

ANIMAL ACTIVISM — FINE PAYMENT

**919. Hon COLIN de GRUSSA to the minister representing the Minister for Commerce:**

I refer to question without notice 141, asked in this place on 12 March, regarding the use of crowdfunding by convicted criminals to pay for fines.

- (1) Given the Charitable Collections Act was written in 1946 and never envisioned the use of the internet as a fundraising tool, will the state government review and update the act to be more reflective of our current society?
- (2) As crowdfunding currently falls outside the scope of the Charitable Collections Act 1946, are there any penalties that would apply to people who misuse crowdfunding platforms to obtain money from the Western Australian public through false or misleading pretences?

**Hon ALANNAH MacTIERNAN replied:**

I thank the member for the question. The Minister for Commerce has provided the following answer.

- (1) A review of the Charitable Collections Act 1946 is on the Department of Mines, Industry Regulation and Safety's forward work program. A review will be initiated upon completion of other business permits, and will consider the use of the internet to raise money for charitable purposes.
- (2) Crowdfunding for personal benefit—for example, to raise funds to pay fines; as referred to in question without notice 141—is outside the scope of the Charitable Collections Act 1946. The example is also outside the scope of the Australian Consumer Law, which applies to transactions that occur in trade or commerce, so provisions under the ACL addressing false or misleading conduct would not apply. The Criminal Code may apply if funds were obtained under false pretences.