

# Requirements to fundraise in each state and territory

Legal information for community organisations

#### This fact sheet covers:

- > an overview of the fundraising application process and requirements in each jurisdiction, and
- > a checklist of documents required for fundraising applications in each jurisdiction

There are different fundraising regimes (with different rules and requirements) in each Australian state and territory.

This fact sheet provides an overview of the fundraising application process and requirements in each Australian state and territory.



#### **Disclaimer**

This fact sheet provides information on the fundraising application process and requirements in each Australian state and territory. This information is intended as a guide only, and is not legal advice. If you or your organisation has a specific legal issue, you should seek legal advice before deciding what to do.

Please refer to the <u>full disclaimer</u> that applies to this fact sheet.

If your organisation intends to fundraise locally, your organisation will only need to comply with the fundraising laws of the state or territory you are in. This may mean your organisation needs to obtain approval to do so, in the form of a licence, registration, or an authority (but there are exemptions that may apply to your organisation or activity).

If you intend to fundraise in more than one state or territory, your organisation may need to comply with multiple jurisdictions' fundraising laws (including by obtaining appropriate registration in certain jurisdictions). This may also apply if you intend to fundraise online.



#### **More information**

For detailed information on the fundraising requirements in each state and territory, see <u>our</u> <u>fundraising guides</u>.

The following information is for organisations that need to obtain approval (in the form of a licence, or a registration, or an authority) to fundraise. The processes for each jurisdiction are set out below.



# **Overview of fundraising requirements**

# Victoria

The process	In Victoria, you must register as a fundraiser to fundraise. To register, a person or organisation must apply for registration online with <u>Consumer Affairs Victoria</u> (CAV) through the <u>myCAV portal</u> . There is no fee. A number of supporting documents must be provided as part of the application process. ACNC-registered charities ACNC-registered charities don't need to register separately with CAV to fundraise in Victoria. Instead, they are only required to notify CAV of their intention to conduct a fundraising appeal in Victoria to be considered a registered fundraiser.		
Where to apply?	Applications must be made through the online myCAV portal.		
	Instructions on the application process can be found on the <u>CAV website</u> . You can also contact CAV on 1300 55 81 81		
Timeframes	You must submit your application for registration at least 28 days before conducting any fundraising activities.		
	If you wish to raise funds for victims of an emergency, such as a natural disaster, you can make an urgent application which will only be considered on a case-by- case basis. To make an urgent application, you should include a statement explaining why your application is urgent as well as the specific date by which you are requesting the urgent application.		
	CAV will generally respond to your registration application within 21 days of receiving your application, by either consenting to your application (or consenting with further conditions), requesting more information, or refusing registration (in which case you may not conduct fundraising activities). It will do this by notifying you through myCAV.		
	If you disagree with a decision made by CAV, you can appeal within 28 days to the <u>Victorian Civil and Administrative Tribunal</u> .		
	Registration lasts for three years.		
	ACNC-registered charities The three-year validity period does not apply to ACNC-registered charities who		
	are not required to apply separately to CAV for a fundraising licence. After notifying CAV of their intention to fundraise in Victoria, they will continue to be recognised as a registered fundraiser unless they are deregistered by CAV or their ACNC registration is revoked.		
Renewal	Registration must be renewed every three years. It's your responsibility to ensure you renew your registration at least 28 days before it's expiry date or by the due date specified in any renewal notice. This can be done through the myCAV portal.		
	CAV can approve applications for longer registration periods, however, these applications are granted on a case-by-case basis. Applications for extended periods of registration must be made to CAV addressing the criteria on <u>CAV's website</u> .		

What forms must be completed?	
The online application form on myCAV	Π
The form will ask for information including:	
<ul> <li>the purposes and details of the fundraising activities</li> </ul>	
the beneficiaries and distribution of money	
bank account details	
<ul> <li>details of people who will fill various roles including the person making the application, appeal managers and associates</li> </ul>	
any related parties, and	
details of any other fundraisers you may be working with	
A 'Criminal Record and Personal Insolvency Declaration'	
This form must be completed by:	_
all individual applicants or all directors of a company applicant	
<ul> <li>all people nominated as appeal managers (an appeal manager is any person who has managerial or financial responsibility for any fundraising activities), and</li> </ul>	
<ul> <li>all people nominated as an associate (an associate is any other person concerned in the management or operation of the organisation, for example, all committee members of an incorporated association or unincorporated body, such as president, vice president, treasurer, secretary)</li> </ul>	
What supporting documents must be provided?	
A letter of consent from each new beneficiary other than you.	
You can download and complete a beneficiary consent form from CAV.	
If you are a company limited by guarantee – a copy of your company's <b>constitution</b>	
If you are an incorporated association incorporated outside Victoria, you must appoint a <b>responsible person</b> in the application and attach:	
a completed and signed Responsible Person Consent form	
<ul> <li>a copy of your association's statement of purposes, and</li> </ul>	
• a list of your key committee members (including contact numbers and addresses)	
If you are a commercial fundraiser – a copy of <b>your agreement</b> with a nominated beneficiary.	
Other requirements	
<b>If you are based in another state</b> but are seeking registration in Victoria, you will need to provide a Victorian address on the application form as your principal place of business. PO Boxes are not acceptable.	
If you plan to distribute any money or goods overseas, you must also provide:	Π

- verification from an entity listed below that confirms the existence of the beneficiaries:
  - the government, local embassy or consulate of the overseas country in which the money will be distributed
  - the Australian embassy in the overseas country in which the money will be distributed, or
  - a recognised aid provider in the overseas country (for example, Red Cross)



For more information on fundraising in Victoria including applying for registration to fundraise, see:

- · our guide to fundraising in Victoria, and
- <u>Consumer Affairs Victoria Fundraisers</u>

# **New South Wales**

The process	In NSW, you must apply for an authority to fundraise to fundraise.				
	Organisations that are exempt from requiring an authority to fundraise in NSW include:				
	• a religious body or a religious organisation in which a proclamation is in force under s26 of the <i>Marriage Act 1961</i> (Cth) or a religious body prescribed by the regulations				
	<ul> <li>a fundraiser if its gross annual fundraising is \$15,000 or less, does not receive any remuneration for conducting the fundraising (other than payment of lawful and proper expenses) and only uses volunteers</li> </ul>				
	universities, and				
	local councils				
	To obtain an authority to fundraise, the person or organisation must complete a ' <u>Charitable fundraising authority – application</u> ' form.				
	Authorities to fundraise are subject to standard conditions. Special conditions may be imposed in the event of special or exceptional circumstances.				
	There is no fee.				
	A number of supporting documents must be provided as part of the application process.				
	ACNC-registered charities				
	ACNC-registered charities are automatically eligible to apply for and receive an authority to fundraise with NSW Fair Trading. However, they still need to complete and submit an application.				
	While they still need to complete an application form, the process is more streamlined. All they need to provide to NSW Fair Trading are their ACNC registration details on the application form.				
Where to apply?	Instructions on the application process are published on the <u>NSW Fair Trading</u> website. You will need to apply online and create a MyServiceNSW Account. If				

you are unable to apply online it is posisble to download the application form and apply by email.
If lodging by email: email the completed form and attachments to charity.inquiries@customerservice.nsw.gov.au
You can make enquiries by calling 13 32 30 or emailing <u>charity.inquiries@customerservice.nsw.gov.au</u>
The assessment process may take up to 60 days, though NSW Fair Trading usually finalises applications within 2-3 weeks (this may take longer if additional information is required or if processing times change).
Once your application has been received, NSW Fair Trading will issue you a letter confirming receipt of the application. If NSW Fair Trading doesn't contact you within 60 days (of that letter), you will be deemed registered and you can begin your fundraising activities.
Your authority to fundraise may be granted for a maximum period of five years. You can renew your authrority to fundraise up to three months after it expires.
You can renew your authority to fundraise by completing the ' <u>Charitable</u> <u>fundraising authority – renewal</u> ' form. You must also attach your organisation's latest audited financial statements including:
a statement of income and expenditure
<ul> <li>a balance sheet (a statement detailing the organisations assets and liabilities), and</li> </ul>
<ul> <li>a signed auditor's report in which the auditor expresses an opinion as to whether or not the accounts are true and correct</li> </ul>
The audited financial statements must relate to an audit conducted within six months before the end of the organisation's financial year. If the renewal date is within six months of the last financial year, NSW Fair Trading will accept a copy of the previous year's audited annual financial statements.

#### What forms must be completed?

The 'Charitable fundraising authority – application' form

The form will ask for information including:

- details of proposed beneficiaries (this includes their name, postal address, email address and phone number)
- an appointed contact person (name, postal address, email address and phone number)
- auditor details (including their qualifications)
- if you propose to use a 'trader' (that is, a person who will collect money on your behalf), their details, and
- if you are an organisation, details about the management committee

What supporting documents must be provided?

Details of the **auditor's qualifications**, if the auditor is not a registered company auditor.

5

A copy of the latest audited financial statements.	
If you are an unincorporated association, the constitution and statement of objects	
If you are an incorporated association, the constitution, certificate of incorporation, and statement of objects	
If you are a company limited by guarantee, <b>the certificate of registration and a</b> statement of objects	
If you are a community advancement society, the certificate of incorporation and a statement of the society's objects	
If you are a company limited by shares, the constitution, certificate of registration and statement of objects	
If you are a proprietary limited company, the constitution, certificate of registration and statement of objects	
If you are a trust, the trust deed and statement of objects	
If your organisation is using a ' <b>trader</b> ' to assist with fundraising, further information about the trader	
If your organisation is a <b>branch or subsidiary of another organisation</b> , the name and further details of the other organisation.	
Other requirements	
If the appointed <b>contact person is based in another state</b> but you are seeking registration in NSW, you will need to provide a NSW postal address on the application form.	



For more information on fundraising in NSW including applying for registration to fundraise, see:

- our guide to fundraising in NSW, and
- Fair Trading New South Wales Charitable fundraising

The process	In the ACT, you must apply for a licence to fundraise. To obtain a licence, the person or organisation must complete the <u>'Application for a new or amended</u> charitable collection licence' form.							
	A number of supporting documents must be provided as part of the application process.							
	ACNC-registered charities							
	ACNC-registered charities are not required to hold a charitable collections licence for the ACT. For more information see the <u>Access Canberra website</u> .							
Where to apply?	Instructions on the application process are published on the Access Canberra website.							
	<b>If lodging by post:</b> post the completed form and attachments to Access Canberra, Charitable Collections Licensing, GPO Box 158, Canberra ACT 2601.							
	If lodging by email: email the completed form and attachments to ors.bil@act.gov.au							
	You can contact Access Canberra on 13 22 81.							
	Check lodgement details with Access Canberra before you apply.							
Timeframes	Once Access Canberra receives your application, it will generally be processed within five working days.							
Renewal	A licence can be issued for up to five years.							
	Your licence is only valid for the timeframe for which it was granted.							
	To renew your registration, complete and submit the <u>'Application for a new or amended charitable collection licence</u> ' form.							

## **Australian Capital Territory**

# What forms must be completed?

The 'Application for a new or amended charitable collection licence' form

The form will ask for information including:

- the purpose for fundraising
- the name and details of an auditor (if the collection is expected to raise more than \$50,000)
- specific details of each fundraising activity (ie. activities conducted by telephone, in
  person, internet) including the start and finish date of each activity, the amount
  expected to be raised and how the proceeds will be spent, and
- if you plan to use a commercial fundraising organisation to fundraise on your behalf, their details

#### What supporting documents must be provided?

A copy of your **governing document** (sometimes called the constitution or rules).

For the application, a governing document is any document that outlines what your charitable purpose is and can include any of the following:

certificate of incorporation

- consent from benefiting charity / charities (this is only required if someone other than the charity is making the application for the licence)
- trust deed
- memorandum
- articles of association
- constitution or rules
- business partnership agreement
- copies of previous annual returns over \$50,000 (if applicable, and for the renewal process), and
- any other documents the applicant considers relevant to the application



For more information on fundraising in ACT including applying for registration to fundraise, see:

- our guide to fundraising in the ACT, and
- Australian Capital Territory Access Canberra Charitable collections licensing

# Queensland

The process		In Queensland, there are four different processs to secure authority to fundraise.
		1. Registration by a charity to fundraise
		Organisations that want to fundraise for their charity or for a charitable purpose in Queensland can register as a Queensland charity. This is a different process to registration as a charity with the ACNC.
		A charitable purpose includes where you provide help, aid, relief, support care, housing, education or instruction to a person in distress.
		To register as a charity, an organisation must:
		<ul> <li>have a constitution setting out their charitable objective and operating rules – with the sole objectives being charitable (if an organisation has objectives that are non-charitable they will need to apply to fundraise for a community purpose)</li> </ul>
		be an association of three or more people
		have a governing body
		<ul> <li>be not-for-profit pursuant to the organisation's constitution, and</li> </ul>
		<ul> <li>use the organisation's income and property to promote its charitable objectives</li> </ul>
		See the <u>Queensland Government website</u> for more information on registering as a charity and to access the ' <u>Application for Registration of a Charity (Form1)</u> ' form.
		Organisations that are recognised religious denominations, parents and citizens associated or hospital foundations can fundraise without registering as a charity.
		2. Sanction to fundraise for a community purpose
		This process is for organisations that are not eligible for registration as a charity, but want to fundraise for a charitable or community purpose.

Only certain entities are eligible to apply for a sanction to fundraise for a community purpose. For example, you must have a clause in your constitution that states you are not-for-profit (unless your membership consists only of charities), a constitution which sets out your charitable objectives and operating rules, a governing body, and at least three members.

A community purpose is something that promotes the general welfare of the public, for example, maintaining a park or repairing a public recreation ground.

See the <u>Queensland Government website</u> for more information on applying for a sanction to fundraise for a community purpose and to access an '<u>Application for a sanction (Form 5)</u>' form.

#### 3. Sanction to fundraise for a one-off charitable appeal

This process allows organisations and individuals to apply for a sanction to fundraise for a one off charitable appeal.

The appeal must be for a charitable or community purpose and must be for less than six months (unless special permission is granted by the OFT for a longer term). The money from the fundraising activity must be donated during or at the end of the six month term for the purpose for which the fundraising was undertaken.

A charitable purpose includes where you provide help, aid, relief, support care, housing, education or instruction to a person in distress.

To receive a sanction for a one-off charitable appeal, an organisation or individual must:

- name three or more promotors (who are not related to each other or the beneficiary) who will conduct the appeal
- have the promotors sign a letter stating that they are aware they need to provide audited financial statements to the OFT within 4 weeks of the end of the appeal
- choose and name a charity that will receive any excess funds which cannot be used for the purpose of the appeal, and
- open a bank account in the name of the appeal (at least two people who are not related to each other or to the beneficiary)

See the <u>Queensland Government website</u> for more information on applying for a sanction to fundraise for a 'one off charitable appeal' by completing the <u>'Application for a sanction (Form 5)</u>' form.

There is no fee for any of the above processes.

A number of supporting documents must be provided as part of the application processes.

#### 4. Fundraising through an existing charity

Organisations or individuals can also fundraise for a charitable purpose through an existing charity.

To do this, the organisation or individual must have written authority from the charity to conduct the fundraising activities, comply with any conditions or guidelines set by the charity, include the charity's name when fundraising and provide all fundraising proceeds to to charity.

#### Additional requirements: 'Engaging third party fundraisers

Your organisation may consider engaging a third party promoter to conduct an appeal on their behalf (these promoters are also known as 'commercial fundraisers').

In Queensland, organisations must enter into a written agreement with the commercial fundraiser conducting the appeal. Approval of the agreement is required from the OFT before conducting the appeal – this process can take a

	number of weeks. Submiting an agreement for approval is separate to the process of applying to be registered as a charity or for a sanction to fundraise. Your organisation will also need to submit any advertising material it intends to use for approval by the OFT.					
	When submitting agreements to OFT, ensure all required information has been submitted. Any error or omission could result in your application being returned to you for re-submission.					
	The organisation must also keep financial records about the appeal for six years and correspondence for one year.					
	Additional requirements: 'street and door-to-door fundraising appeals'					
	If your organisation wants to conduct a street or door to door collection, additional rules apply. See the <u>Queensland government website</u> for information on these requirements.					
	For example, your organisation will need to apply for a collection day (or days), The application form to be allocated collection days is available on the <u>Queensland government website</u> . The application should be made at least 14 days before the collection day of a street collection and within one year before a door to door appeal day.					
	If you wish to run a street appeal in Brisbane, contact the <u>Public Fundraising</u> <u>Regulatory Authority</u> ( <b>PFRA</b> ) once you have the appropriate approvals from OFT. The PFRA is responsible for the self-regulation of face to face fundraising in Australia and works with a number of councils, including the Brisbane City Council.					
	NC-registered charities					
	From 1 May 2023, ACNC-registered charities no longer need to separately register with the OFT for permission to fundraise. Now, charities just need to notify the OFT that they intend to fundraise.					
Where to apply?	Instructions on registration and applying for sanctions can be found on the <u>Queensland Government website</u> .					
	<b>To apply by post:</b> send the completed application and the required supporting documentation to the Office of Fair Trading, Registration Services Unit, GPO Box 3111 Brisbane QLD 4001. You can call the OFT on: 13 74 68.					
	<b>To apply in person:</b> visit <u>www.qld.gov.au/fairtrading</u> or call 13 QGOV (13 74 68) for the further information.					
Timeframes	The process may take eight weeks or more if you are applying for registration as a charity.					
Renewal	There is no requirement to renew your registration as a charity once it has been approved.					
	A sanction is usually for a particular purpose for a specified time frame (ie. a one- off appeal). You will need to apply for another sanction if your fundraising activities go beyond the scope of your original sanction or the duration of time approved by the regulator.					

#### What forms must to be completed?

#### For registration as a charity to fundraise:

#### The Application for Registration of a Charity (Form 1) form

This form will ask for information including:

- the applicant's details
- the purpose of the association the fundraising proceeds will be directed towards
- details of all the people having control (the board or committee members) of the association (name, address and position held)
- auditor details (name, contact details and qualifications)
- banking details
- · location(s) where the association operates or intends to operate
- the number of members of the association
- postal address, and
- the date of the conclusion of the applicant's financial year

#### For a 'sanction' to fundraise for a community purpose:

#### The Application for a sanction (Form 5) form

This form will ask for information including:

- the applicant's and sanction details(at least three person's names are required)
- · whether the appeal is a one off or will be made continuously
- banking details
- the locations where the fundraising activities will occur
- full name of the association
- the purpose of the association the fundraising proceeds will be directed towards
- details of all the people having control (the board or committee members) of the association (name, address and position held)
- auditor details (name, contact details and qualifications), and
- the date of the conclusion of the applicant's financial year

#### For a 'sanction to fundraise for a 'one-off charitable appeal':

#### The Application for a sanction (Form 5) form

This form will ask for information including:

- the applicant's details (at least three person's names are required)
- the locations where the fundraising activities will occur
- the purpose of the association the fundraising proceeds will be directed towards
- banking details, and
- if relevant (where an organisation as opposed to an individual is applying)
  - details of all the people having control (the board or committee members) of the association (name, address and position held)
  - auditor details (name and contact details and qualifications)
  - the number of members of the association, and
  - the date of the conclusion of the applicant's financial year

For any commercial agreement with a third party fundraiser:

You will need to submit any commercial agreements with third party fundraisers and any related advertising material to the OFT. This includes:

- 'pledge forms' if conducting face to face fundraising, including a compliant disclosure of fees
- telephone fundraising scripts, and
- the commercial agreement including clauses required for compliance with Queensland law

#### For an authority to collect for an association:

#### The Authority to collect for an association (Form 7) form

The form will ask for information on the person seeking permission to collect.

#### For door-to-door appeal or a street collection:

# The Application to have a day assigned for a door-to-door appeal or a street collection (Form 8) form

The form will ask for information including:

- the name of the association on whose behalf the application is made
- the applicant's details
- the timeframe for conducting the collection
- the locations where the fundraising activities will occur
- the number of collectors, and
- details of any remuneration proposed to be paid in respect of services rendered in connection with the collection

#### What supporting documents must be provided?

The following documents are required as part of an application for registration as a charity, 'sanction' to fundraise for a community purpose, and a sanction to fundraise for a one off appeal:

- an up-to-date copy of the organisation's constitution, certified as accurate by two members of the governing body
- a copy of the resolutions and minutes of a meeting of the organisation where it was resolved there would be application made (for registration or sanction), certified as accurate by two members of the governing body
- a copy of the organisation's last financial statement and auditor's report
- if the organisation is a branch of a larger organisation, you will need written consent from the central body, and
- written undertakings, signed by two members of the governing body of the association acknowledging the requirements to have the financial statements audited each year

The following documents are required as part of an application for all applicants applying for a sanction to fundraise for a 'one-off charitable appeal':

- a statement explaining the reason for the appeal
- evidence of the need for the appeal (for example if the appeal is for a person with a medical condition a letter from their doctor), and
- where the beneficiary is a person or association a letter signed by the beneficiary saying they will accept the proceeds of the appeal

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If you are applying for registration by a charity to fundraise (and you completed the Application for Registration of a Charity) form.

You are no longer required to advertise in newspapers to notify the public that you have applied to be registered as a charity on the Queensland charity register. Instead, the OFT will publish a notice for free on its website under current application notices.

Any objections to these registrations must be lodged within one month after the application notice is published. Grounds for objection may include:

- the purpose of the organisation is not charitable
- the charity will not be operated in good faith
- a charity already exists for the same purpose
- the charity will not be properly administered, or
- an inappropriate person is connected to the charity

	If your organisation	is based in	n another	state but	is seeking	registration in
(	Queensland you will n	need to:				

- register as a charity in Queensland or apply for a sanction, and
- if your association is not already registered to fundraise in your state, you must also complete a trust deed. You need to:
  - appoint at least three Queensland residents to carry out the association's Queensland activities
  - explain how the association will use the donations and how much will stay in Queensland, and
  - attach the trust deed with your application

#### If your organisation is based overseas, you must apply to the OFT before fundraising in Queensland and:

- be associated with a trusted international aid organisation (both the charity and the aid organisation must still provide a copy of their financial accounts each year)
- receive funding from the Australian Agency for International Development (AusAid), or
- show the OFT how it will ensure donations will reach the beneficiary.



### More information

For more information on fundraising in Queensland including applying for registration to fundraise, see:

- our guide to fundraising in Queensland, and
- Queensland Government Charities and fundraising

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# Tip

If you are involved in any face to face fundraising, and in particular in Brisbane, contact the <u>Public Fundraising Regulatory Authority</u> (the only self-regulatory body for face to face fundraising in Australia which works with a number of councils including the Brisbane City Council) for further information.

# **South Australia**

The process	In South Australia, you must apply for a Collections for Charitable Purposes licence ( <b>CCP Licence</b> ) to fundraise by completing the <u>Collections for charitable</u> <u>purposes application/notification</u> form.
	There is no fee.
	A number of supporting documents must be provided as part of the application process.
	ACNC-registered charities
	If you are a charity registered with the ACNC and have notified Consumer and Business Services ( <b>CBS</b> ) through the CBS online form that you intend to collect in South Australia, you will be automatically licenced and do not need to separately apply for a CCP Licence in South Australia.
Where to apply?	You can apply through the CBS website using the <u>online form</u> . Hard copy forms are no longer available.
Timeframes	Once your application has been received by CBA, it will generally be processed within two weeks.
Renewal	The licence is usually granted for 12 months. You can renew the licence online by completing the <u>Collections for charitable purposes application/notification</u> form. As part of the renewal process, the online form will prompt you to upload and submit a copy of your latest audited financial statements and a signed auditor's report.

## What forms need to be completed?

#### The Collections for charitable purposes application/notification form

The form will ask for information including:

- the applicant details
- the purpose or objectives of the organisation
- details of the people with control of the organisation (directors, office bearers and members of the management committee) including contact details, criminal history and whether the person has been bankrupt within the last ten years or externally administered within the last 12 months
- auditor details (name, contact details and qualifications), and

14

 the types of fundraising activities the organisation will conduct and the amount of money or value of goods expected to be raised in the first 12 months of being licensed

What documents need to be provided?	
A certificate of incorporation or a current company extract (issued by the Australian Securities and Investments Commission)	
A current copy of the constitution or trust deed	
A business plan (if available)	



# **More information**

For more information on fundraising in South Australia including applying for registration to fundraise, see:

- our guide to fundraising in South Australia, and
- South Australian Government Fundraising for organisations

# Tasmania

The process	In Tasmania, you need to apply for and obtain approval to collect for a charity. The type of approval required depends on your circumstances.				
	<ul> <li>If your organisation is incorporated and located in a state or territory other than Tasmania, apply for approval using a <u>Form 1</u></li> </ul>				
	<ul> <li>If you are a non-incorporated group or association operating in Tasmania, apply using a <u>Form 2</u></li> </ul>				
	<ul> <li>If you are an individual wishing to collect for a charitable purpose yourself, not on behalf of a charitable organisation, apply using a Form 3</li> </ul>				
	There is no fee.				
	A number of supporting documents must be provided as part of the application process.				
	ACNC-registered charities				
	Charities registered with the ACNC are required to apply for and obtain approval to collect for a charity in Tasmania.				
Where to apply?	See the <u>Consumer Building and Occupational Services</u> ( <b>CBOS</b> ) website for instructions on how to apply and get approval to collect for a charity. The application forms are published here.				
	If lodging by email: email the completed form and attachments to: registration.services@justice.tas.gov.au				
	<b>If lodging by post:</b> send the completed form and attachments to CBOS PO Box 56 ROSNY PARK TAS 7018.				
	If lodging by fax: fax the completed form and attachments to 03 6173 0205.				

	You can also contact CBOS on 1300 65 44 99 (within Tasmania) or (03) 6165 3400 (outside Tasmania)
Timeframes	CBOS will usually process submitted forms within two weeks.
Renewal	The Form 1 approvals last for up to three years. Forms 2 and 3 approvals last between one and two years. Approval periods will depend on the circumstances of each application and may differ to those set out in this fact sheet. At the end of the approval period you must submit a new application form if you intend to continue fundraising.

# What forms need to be completed?

If you are an organisation which is incorporated outside Tasmania:	
<ul> <li>an <u>Application for approval to collect charitable donations - organisations or</u> <u>corporations outside Tasmania (Form 1)</u>, and</li> </ul>	
<ul> <li>a <u>National Police Check</u> (dated within the previous three months) if the Public Officer or Contact Officer has been convicted of a criminal offence in the past five years</li> </ul>	
If you are a non-incorporated group or association in Tasmania:	Π
<ul> <li>an <u>Application for approval to collect charitable donations - non-incorporated</u> <u>association or community group within Tasmania (Form 2)</u>, and</li> <li>a <u>National Police Check</u> (dated within the previous three months) if the Public Officer or any member of the Executive has been convicted of a criminal offence in the past five years</li> </ul>	
If you are <b>an individual</b> wishing to collect for a charitable purpose yourself, not on behalf of a charitable organisation:	
<ul> <li>an <u>Application for approval to collect charitable donations - individual</u> <u>applicant (Form 3)</u>, and</li> </ul>	
<ul> <li>a <u>National Police Check</u> (dated within the previous three months)</li> </ul>	
Other requirements	
Collecting donations on a public street	П
You must seek permission from Tasmania Police to collect for donations on a public street by completing a <b>Charitable Collections Day Application form</b> .	_
Tasmania Police allocate a limited number of fundraising days and areas. Applications lodged less than 12 months before the preferred date may be considered by Tasmania Police, however, such applications may be unsuccessful.	
Applications should be made to: Tasmania Police, State Community Policing Services, GPO Box 308, HOBART TAS 7001	
Telephone: 131 444	
Website: www.police.tas.gov.au	
Further information regarding the requirements for different methods of collecting for charities (such as door knocking, telephone) is available on the <u>CBOS webpage –</u> <u>Collecting for a charity</u> .	



For more information on fundraising in Tasmania including applying for registration to fundraise, see:

- our guide to fundraising in Tasmania, and
- Tasmania Office of Consumer Affairs and Fair Trading Charities

#### Western Australia

The process	In Western Australia, you need to apply for a licence to fundraise by completing an <u>Application for WA charitable collections licence</u> form.
	There is no fee.
	Licences are only granted to incorporated bodies such as limited companies and incorporated associations. Individuals or unincorporated groups intending to fundraise should make arrangements to do so under the authority of an existing licence holder.
	A number of supporting documents must be provided as part of the application process.
	ACNC-registered charities
	Charities registered with the ACNC are required to apply for and obtain a licence to fundraise in Western Australia.
Where to apply?	Instructions on application for a WA charitable collections licence are published on the <u>Department of Mines, Industry Regulation and Safety Consumer</u> <u>Protection Division website</u> .
	You can <b>lodge the application by</b> emailing the completed form and attachments to <u>Charities@dmirs.wa.gov.au</u>
	You can contact the Department of Mines, Industry Regulation and Safety on 1300 30 40 74
Timeframes	All applications must be considered by the Charitable Collections Advisory Committee. They meet on a monthly basis.
Renewal	Licenses are continuous and don't need to be renewed.

#### What forms need to be completed?

#### An Application for WA charitable collections licence form

The form asks for information including:

- the contact person details (name, address and phone)
- · details of the principal office bearers of the organisation
- · the purpose as to why the licence is needed
- whether any other organisation is already operating in the field you wish to fundraise and whether you have approached that organisation

17

- fundraising details, including how much you intend to raise in the first year of operation
- details about the financial position of the organisation
- expected total annual revenue
- details of three principal executive officers (ie. the people who have decisionmaking powers for the organisation)
- bank account details, and
- reviewer or auditor details (name, address and qualification/membership) if relevant

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Financial returns for the last twelve months including income and expenditure statement plus balance sheet (not required for newly registered organisations)

A copy of the organisation's conflict of interest policy if any of the principal executive officers are related

Copies of your constitution, rules or trust deed and your certificate of incorporation or registration unless the applicant is incorporated under the *Associations Incorporation Act 2015* in Western Australia.



#### **More information**

For more information on fundraising in Western Australia including applying for registration to fundraise, see:

- our guide to fundraising in Western Australia, and
- Western Australia Department of Mines, Industry Regulation and Safety Charities and associations

# **Northern Territory**

The Northern Territory doesn't have fundraising legislation.

However, if a charity wishes to conduct fundraising through raffles or gaming activities, they will need to have a gambling licence with Licensing NT, and comply with the relevant gaming legislation which is regulated by the <u>Northern Territory Government's Department of Industry, Tourism and Trade</u>.



#### **More information**

For more information on fundraising in the Northern Territory, see our <u>guide to fundraising in</u> <u>the Northern Territory</u>.