Collection Boxes

Early controls of collection boxes appeared in the regulations to the *Metropolitan Streets Act 1903* (UK). One regulation prohibited the use by any collector of boxes at the ends of poles intended to reach upper windows or the roofs of conveyances.¹ Notably this same restriction is still included in the regulations in Western Australia.

Collection boxes can be unattended, as in the type left at retail outlets and places of employment, or used as part of a face to face collection. The collection boxes can either be for monetary donations or goods. Labelling of the box is the most common requirement. The table below gives an overview of the provisions relating to collection boxes across all Australian jurisdictions.

<table>
<thead>
<tr>
<th>Definition of collection box</th>
<th>NSW</th>
<th>VIC</th>
<th>QLD</th>
<th>SA</th>
<th>WA</th>
<th>TAS</th>
<th>ACT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Well constructed and secure</td>
<td>√</td>
<td>√</td>
<td>√</td>
<td>√</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Properly sealed</td>
<td>√</td>
<td>√</td>
<td>√</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Numbered</td>
<td>√</td>
<td>√</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Labelled</td>
<td>√</td>
<td>√</td>
<td>√</td>
<td>√</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Restriction on type of box</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>√</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Clearance procedures</td>
<td>X</td>
<td>√</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Supervised clearance</td>
<td>X</td>
<td>√</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Regular clearance</td>
<td>X</td>
<td>X</td>
<td>√</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Register of collection boxes</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>√</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

*However if a receipt is given in Victoria, the box does not need to be sealed.

Collection boxes for monetary donations

In New South Wales, if a collection box or similar device is used for monetary donations it must be constructed securely, sealed properly, numbered consecutively and labelled clearly with the name of the authorised fundraiser. Proper supervision, security and control must be exercised over the use and clearance of the box or device.²

In Western Australia,³ a collection box may be a tin, box or other receptacle capable of holding money securely, however:

- It must not be fixed to a pole or otherwise designed to be held beyond the reach of the collector; and
- It must be securely closed and sealed so that it cannot be opened or money removed from it without the seal being broken; and
- It must display prominently the names of persons for whom the collection is being made and the date of the collection.

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¹ Metropolitan Streets Regulation reg 6
² Charitable Fundraising Regulation 2008 (NSW) reg 13
³ Street Collections Regulation 1999 (WA) reg 7(2)
South Australia defines a collection box as any form of receptacle for the collection of money, whether the money is to be placed in the receptacle as a donation or for a purchase of a disc, badge, flower, ribbon or other device. Legislation provides that an unattended collection box must be marked in a reasonably prominent position with the following:

- The name and contact details of the holder of the licence; and
- If a return has been submitted previously, the particulars of the website maintained by the Minister or such other website where the public can inspect details of the return.

The ACT requires the following information for a collection carried out through a collection box:

- The licensee’s name;
- The purpose of the collection if not already indicated by the licensee’s name;
- The business telephone number of the licensee

Victoria requires the collection box to be constructed securely, sealed properly and numbered consecutively. The collection box must be labelled as follows:

- The name of the appeal; or
- The name of the person conducting the appeal and the class of people or causes or things on whose benefit the appeal is being conducted.

Queensland requires each collecting box issued to a collector by the governing body to be:

- Constructed securely to avoid tampering; and
- Sealed before it is issued to a collector; and
- Numbered clearly for identification; and
- Labelled clearly with the association’s name

**Empting the collection box**

In Victoria the person conducting the fundraising appeal must ensure that the use and emptying of any boxes are supervised and all moneys are either banked or given to the person conducting the fundraising appeal, depending on the appeal.

NSW requires proper supervision, security and control to be exercised over the use and clearance of the box or device.

In Queensland a seal can only be broken by a person authorised by the governing body to break the seal. The governing body must supervise properly the issue and opening of collecting boxes and accounting for the

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4 *Collections for Charitable Purposes Act 1939 (SA)* s 6B(6).
5 *Charitable Collections Regulations 2003 (ACT)* reg 9(5).
6 *Fundraising Act 1998 (Vic)* s10(1)(a).
7 *Fundraising Act 1998 (Vic)* s 10(1)(b).
8 *Fundraising Act 1998 (Vic)* s 11.
9 *Collections Regulation 2008 (Qld)* Sch 1 condition 10.
A collecting box left at a place of residence or employment must be collected or emptied at least once a month and the amount removed from the collecting box must be accounted for.\textsuperscript{10}

Western Australia’s Voluntary Code of Practice\textsuperscript{12} recommends the following in respect of cash handling procedures:

a. Two persons to be present for the processing of all unreceipted cash donations and money boxes;
b. Clear rules for petty cash management;
c. The issue of a receipt and the retention of a duplicate, regardless of the amount involved, for any donations made in face to face fundraising outside the organisation’s offices;
d. Money boxes to be sealed in a tamper proof manner, numbered and a record kept of where they are placed.

Requirements of the licence holder?
Each jurisdiction has accounting requirements which would necessitate the disclosure of funds raised.

South Australia requires the licence holder to take reasonable steps to ensure that each person authorised to act as a collector is made aware of their obligations and is provided with the relevant information to comply with labelling requirements.

In Victoria, if a receipt is being issued at the time of putting money in the collection box it is not necessary to have the collection box properly sealed.\textsuperscript{13} Tasmania imposes a duty on organisations not to permit its officers, agents or employees to engage in activity which contravenes the Act.\textsuperscript{14}

Provisions for paid collectors
Paid collectors (only) in South Australia who contravene the provisions in relation to labelling or marking the box with the required information are guilty of an offence.

Specific records for collection boxes
A Western Australian permit holder must number all collection boxes consecutively and keep a record of which boxes are issued to each collector.\textsuperscript{15}

Etiquette of collecting
Western Australia requires that a collector must offer a collection box to the person so the person can put the contribution into the box.\textsuperscript{16} The collector must not obstruct a public street or annoy any person using a public street.

The Voluntary Code of Practice\textsuperscript{17} advises

\begin{itemize}
  \item \textsuperscript{10} Collections Regulation 2008 (Qld) Sch 1 condition 11.
  \item \textsuperscript{11} Collections Regulation 2008 (Qld) Sch 1 condition 12.
  \item \textsuperscript{13} Fundraising Act 1998 (Vic) s 10(2)
  \item \textsuperscript{14} Collections for Charities Act 2001 (Tas) s 11.
  \item \textsuperscript{15} Street Collections Regulation 1999 (WA) reg 7(3).
  \item \textsuperscript{16} Street Collections Regulation 1999 (WA) reg 8.
\end{itemize}
• Fundraisers should ensure fundraising is conducted in a friendly manner;
• A collector must recognise that it is the individual right of the members of the public to decide for themselves whether to donate, make a purchase, or not; and
• Collectors should avoid aggressive conduct during fundraising campaigns, since this behaviour can harm donor willingness to give in the long term.

Queensland sets conditions for door-to-door and street collections which include that a collector must not intimidate any person into making a donation or annoy any person approached to make a collection.\textsuperscript{18}


\textsuperscript{18} Collections Regulation 2008 (Qld) schedule 1 conditions 7-8