



Australian Capital Territory

Magistrates Court (Charitable Collections Infringement Notices) Regulations 2003

Subordinate Law SL2003-36

The Australian Capital Territory Executive makes the following regulations under the *Magistrates Court Act 1930*.

Dated 29 October 2003.

JON STANHOPE
Minister

BILL WOOD
Minister



Australian Capital Territory

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1 Name of regulations

These regulations are the *Magistrates Court (Charitable Collections Infringement Notices) Regulations 2003*.

2 Commencement

These regulations commence on the day after their notification day.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

3 Purpose of regulations

The purpose of these regulations is to provide for infringement notices under the *Magistrates Court Act 1930*, part 8 for certain offences against the Charitable Collections Act.

Note The *Magistrates Court Act 1930*, pt 8 creates a system of infringement notices for offences against various Acts. The infringement notice system is intended to provide an alternative to prosecution.

4 Notes

A note included in these regulations is explanatory and is not part of these regulations.

Note See Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.

5 Meaning of *Charitable Collections Act*

In these regulations:

Charitable Collections Act means the *Charitable Collections Act 2003*.

6 Administering authority

The administering authority for an infringement notice offence against the Charitable Collections Act is the chief executive for that Act.

7 Infringement notice offences

The *Magistrates Court Act 1930*, part 8 applies to an offence against a provision of the Charitable Collections Act mentioned in schedule 1, column 2.

8 Infringement notice penalties

- (1) The penalty payable by an individual for an offence against the Charitable Collections Act, under an infringement notice for the offence, is the amount mentioned in schedule 1, column 4 for the offence.
- (2) The penalty payable by a corporation for an offence against the Charitable Collections Act, under an infringement notice for the offence, is 5 times the amount mentioned in schedule 1, column 4 for the offence.
- (3) The cost of serving a reminder notice for an infringement notice offence against the Charitable Collections Act is \$34.

9 Contents of infringement notices—other information

- (1) An infringement notice served on a company by an authorised person for an infringement notice offence against the Charitable Collections Act must include the company's ACN.

Note The requirement under this regulation is additional to the requirement under the *Magistrates Court Act 1930*, s 121 (1) (c).

- (2) In this regulation:

company means a company registered under the Corporations Act.

10 Contents of infringement notices—identifying authorised person

An infringement notice served on a person by an authorised person for an infringement notice offence against the Charitable Collections Act must identify the authorised person by—

- (a) for an authorised person who is a police officer—the service number for the police officer; and
- (b) for an authorised person to whom the Act, section 55 (Identity cards) applies—
 - (i) any unique number given to the person by the administering authority under regulation 6 (Administering authority) for these regulations; or
 - (ii) the authorised person’s full name, or surname and initials.

11 Contents of reminder notices—identifying authorised person

A reminder notice served on a person by an authorised person for an infringement notice offence against the Charitable Collections Act must identify the authorised person by—

- (a) for an authorised person who is a police officer—the service number for the police officer; and
- (b) for an authorised person to whom the Act, section 55 (Identity cards) applies—
 - (i) any unique number given to the person by the administering authority under regulation 6 (Administering authority) for these regulations; or
 - (ii) the authorised person’s full name, or surname and initials.

12 Authorised people for infringement notice offences

Anyone who is an authorised person under the Charitable Collections Act, section 54 (Authorised people), may serve—

- (a) an infringement notice for an infringement notice offence against the Charitable Collections Act; and
- (b) a reminder notice for an infringement notice offence against the Charitable Collections Act.

Schedule 1 Charitable Collections Act infringement notice offences and penalties

(see reg 7 and reg 8)

column 1 item	column 2 offence provision	column 3 offence penalty (penalty units)	column 4 infringement penalty (\$)
1	section 16 (1)	50	50
2	section 47 (1)	50	150
3	section 47 (2)	50	150
4	section 47 (3)	50	150
5	section 48 (1)	50	150
6	section 53 (4)	50	150
7	section 56 (3)	5	50

Endnotes

1 Notification

Notified under the Legislation Act on 30 October 2003.
(see www.legislation.act.gov.au)

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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