ATO to be exempt from income tax. Unless it's exempt from income tax, an organisation may be required to pay income tax on money received as part of its fundraising activities. An organisation exempt from paying income tax will still have income tax obligations with respect to any employees (such as Pay As You Go (**PAYG**)).

For more information about GST concessions that may be available to your organisation, see our [tax webpage](#).

Tax deductible donations

Your organisation can only offer 'tax deductible donations' (for example, claiming to the public that 'donations over \$2 are tax deductible') if it has been endorsed by the ATO as a deductible gift recipient (**DGR**) or if it has been listed by name in tax legislation as a DGR.

Unless your organisation has received DGR endorsement, members of the public who donate to your fundraising activity are not entitled to claim a tax deduction on their donations to you and you cannot provide a tax deductible receipt.

For more information about DGR status and tax deductible donations see the [ATO website](#) or visit our [DGR webpage](#).



Note

It is important that your organisation can identify whether a donor or contributor might be entitled to a tax deduction so that you can accurately inform a potential donor and provide appropriate receipts.



Interstate and online fundraising



Interstate and online fundraising

This section covers:

- ▶ interstate fundraising, and
- ▶ fundraising online

Interstate fundraising

The information in this guide covers the laws on fundraising in South Australia only.

Each Australian state and territory has its own rules on fundraising activities, including different registration systems, exemptions, and general requirements.

If your fundraising will be conducted in more than one state or territory, or aimed at residents from another state or territory, then you will need to ensure that you are complying with the requirements in each of the relevant states or territories. This includes applying for a fundraising authority where necessary or ensuring you have a 'presence', (an address, within the state or territory).



Related Not-for-profit Law resource

Our 'Guide to fundraising laws in Australia' on our [fundraising webpage](#) provides information to help organisations and people undertaking fundraising activities understand the requirements of the different regimes and assess whether they require additional permits in other states or territories.

The table below sets out the relevant departments in each state or territory and an overview of their general requirements for registration, approval or licencing with respect to fundraising activities. There are fundraising guides available for each jurisdiction on our [fundraising webpage](#).



Note

The Northern Territory does not have laws on general fundraising activities.

State or territory	Body	Definition of 'fundraising'	Requirements for registration
New South Wales	NSW Fair Trading	Soliciting or receiving money, property or some other benefit with the representation that it will go in whole or part to a charitable purpose.	Any person or organisation that fundraises in NSW must apply for an 'authority to fundraise' licence or enter an arrangement with a holder of a licence to fundraise on that holder's behalf, unless exempt.
Victoria	Consumer Affairs Victoria (CAV)	Soliciting or receiving money or some other benefit with the representation that it is not solely for the profit or commercial benefit	A person or organisation that fundraises in Victoria must register as a fundraiser by submitting an application to CAV, unless exempt. If



		of that person or any other person.	registered with the ACNC, a charity will only need to notify CAV of its intention to fundraise in Victoria in order to be considered a registered fundraiser, (ie. it will not need to apply separately to CAV).
South Australia	Consumer and Business Services (CBS)	Collecting or attempting to collect money or property wholly or partly for a 'charitable purpose'.	Any person or organisation that fundraises in SA must apply for a licence or obtain authority from a holder of a licence to fundraise on that holder's behalf, unless exempt. ACNC-registered charities that have notified CBS of their intention to fundraise in SA are automatically licenced.
Queensland	QLD Office of Fair Trading	Any appeals for support for a charitable and/or community purpose.	Any person or organisation that fundraises in QLD must be registered as a charity (under QLD fundraising law), have a sanction to fundraise for a charitable or community purpose or an authority to fundraise on behalf of a registered charity, unless exempt.
Tasmania	Consumer Building and Occupational Services	Soliciting for goods, services or donations for a charitable purpose.	Any person or organisation based outside Tasmania that fundraises in Tasmania, or an unincorporated Tasmanian body, must apply for approval to fundraise.
Western Australia	Department of Mines, Industry Regulation and Safety, Consumer Protection Division	Collecting money or goods from the public for a charitable purpose.	Any organisation that fundraises in WA must obtain a licence or authority to fundraise on behalf of a holder of an existing licence, unless exempt. Individuals and unincorporated groups must also obtain an authority to fundraise on behalf of an existing licence holder.
Australian Capital Territory	Access Canberra	Collecting money or a benefit for a purpose that is wholly or in part a charitable purpose.	An organisation collecting for charitable purposes must apply to Access Canberra for a licence or obtain authority from an existing licence holder to collect on their behalf, unless the organisation is registered with the ACNC or is otherwise exempt.



Caution

If your organisation is using raffles, lotteries or other gaming activities to fundraise, there may be other laws and obligations that apply in each state or territory. We recommend you seek advice as to each state or territory's particular laws as early in the planning process as possible, as the rules and approvals required can often be different in each jurisdiction and may affect how you decide to run your fundraising activity.



Related Not-for-profit Law resource

Not-for-profit Law supports a new framework for a nationally consistent approach to charitable fundraising regulation. For more information about our position, go to our [Law and Policy Reform page](#).

Online fundraising

Organisations often use or obtain assistance from online fundraising websites to raise money for their cause. These online websites may help your organisation in fundraising from guiding you on setting up a website for fundraising to acting as a portal to securely receive donation funds on your behalf.

Your organisation might use the internet or electronic communications to undertake fundraising activities such as:

- through a website or charity portal that may direct donations from shopping or other third party websites
- by updating or sending out fundraising appeals by email or SMS
- by adding podcasts, wikis and blogs to your fundraising activities, or
- by using social networking to fundraise, such as Facebook, Twitter or YouTube

New technologies create new challenges for fundraising regulation and may require careful consideration and assessment of the risks and benefits before use.

For example:

- **nuisance and spam** – there is potential for nuisance or spam to be created if the internet or electronic communications used for fundraising activities are overused. For example, it is against the law to send mass emails to people if they have not agreed to it under the *Spam Act 2003* (Cth).
- **privacy and data protection issues** – to enable the sending of mass communications to potential donors (for example, SMS, emails) and the collection, storage and use of people's information may subject your organisation to compliance with privacy laws where such information is considered 'personal information' (for example, name, address, telephone numbers, email addresses)
- **reputational issues and fraud** – the public may find it difficult to verify the identity of fundraisers operating on the internet. Others may claim to be affiliated with or collect funds on your organisation's behalf fraudulently.
- **compliance with state and territory laws and laws in other jurisdictions** – when donations are received online, the person donating may be from another state or territory (or even outside Australia). By creating your own online donations service you may need to be aware of the laws of those other states and territories. The laws that apply in this scenario can be quite unclear.



Caution

Where you fundraise on the internet and receive funds from persons in different states and territories in Australia, you may need to comply with the fundraising laws in those jurisdictions, including potentially applying for multiple fundraising permits or registrations.

A strategy to manage this tricky issue may be to choose a limited number of states and territories for your campaign, making clear on your campaign materials which states and territories the campaign relates to, and requiring donors to confirm they are in those states and territories before making a donation. That way, you only need to comply with fundraising regulation in the states and territories listed.



Tips – if your organisation fundraises online

If your organisation does fundraise online we recommend you take the following precautions:

- seek advice on each state and territory's requirements on online fundraising to see whether your organisation requires a licence or authority
- use a safe and trusted third party website through which to organise your donations
- ensure your online fundraising website has clear information on how the funds raised will be used
- ensure your online fundraising website is secure to protect personal information such as credit card details, and



Tips - if your organisation uses third party online fundraising sites to promote or conduct your fundraising activities

It's worth checking:

- if those third party sites charge any fees, as some charge a percentage of any donations
- what payment systems are in place for your donors and security
- what payment options are available and commissions payable for credit card facilities
- how, and how quickly, you receive the money from the third party, and
- reviews of such online fundraising sites to see whether they have a good track history or whether donors have complained about them



Related resource

For guidelines on how to fundraise online ethically see the [Fundraising Institute of Australia's Standards](#) on 'Electronic Fundraising' and 'Social Media Fundraising'.

Resources

Related Not-for-profit Law resources

The [Not-for-profit Law website](#) contains many fact sheets on different topics. The following topics contain further relevant information:

▶ [Running the organisation](#)

This page contains resources to assist those running not-for-profit organisations to understand and comply with legal requirements.

▶ [Fundraising and Events](#)

This page contains resources on the main legal issues when fundraising in other states and territories.

▶ [Communications and Advertising](#)

This section offers information on advertising and promotions and social media, such as Facebook and twitter.

▶ [Registering as a charity](#)

This page provides information on how to register as a charity and what's involved.

▶ [Tax](#)

This page includes information about accessing tax concessions, including Deductible Gift Recipient endorsement.

Legislation

▶ [Collections for Charitable Purposes Act 1939 \(SA\)](#)

▶ [Australian Charities and Not-for-profits Commission Act 2012 \(Cth\)](#)

Other related resources

Consumer and Business Service

▶ [Code of Practice](#)

All those engaged regulated fundraising activities must comply with this Code.

Australian Charities and Not-for-profits Commission (ACNC)

▶ [Australian Charities and Not-for-profits Commission - Charity Tax Concessions](#)

▶ [Australian Charities and Not-for-profits Commission – Registration](#)

▶ [Australian Charities and Not-for-profit Commission - Ongoing Obligations to the ACNC](#)

Provides an overview of all present, and future obligations of registered charities and not-for-profits

Australian Taxation Office (ATO)

▶ [Australian Taxation Office – Fundraising](#)



Fundraising bodies of other states and territories

- ▶ [Australian Capital Territory, Access Canberra – Charitable collections licensing](#)
- ▶ [New South Wales Fair Trading - Charitable fundraising](#)
- ▶ [Queensland Office of Fair Trading, Queensland Government – Charities and Fundraising](#)
- ▶ [South Australian Consumer and Business Services - Charities](#)
- ▶ [Tasmania, Office of Consumer Affairs and Fair Trading – Charities](#)
- ▶ [Victoria, Consumer Affairs Victoria – Fundraisers](#)
- ▶ [Western Australia Department of Commerce, Charitable Collections Section – Charities](#)

Other useful links

- ▶ [Fundraising Institute of Australia - FIA Code](#)
A voluntary code of conduct for best practice fundraising in Australia.

