

Victoria

1. Conduct

Obligation	Relevant legislative provision
Collectors must wear clearly visible identification badges when raising funds in a public place.	
<p>Collection containers (including clothing bins):</p> <ul style="list-style-type: none"> • Should be secure and numbered and must be labelled to show: <ul style="list-style-type: none"> – the name of the appeal; or – who is conducting the appeal and who the beneficiary is. • Clothing bins must also comply with other labelling requirements set out in the Victorian Regulations and the Victorian Act. 	Sections 9 to 13 of the Vic Act
When being paid to canvass money by telephone or through electronic means, employees must state they are retained on a commercial basis to seek the donation. They must also state who they are employed by and the name of the beneficiary the money is being raised for.	Section 14 of the Vic Act
In conducting or participating in a fundraising appeal, a person must not make or give any representation or oral or written statement in relation to the appeal to another person that misleads or deceives or is likely to mislead or deceive that person or anyone else to whom that other person might repeat or give the representation, oral or written statement.	Section 7 of the Vic Act
<p>Identification badges are required to be worn by people participating in a fundraising appeal and are to contain the following details:</p> <ul style="list-style-type: none"> • the name and the contact telephone number of the organisation conducting the fundraising appeal • the name of the organisation on whose behalf the fundraising appeal is being conducted; • the name of the collector required to wear the identifying badge; and • the words “valid to” on the date on which the collector’s authority from the organisation conducting the fundraising appeal to participate in the fundraising appeal expires. 	Regulation 6 of the Vic Regulations

2. Accounting

Obligation	Relevant legislative provision
<p>If money received in the course of a fundraising appeal is not deposited into an account held in the name of a sole intended beneficiary of the appeal, the person who is conducting the fundraising appeal must ensure that any money received in the course of the appeal is deposited into an account which is used exclusively for the money received in the course of the appeal which is held at an authorised deposit taking institution.</p>	<p>Section 27 of the Vic Act</p>
<p>An authority holder must prepare a primary set of financial accounts. The content of any summary financial accounts (to be made available to the public), is drawn from this primary set of accounts. Failure to prepare primary financial accounts may incur a fine of \$5000.</p> <p>An authority holder must prepare a summary set of financial accounts within 3 months of the end of the fundraising appeal or within 3 months of the anniversary of the start of the appeal if it runs for more than 12 months.</p> <p>The summary set of financial accounts must contain a summary of:</p> <ul style="list-style-type: none"> • all funds and assets received as a result of the appeal; • what happened to all those funds and assets; • the amount applied to the purposes or objects of the appeal and how it was distributed; • any expenditure on assets; • any expenditure on wages, salaries, commissions and other remuneration in relation to the appeal; • any other administrative expenses related to the appeal; • any other expenditure related to the appeal; <p>and</p> <ul style="list-style-type: none"> • the dates on which the appeal started and finished; • if a corporation, incorporated association or unincorporated body was authorised to participate in the appeal, the name of the person from that body who was responsible for overseeing the body's involvement in the appeal; • the name and address of every organisation or person or class of persons on whose behalf the appeal was made. <p>If the appeal in Victoria was conducted as part of a national appeal, it is not necessary for the summary accounts to be prepared in a way that enables the above information that only relates to Victoria to be</p>	<p>Section 29 of the Vic Act</p>

identified.	
An authority holder must provide Victorian Department with the written consent of each beneficiary of its fundraising appeal(s). If at any time the beneficiaries change or a new beneficiary is added, the Victorian Department must be notified.	Section 18A of the Vic Act

3. Registration

Obligation	Relevant legislative provision
<p>An authorised fundraiser must notify the Vic Department of changes to the particulars of the authorised fundraiser, including:</p> <ul style="list-style-type: none"> • if there is any change of appeal managers (eg if an appeal manager resigns or you appoint a new appeal manager, or an additional appeal manager) within 28 days of the date of change; or • if the authorised fundraiser, or the appeal manager, or any person who has significant influence over any fundraising appeal is: <ul style="list-style-type: none"> – charged with, found guilty of or convicted of a disqualifying offence; or – becomes insolvent under administration; or – becomes an externally administered corporation. <p>In addition, if the fundraiser or appeal manager becomes a represented person within the meaning of the Guardianship and Administration Act 1986, you must notify within 28 days of this.</p> <ul style="list-style-type: none"> • If you start to fundraise for a new beneficiary, you must notify at least 28 days before conducting any appeal on behalf of the new beneficiary. • If the services of a commercial fundraiser to administer all or part of a fundraising appeal are used. • If the contact person for the fundraiser changes; or • If the responsible person for associations incorporated outside of Victoria changes you must notify within 28 days. 	Sections 24 to 24D of the Vic Act

4. Notes

Victorian Legislation

- *Fundraising Appeals Act 1998 (**Vic Act**)*
- *Fundraising Appeals Regulations 1999 (**Vic Regulations**)*

Victorian Department

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