

STREET COLLECTIONS (REGULATION).

4^o and 5^o GEO. VI., No. LV.

No. 55 of 1940.

AN ACT to regulate street collections.

[Assented to 20th December, 1940.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

- Short title.** 1. This Act may be cited as the *Street Collections (Regulation) Act, 1940.*
- Interpretation** 2. In this Act, unless inconsistent with the context or subject matter—
- Chief Secretary.** “Chief Secretary” means the Minister of the Crown for the time being and from time to time holding the ministerial office of Chief Secretary in the Government of the State.
- Collection.** “Collection” includes the soliciting of funds or contributions and the selling or offering for sale of any button, badge, token, or other similar thing for the purpose of raising funds or contributions.
- Metropolitan area.** “Metropolitan area” means the area within the boundaries defined in the First Schedule to the regulations made under the Traffic Act, 1919-1935.

“Person” includes association, society, or committee and any combination thereof. Person.

3. (1) Notwithstanding the provisions of the War Funds Regulation Act, 1939, it shall not be lawful for any person to make a collection in any public street within the metropolitan area unless authorised by permit in writing from the Chief Secretary and unless the conditions (if any) attached by the Chief Secretary to such permit and the provisions of the regulations made in that behalf are complied with. No collection in metropolitan area except by permission of Chief Secretary.

(2) For the purposes of this section the words “public street” in addition to the ordinary meaning assigned to them include any doorway opening lane or space adjoining or adjacent to any street or road, and also land (whether public or private) used or capable of use by the public for pedestrian traffic.

4. (1) The Chief Secretary may grant a permit in the form prescribed to any person to make a collection for the object or purpose, on the day, between the hours, and within the area specified respectively in such permit: Provided that the aggregate number of days in respect of which such permits may be granted shall not exceed fifty in any one year. Permit as prescribed may be granted.

(2) No collection shall be made except upon the day, between the hours, and within the area specified in the permit.

5. Applications for permits shall be made to the Chief Secretary in the prescribed manner, specifying the purpose of the collection, and the locality within which the collection is to be made. Applicants shall furnish any additional information which the Chief Secretary may require or which may be prescribed. Applications for permits to be made in the prescribed manner.

6. If any person in connection with any collection displays or uses— Unauthorised use of badges, etc.

(a) a prescribed badge or prescribed certificate of authority not being a badge or certificate for the time being held by him for the purposes of the collection pursuant to regulations made under this Act; or

- (b) any badge or device or any certificate or other document so nearly resembling a prescribed badge or, as the case may be, a prescribed certificate of authority as to be calculated to deceive

he shall be guilty of an offence.

Governor
may make
regulations.

7. (1) The Governor may make any regulations not inconsistent with this Act which may be necessary or convenient for carrying out any of the provisions of this Act, or for better effecting the objects of this Act, and for regulating the manner in which collections may be made and the conduct of persons in relation to such collections, and in particular—

- (a) for requiring and regulating the use by collectors of prescribed badges and certificates of authority, and the issue, custody, production and return thereof;
- (b) for prohibiting persons below a prescribed age from acting and others from causing them to act as collectors;
- (c) for preventing annoyance, nuisance, and obstruction to members of the public using public streets or places;
- (d) for requiring and regulating the use by collectors of prescribed collection boxes and receptacles;
- (e) for prohibiting payment or reward to any collector.

(2) Any regulation may impose a penalty not exceeding twenty pounds for any breach of such regulation.

Penalty for
breach of
this Act.

8. If any person contravenes any of the provisions of this Act he shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding fifty pounds.

Offences
may be
dealt with
summarily.

9. All proceedings in respect of offences against this Act shall be taken and disposed of summarily under the provisions of the Justices Act, 1902-1936.