



New South Wales

Charitable Fundraising Amendment (Exemptions) Regulation 2007

under the

Charitable Fundraising Act 1991

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Charitable Fundraising Act 1991*.

GRAHAM WEST, M.P.,
Minister for Gaming and Racing

Explanatory note

The object of this Regulation is to authorise the following to conduct fundraising appeals without holding an authority under the *Charitable Fundraising Act 1991* (*the Act*) authorising the conduct of the appeals:

- (a) local councils, committees of local councils and certain related trusts,
- (b) specified New South Wales universities.

As a result, by virtue of section 9 (3) (c) of the Act, a fundraising appeal will also be able to be conducted without holding an authority by a member, employee or agent of a local council, a committee of a local council or such a related trust, or a specified university, who is authorised by the local council, committee, trust or university to conduct the appeal.

This Regulation is made under the *Charitable Fundraising Act 1991*, including sections 9 (3) (a) and 55 (the general regulation-making power).

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Clause 1 Charitable Fundraising Amendment (Exemptions) Regulation 2007

Charitable Fundraising Amendment (Exemptions) Regulation 2007

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1 Name of Regulation

This Regulation is the *Charitable Fundraising Amendment (Exemptions) Regulation 2007*.

2 Amendment of Charitable Fundraising Regulation 2003

The *Charitable Fundraising Regulation 2003* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 2)

Clauses 7A and 7B

Insert after clause 7:

7A Local councils and certain trusts exempt from obligation to hold authority to conduct fundraising appeals

- (1) For the purposes of section 9 (3) (a) of the Act, the following organisations are authorised to conduct a fundraising appeal without being the holder of an authority:
 - (a) councils,
 - (b) committees of councils (whether or not all of the members of the committee are councillors of the council),
 - (c) trusts of which a council is a trustee,
 - (d) trusts of which the holder of the office of mayor, councillor, general manager, public officer or senior staff member of a council is a trustee by virtue of holding that office,
 - (e) trusts of which a person nominated by a council is a trustee by virtue of being a person nominated by the council.
- (2) In this clause, *council*, *councillor*, *mayor*, *public officer* and *senior staff* have the same meaning as in the *Local Government Act 1993*.

7B Universities exempt from obligation to hold authority to conduct fundraising appeals

For the purposes of section 9 (3) (a) of the Act, the following universities are authorised to conduct a fundraising appeal without being the holder of an authority:

- (a) Australian Catholic University,
- (b) Charles Sturt University,
- (c) Macquarie University,
- (d) Southern Cross University,
- (e) The University of New England,
- (f) The University of New South Wales,
- (g) The University of Newcastle,
- (h) The University of Sydney,

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Schedule 1 Amendment

- (i) University of Technology, Sydney,
- (j) University of Western Sydney,
- (k) University of Wollongong.

BY AUTHORITY
