

South Australia

1. Conduct

Obligation	Relevant legislative provision
<ul style="list-style-type: none"> • An association must obtain a section 6 licence from the minister before it may collect money or goods through the sale of any items or by donation for any charitable purpose. A section 6 licence holder may authorise persons to conduct the collection on its behalf. A section 6 licence may be granted on any conditions that the minister thinks fit and which may include a condition requiring the licensee to comply with the provisions of a code of practice issued by the minister. • The Collections for Charitable Purposes Act, 1939: Code of Practice, issued by the South Australian Department of Treasury and Finance, Revenue SA contains a number of provisions concerning the conduct of charitable collections: <ul style="list-style-type: none"> – During door to door campaigns, charitable organisations should: <ul style="list-style-type: none"> • ensure politeness; • not involve the use of pressure, harassment, intimidation or coercion (either direct or implied); • ensure that collectors are well presented; • ensure that collectors carry an authorised collection card; • (where necessary) collectors should receive information concerning the organisation for which they are collecting and some training and guidance on the manner of approach to prospective donors; • generally be conducted between 9am and sunset; and • all donors should receive a numbered receipt for all donations of \$2.00 or more showing the registered name of the organisation and the CCP Licence Number. Donations of less than \$2.00 should simply be listed by collectors to assist reconciliation of accounts. – the donation of goods and clothing through collection bins must be subject to the same principles as to the soliciting of money; and – during telemarketing campaigns, the following best practices should be observed: 	<p>Sections 6 & 12 of the SA Act</p> <p>Code of Practice</p>

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| <ul style="list-style-type: none">• callers should identify themselves clearly and the charitable agency they represent;• telephone contact should be made between 9am and 8pm;• callers should appreciate that the call may have occurred at an inconvenient time and arrange to call back at a more convenient time if that becomes apparent;• the caller should provide the person with a clear opportunity to accept or decline the request for assistance;• the caller should accept a refusal politely and promptly. The person called should not be subjected to persistent or aggressive efforts to obtain support;• the intention to sell and/or solicit should not be disguised in any preliminary remarks such as "we are conducting some research or a survey"; and• telephone contacts should not be made on Christmas Day or Good Friday. | |
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2. Accounting

Obligation	Relevant legislative provision
<ul style="list-style-type: none"> • An association to whom a licence has been granted under the Act must keep proper accounts of the receipt and payment of money collected or received by it for charitable purposes and of the receipt and disposal of goods collected or received by it for charitable purposes. • At a time fixed either by a condition of the licence or by the Minister, the section 6 licence holder may be required to submit to the Minister a statement setting out the money and goods collected by it and how they have been dealt with. The statement must be certified by statutory declaration. • A section 6 licence holder must appoint a qualified auditor to audit the accounts on a yearly basis. The auditor is also to audit any statement submitted to the Minister. • Charitable organisations should observe accepting accounting standards in presenting their annual accounts which should be clear and informative and provide the general public with an opportunity to become aware of the functions and achievements of the organisation. • Accounts should contain, in addition to the full range of information which would normally be contained in annual accounts, a statement of income and expenditure, including overheads relating specifically to fundraising conducted under the Collections for Charitable Purposes Act during an organisation's normal accounting period which shows: <ul style="list-style-type: none"> – the aggregate gross income received from each type of fundraising activity; – the total expenditure associated with each type of fundraising; and – the net operating surplus or deficit from each type of fundraising; and • Accounts should include a statement which describes how any surplus from fundraising was applied. The statement should distinguish between amounts allocated to direct services, administration costs and any other application (including transfers to reserves or accumulated funds). 	<p>Queensland</p>

3. Registration

Obligation	Relevant legislative provision
<ul style="list-style-type: none"> • The minister may revoke a licence if: <ul style="list-style-type: none"> – the donations received by the licensee have been mismanaged or misapplied; – excessive or remuneration has been, or is to be, paid to any person in connection with the collection of donations, or that the proportion of those proceeds that is, or is to be, applied towards charitable purposes is for any other reason inadequate; – the licensee's contravention or failure to comply with a condition of the licence (including the Code of Conduct); or – any other circumstances exist that, in the opinion of the minister, justify revocation of the licence. 	<p>Section 11 of the SA Act.</p>

4. Notes

South Australian Legislation

- *Collections for Charitable Purposes Act 1939 (SA Act)*
- *Collections for Charitable Purposes Regulations (Collections Bins) Regulations 1995 (SA Regulations)*

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