

# AUSTRALIAN CAPITAL TERRITORY

No. 5 of 1976

## AN ORDINANCE

To amend the *Street Collections Ordinance 1959-1966*.

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910-1973*.

Dated this twelfth day of February 1976.

JOHN R. KERR  
Governor-General.

By His Excellency's Command,

ERIC L. ROBINSON  
Minister of State for the Capital Territory.

### COLLECTIONS ORDINANCE 1976

1. (1) This Ordinance may be cited as the *Collections Ordinance 1976*.<sup>\*</sup> Short title  
and citation.

(2) The *Street Collections Ordinance 1959-1966*<sup>†</sup> is in this Ordinance referred to as the Principal Ordinance.

(3) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Collections Ordinance 1959-1976*.

2. The title of the Principal Ordinance is amended by omitting Title. the word "Street".

3. Section 2 of the Principal Ordinance is repealed and the following section substituted:—

"2. A person shall not—

- (a) in a public street, road or thoroughfare; or
- (b) at a place of residence in the course of going from door-to-door,

collect from members of the public—

- (c) any money or goods, other than prescribed goods or goods included in a prescribed class of goods, by way of gifts or contributions; or

Restriction  
on certain  
collections.

<sup>\*</sup> Notified in the *Australian Government Gazette* on 24 February 1976.

<sup>†</sup> Ordinance No. 17, 1959, as amended by No. 19, 1966.

- (d) any money by the sale of discs, badges, tokens, flowers or other devices,

unless he is the holder of a licence issued to him under this Ordinance or the holder of an authority duly issued to him by the holder of a licence under this Ordinance, and the collection is made in accordance with the licence, or the licence and authority, as the case may be.

Penalty: \$200.”.

**Licences.**

**4. Section 4 of the Principal Ordinance is amended—**

- (a) by omitting from sub-section (1) the word “street” (wherever occurring); and
- (b) by adding at the end of sub-section (3) the words “if the holder of the licence contravenes or fails to comply with any of the provisions of this Ordinance”.

**Refusal  
to issue  
a licence.**

**5. Section 5 of the Principal Ordinance is amended by adding at the end thereof the following sub-sections:—**

“(2) The Minister may refuse to issue a licence under section 4 if the issue of the licence would result in two or more licences being issued for the same day, part of a day or other period or periods and in relation to the same place or places.

“(3) Without prejudice to the provisions of sub-sections (1) and (2), the Minister may refuse to issue a licence for a door-to-door collection under section 4 if the issue of the licence would result in—

- (a) more than 6 licences for door-to-door collections being issued in a year to the same person, society, association or body; or
- (b) two or more different persons, societies, associations or bodies being authorized to conduct separate door-to-door collections in relation to the same place or places during a particular week.

“(4) In sub-section (3), ‘door-to-door collection’ means a collection that involves collecting at places of residence by means of going from door-to-door.”.

**6. After section 5 of the Principal Ordinance the following section is inserted:—**

**Appeals.**

**“ 5A. (1) Where the Minister—**

- (a) issues a licence subject to conditions;
- (b) cancels a licence; or
- (c) refuses to issue a licence,

the holder or former holder of the licence, or the applicant, as the case may be, may, within 21 days after the date on which notice of the issue, cancellation or refusal, as the case may be, is served on him or it, appeal to the Court of Petty Sessions against the decision of the Minister.

“(2) Jurisdiction to hear and determine appeals under sub-section (1) is vested in the Court of Petty Sessions.

“(3) An appeal under this section shall be by way of a re-hearing.

“(4) The Minister shall be the respondent on an appeal under this section.

“(5) On an appeal under this section, the Court may—

- (a) affirm, set aside or vary the decision of the Minister;
- (b) give such judgment as to the Court seems proper; and
- (c) make such other order as justice requires.”.

7. Section 6 of the Principal Ordinance is amended—

- (a) by omitting sub-section (3) and substituting the following sub-section:—

Duties of  
the holder  
of a licence.

“(3) The holder of a licence shall, in addition to the authority referred to in sub-section (2), issue to each person authorized to collect otherwise than by way of the sale of discs, badges, tokens, flowers or other devices official forms of receipt or tickets to be given to the donors by the person authorized to collect in exchange for the goods or money collected by him.”; and

- (b) by omitting from sub-section (5) the word “seventeen” and substituting the figures “13”.

8. Section 7 of the Principal Ordinance is amended by omitting sub-section (3) and substituting the following sub-section:—

Collectors.

“(3) A person authorized in accordance with sub-section 6 (2) to collect otherwise than by way of the sale of discs, badges, tokens, flowers or other devices shall, in respect of all money or goods collected by him, give a written receipt or ticket on an official form issued to him by the holder of the licence.”.