



Queensland

Collections (Deemed Registration) Amendment Regulation 2023

Subordinate Legislation 2023 No. 30

made under the

Collections Act 1966

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1 Short title

This regulation may be cited as the *Collections (Deemed Registration) Amendment Regulation 2023*.

2 Commencement

This regulation commences on 1 May 2023.

3 Regulation amended

This regulation amends the *Collections Regulation 2008*.

4 Amendment of s 4A (Chief executive must publish application notice)

- (1) Section 4A, heading, ‘must’

omit, insert—

may

- (2) Section 4A, ‘must, as soon as practicable’—

omit, insert—

may,

- (3) Section 4A(b), ‘and address for service’—

omit.

- (4) Section 4A(c) to (e)—

omit, insert—

(c) the day the application was received.

5 Omission of ss 5 and 6

Sections 5 and 6—

omit.

6 Insertion of new s 8A

After section 8—

insert—

8A Additional prescribed grounds—Act, s 21

For section 21(2) of the Act, the following are additional grounds on which an application may be made for a charity to be removed from the register—

- (a) the charity is not established in good faith as a charity;
- (b) the charity will not be properly administered;
- (c) the objects of the charity are already covered by a charity that is registered under the Act;
- (d) someone connected with the charity's management is not an appropriate person to administer its affairs.

7 Amendment of s 30 (Exempt class of association or charity—Act, s 5)

- (1) Section 30, heading, 'Act, s 5'—

omit, insert—

Act, sch 2

- (2) Section 30(1), 'section 5'—

omit, insert—

schedule 2

- (3) Section 30(6)—

omit.

- (4) Section 30(7), definitions *ACNC commissioner*, *ACNC register* and *relevant financial information*—

omit.

[s 8]

- (5) Section 30(7), definition *state registration number*, paragraph (a), note—

omit.

- (6) Section 30(7), definition *state registration number*, paragraph (b)—

omit, insert—

- (b) of an entity that is a charity mentioned in subsection (1)(b)—

(i) if the charity is a deemed registrant—means the unique identifying number, however described, given to the charity by the chief executive; or

(ii) otherwise—means the unique identifying number, however described, for the charity stated in the register of charities under the Act.

- (7) Section 30(7)—

renumber as section 30(6).

8 Amendment of s 30A (Reportable financial period—Act, s 5)

- (1) Section 30A, heading, ‘Act, s 5’—

omit, insert—

Act, sch 2

- (2) Section 30A, ‘section 5’—

omit, insert—

schedule 2

9 Omission of s 30B (Financial records—Act, ss 31 and 47)

Section 30B—

omit.

10 Amendment of s 37 (Inspections and copies)

Section 37—

insert—

- (3) For section 23L(3) of the Act, definition *excluded provisions*, paragraph (b), it is declared that section 23L of the Act does not apply to this section.

11 Amendment of s 39 (Establishing a new branch or section)

Section 39—

insert—

- (2) For section 23L(3) of the Act, definition *excluded provisions*, paragraph (b), it is declared that section 23L of the Act does not apply to this section.

12 Amendment of sch 1 (Additional conditions for door-to-door and street collections)

- (1) Schedule 1, items 3, 14 and 15—

omit.

- (2) Schedule 1, items 4 to 17—

renumber as schedule 1, items 3 to 14.**13 Amendment of sch 2 (Accounting requirements)**

- (1) Schedule 2, items 2, 3, 7 and 8—

omit.

- (2) Schedule 2, item 6—

omit, insert—

- 6 Amounts received must be deposited into the charity's or association's account with a financial institution as soon as practicable.

[s 13]

- (3) Schedule 2, item 10, ‘books’—
omit, insert—
financial records
- (4) Schedule 2, items 11 to 13—
omit, insert—
- 11 Tickets and receipts used by a charity, an association or promoter, or for an appeal for support by a charity or association, must be authorised by the governing body of the charity or association.
- 12 Receipts issued to a collector must state the full name of the charity, association or promoter issuing the receipts.
- (5) Schedule 2, items 4 to 12—
renumber as schedule 2, items 2 to 8.

ENDNOTES

- 1 Made by the Governor in Council on 20 April 2023.
- 2 Notified on the Queensland legislation website on 21 April 2023.
- 3 The administering agency is the Department of Justice and Attorney-General.

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