



## **CHARITABLE COLLECTIONS POLICY**

**2018**

## Contents

	Page
Introduction	3
Policy purpose	3
Street Collections	4
• General principles	
• Application	
• Direct Debit collections	
House to House collections	6
• General principles	
• Application	
Appendix A – Street collection regulations	11
Appendix B – House to house regulations	14

## 1. Introduction

- 1.1. Lichfield District Council (“the Council”) is responsible for licensing charitable collections within the District of Lichfield. Charitable Collections fall into two categories: House to House collections for money or property and Street Collections, which include collections for cash or the sale of articles in the street. If articles are sold for any form of personal gain or as a commercial activity then a Street Trading Consent will be required.
- 1.2. The licensing of charitable collections is regulated by two separate Acts of parliament: The ‘Police, Factories, etc, (Miscellaneous Provisions) Act 1916’ as amended by schedule 29 of the Local Government Act 1972. which regulates collections of money or sales of articles for charitable purposes in street and public places and ‘The House to House Collections Act 1939’ which regulates collections of money or other articles made by means of going from house to house. Both acts give District Councils powers to write regulations and policies to control charitable collections.
- 1.3. This policy document forms the Council’s Charitable Collections Policy (“local policy”) that will apply to Street and House to House Collection activities in the Lichfield District area.

## 2. Policy Purpose

- 2.1. The purpose of the policy is to:
  - Safeguard the interests of both public donors and beneficiaries;
  - Facilitate well organised collections by bona fide charitable institutions and to ensure that good standards are met
  - Prevent unlicensed collections from taking place.
  - Give detailed guidance on the application of the law relating to charitable collections
  - Provide a clear idea of the requirements that charitable organisations, promoters and collectors must meet before, during and after collections take place.
  - Detail the matters that will be taken into consideration when determining an application
- 2.2. This policy is designed to ensure that:
  - People who wish to donate to charity, through Street collections, are able to do so in good faith knowing that the money or products they donate will directly benefit the charity.
  - There is transparency, consistency and fairness in determining applications
  - Eligible requests are accommodated, subject to capacity and availability on certain days and locations
  - Applications are made in a timely way, neither too early nor too late
  - Collectors operate within the law and act fairly in their dealings with the public?
  - Collections do not cause nuisance to the public >
  - Fair maximum limits for applicants are set
  - A fair balance between local and national causes is achieved

- 2.3. This policy will be reviewed where there are any changes in legislation or where not, every three years.

### **3. Street Collections**

- 3.1. Raising money or selling goods for charity in the street or any other public place requires permission from Lichfield District Council. These collections (usually referred to as “street collections”) most commonly take the form of a collector asking members of the public to make a donation in a collecting box. A Street includes any highway and any public bridge, road, lane, footway, square, court, alley or passage, whether a thoroughfare or not.
- 3.2. Street Collections are covered by regulations made under the Police, Factories etc (Miscellaneous Provisions) Act 1916 as amended by section 251, schedule 29 of the local government act 1972. The regulations are attached at Appendix A.

#### **General Principles**

- 3.3. Charities must be registered with the Charity Commission or be a charitable organisation based within the district of Lichfield or supporting residents of Lichfield district.
- 3.4. Applications will normally be granted on a first come first served basis. No guarantee can be given that an organisation preferred collection date will be available or be allocated to that organisation.
- 3.5. No more than 3 Collections per charity per calendar year will be allowed in the Lichfield District.
- 3.6. Only 1 collection will be permitted at any one time.
- 3.7. Collections can take place on any day of the week including Public Holidays.
- 3.8. Only 1 collection will be permitted Monday – Sunday.
- 3.9. Lichfield District Council will restrict the number of people taking part in a collection to three.
- 3.10. Exceptions to this policy may be made for collections such as the Royal British Legions Poppy Appeal.
- 3.11. The use of tables, stalls, trailers, vehicles or other displays or advertising in collection with a Street Collection will not be permitted unless the collection is part of a separate promotion or activity approved by the Licensing Department. The use of animals will only be permitted with the express consent of the Licensing Authority and with the necessary Public Liability Insurance in place.

## Application

- 3.12. An application for a Street Collection Permit must be made to the Council in writing on the prescribed application form no later than one month before the proposed collection date. The application period of one month may be reduced if there are special reasons for doing so.
- 3.13. Street Collection Permit Application forms may be downloaded from the Council's website together with a copy of the street collection regulations or alternatively obtained from the Council's Licensing Section at the following address:- Lichfield District Council, District Council House, Frog Lane, Lichfield, Staffordshire, WS13 6YU, Telephone 01543 308073 Email [licensing@lichfielddc.gov.uk](mailto:licensing@lichfielddc.gov.uk).
- 3.14. The application form must be fully and correctly completed and accompanied by any required information.
- 3.15. The application form will need to include the location from which the organisation wishes to collect, the date & time of the collection and the number of collectors to be used.
- 3.16. Where the application is on behalf of a registered charity a letter of authority is required and this must accompany the application form.
- 3.17. Failure to provide the necessary information may result in an application being delayed or refused.
- 3.18. Applications will be considered by the Licensing Authority on their respective merits and the Licensing Authority will either:
- Issue a permit specifying the requested date and location; or
  - Refuse to issue a permit.
- 3.19. Within one month after the date of any collection or sale the person, society, committee or other body of persons responsible for the collection shall forward to Lichfield District Council's Licensing Department a statement in the form set out in the schedule to the regulations.
- 3.20. The proceeds of statement form must be certified by the auditor of the society or by some independent responsible person.
- 3.21. This statement of returns must detail the amount received, the expenses incurred in connection with such collection or sale.
- 3.22. Where a street collection application has been refused, the applicant will be advised in writing of the reasons for refusal.
- 3.23. There is no formal right of appeal against any decision made by the Council to grant or refused an application for a street collection permit, other than by way of Judicial Review. However in the interest of fairness if an organisation is unhappy about the decision to

refuse their application they can request that the decision is reviewed. They should do so by writing to the Head of Regulatory Services, Housing and Wellbeing Lichfield District Council, District Council House, Frog Lane, Lichfield, Staffordshire, WS13 6YU.

### **Direct Debit collections**

- 3.24. Direct Debit collections are where pledges are collected for direct debit donations. This type of collection does not require permission from the Local Authority as there are no legal provisions for these types of collections.
- 3.25. In an attempt to regulate the frequency and location of Direct Debit collections the council has entered into a site agreement with the Public Fundraising Regulatory Association (PFRA).

## **4. House to House Collections**

- 4.1. House to House collections involve the collection of either money or items directly from a person's property. They are a vital source of funds for many charities as they offer a positive opportunity for the public to support charities. However, they need to be carried out for the benefit of the charity and in accordance with the law.
- 4.2. There has been an increase in the number of bogus House to House collectors in the last few years and as such it is vital that licences are issued to legitimate applicants. This can give the public confidence that if the collection is licensed an adequate proportion of their donations are being given to the appropriate charity.
- 4.3. House to House collections are currently regulated by the House to House collections Act 1939 and the House to House Collections Regulations 1947. These regulations are attached as Appendix Two.
- 4.4. As a general rule, house to house collections for charitable, benevolent or philanthropic purposes, whether or not the purpose is charitable within the meaning of the rule of law, are required to be licensed by Lichfield District Council as the Licensing Authority.
- 4.5. There are National Exemption Orders that are available to charities who have undertaken a high number of collections across local authority areas nationally in the preceding two years. Exemption certificates are issued by the Cabinet Office directly and allow an organisation to collect in the District without applying for a licence from the Licensing Authority. The organisation will not be exempted from the regulations or provisions of the Act and the organisation must inform the Licensing Authority of the dates and wards of any planned collections

## **General Principles**

- 4.6. Charities must be registered with the Charity Commission or be a charitable organisation based within the district of Lichfield or providing support to residents of Lichfield District.
- 4.7. Applications must be on behalf of charitable organisations. Applications from private companies for commercial reasons will not be considered.
- 4.8. Lichfield District Council will only allow 1 House to House Collection in any one area at any one given time.
- 4.9. Lichfield District Council will only allow an organisation to collect on six occasions per calendar year.
- 4.10. The maximum duration of any one collection will not exceed 2 weeks.
- 4.11. No collection shall be made other than on the time period specified on the permit.
- 4.12. Charities should not collect from households displaying no cold calling cards or in cold calling zones.
- 4.13. No collection shall be made in a manner likely to inconvenience or annoy any person
- 4.14. No collector shall pester any person to the annoyance of such a person.
- 4.15. When granting a licence for a house to house collection, the Council must be satisfied the applicant is a fit and proper person to hold a House to House Collection Licence. In deciding whether an applicant is fit and proper where there are convictions/cautions the Council will take into consideration the following:-
  - Whether the conviction is relevant
  - The seriousness of the offence
  - In accordance with the Rehabilitation of offenders Act 1974, the length of time since the offence occurred
  - Whether there is a pattern of offending behaviour
  - Whether that person's circumstances have changed since the offence occurred, and the circumstances surrounding the offence and the explanation offered by that person.

## **Application Procedure**

- 4.16. Applications are to be made in writing no later than one month before the collection is due to take place, this period may be reduced if the Council are satisfied there are special reasons for doing so.
- 4.17. Applications will be dealt with on a first come first served basis.

- 4.18. Failure to provide the necessary information may result in an application being delayed or refused.
- 4.19. Anyone wishing to conduct a house to house collection must complete the relevant application form.
- 4.20. Applicants must supply information relating to:-
- Whether it is a registered charity (please state number), and the objectives of the charitable cause as supplied to the Charity Commission
  - A statement of the organisations aims as detailed in any literature
  - Details of the history of the organisation, i.e when formed, names of trustees, directors, organisers etc.
  - Relevant accounts and financial statements of the organisation.
  - A written agreement between the applicant and organisation
  - A declaration of any previous refusals for House to House Collections
- 4.21. Applicants must also provide details of the following:-
- How much the charity will receive as part of the collection
  - The percentage of the cost of running the collection
- 4.22. If the organisation has operated collections before a clear set of returns must be supplied.
- 4.23. Lichfield District Council may, in granting a permit, limit the collection to such streets or areas or such parts thereof as it thinks fit and specified on the permit. Lichfield District Council have a number of no uninvited traders zone's. Any applications that are granted a House to House collection permit these streets will be excluded from that permit.
- 4.24. Applicants will need to complete a declaration of convictions and submit this along with any application for a house to house collection licence.
- 4.25. Within one month after the date of any collection the person to whom a permit has been granted shall forward to Lichfield District Council:-
- A statement in the form set out in the schedule to these regulations, or in a form to the like effect, showing the amount received and the expenses and payments and payments incurred in connection with such collection and certified by that person and a member of the receiving charity in the form of a letter headed response
  - List of collectors
  - List of the amounts collected in each collecting box
- 4.26. The Council may refuse to grant a licence or, where a licence has been granted, revoke that licence where it appears to the Council that:
- The total amount likely to be given for charitable purposes as the result of the collection (including any amount already given) is inadequate in proportion to



the value of the proceeds likely to be received (including any proceeds already received)

- That the remuneration by any person is excessive in relation to the total amount received or likely to be received
- The grant of a licence would be likely to facilitate the commission of an offence under section three of the vagrancy act 1824, or that an offence under that section has been committed in connection with the collection
- The applicant or the holder of the licence is not a fit and proper person to hold a licence by reason of the fact that he has been convicted in the United Kingdom of any of the offences specified in the Schedule to this Act, or has been convicted in any part of Her Majesty's dominions of any offence conviction for which necessarily involved a finding that he acted fraudulently or dishonestly, or of an offence of a kind the commission of which would be likely to be facilitated by the grant of a Licence
- The applicant or the holder of the Licence, in promoting a collection in respect of which a Licence has been granted to him, has failed to exercise due diligence to secure that persons authorised by him to act as collectors for the purposes of the collection were fit and proper persons, to secure compliance on the part of persons so authorised with the provisions of regulations made under this Act, or to prevent prescribed badges or prescribed certificates of authority being obtained by persons other than persons so authorised or
- The applicant or holder of the licence has refused or neglected to furnish to the authority such information as they may have reasonably required for the purpose of informing themselves as to any of the matters specified in the foregoing paragraphs.

4.27. In addition, any action taken as a result of not complying with regulations on operating house to house collections would also be grounds for refusal, unless there are extenuating circumstances.

4.28. In order for the Council to be confident that the amount being given to charity is proportionate, the financial information provided on the application form and on any returns has to be detailed and accurate. Failure to provide detailed and accurate financial information may result in an application being refused or delayed.

4.29. In deciding whether the amount given to charity is proportionate the Council will use the following as a guideline:-

- The Council understands there are costs associated with organising and carrying out a house to house collection; however the costs associated with any one collection need to be balanced against the perception of the public that all of the items or money they donate will be given to charity. Therefore, the council will consider refusing an application where less than 80% of the value of the collection is being donated to the charity named in the application.
- It is also common practice for collectors to be paid by organisations to collect money and products. When determining the remuneration and whether it is excessive, the nature of the business and the overheads should be taken into

account and balanced against the amount being given to the charity. The salaries received by directors and key employees should also be considered as part of this assessment. Therefore the council will give consideration to refusing an application where the amount of remuneration is greater than 20% of the value of the collection.

- 4.30. If no previous returns have been supplied to the council after previous licensed collections then any further applications are likely to be refused.
- 4.31. Any person aggrieved by the refusal to grant a licence or by the revocation of a licence already granted, may appeal against the decision within fourteen days of the date of the notice of refusal or revocation, as shown on the notice. Any appeal must be made to the relevant Secretary of State.

DRAFT

## Appendix A

### 5. Street Collection Regulations

- 5.1. In these Regulations, unless the context otherwise requires – “collection” means a collection of money for the benefit of charitable or other purposes and the word “collector” shall be constructed accordingly;
- “promoter” means a person who causes others to act as collectors;
  - “the licensing authority” means Lichfield District Council;
  - “permit” means a permit for collection;
  - “contributor” means a person who contributes to a collection and includes a purchaser of articles for sale for the benefit of charitable or other purposes;
  - “collection box” means a box or other receptacle for the reception of money from contributors.
- 5.2. No collection, other than a collection taken at a meeting in the open air shall be made in any street or public place within the District of Lichfield unless a promoter shall have obtained from the Licensing Authority a permit.
- 5.3. Application for a permit shall be made in writing not later than one month before the date on which it is proposed to make the collection. Provided that the Licensing Authority may reduce the period of one month if satisfied that there are special reasons for so doing.
- 5.4. No collection shall be made except upon the day stated in the permit.
- 5.5. The Licensing Authority may, in granting a permit, limit the collection to such streets or public places or such parts thereof as it thinks fit.
- 5.6. No person may assist or take part in any collection without the written authority of a promoter.
- 5.7. Any person authorised under paragraph (a) above shall produce such written authority forthwith for inspection on being requested to do so by a duly authorised officer of the Licensing Authority or any police constable.
- 5.8. No collection shall be made in any part of the carriageway of any street which has a footway. Provided that the Licensing Authority may, if it thinks fit, allow a collection to take place on the said carriageway where such collection has been authorised to be held in connection with a procession.
- 5.9. No collection shall be made in a manner likely to inconvenience or annoy any person.
- 5.10. No collector shall importune any person to the annoyance of such person.
- 5.11. While collecting (a) a collector shall remain stationary; and (b) a collector or two collectors together shall not be nearer to another collector than 25 meters;

- 5.12. Provided that the Licensing Authority may, if it thinks fit, waive the requirement of this Regulation in respect of a collection which has been authorised to be held in connection with a procession.
- 5.13. No promotor, collector or person who is otherwise connected with a collection shall permit a person under the age of 16 years to act as a collector.
- 5.14. Where cash collections are taking place (a) Every collector shall carry a collecting box (b) all collecting boxes shall be numbered consecutively and shall be securely closed and sealed in such a way as to prevent them being opened without the seal being broken. (c) all money received by a collector from contributors shall immediately be placed in a collecting box. (d) every collector shall deliver, unopened, all collecting boxes in his possession to a promoter.
- 5.15. A collector shall not carry or use any collecting box, receptacle or tray which does not bear displayed prominently thereon the name of the charity or fund which is to benefit nor any collecting box which is duly numbered.
- 5.16. Subject to paragraph (5.17) below a collecting box shall be opened in the presence of a promoter and another responsible person.
- 5.17. Where a collecting box is delivered, unopened, to a bank, it may be opened by an official of the bank.
- 5.18. As soon as a collecting box has been opened, the person opening it shall count the contents and shall enter the amount with the number of the collecting box on a list which shall be certified by that person.
- 5.19. No payment shall be made to a collector.
- 5.20. No Payment shall be made out of the proceeds of a collection, either directly or indirectly, to any other person connected with the promotion or conduct of such collection for, or in respect of, services connected therewith, except such payments as may have been approved by the Licensing Authority.
- 5.21. Within one month after the date of any collection the person to whom a permit has been granted shall forward to the Licensing Authority –
- A statement in the form set out in the Schedule to the Street Collection Regulations in the District or in a form to the like effect, showing the amount/pledges received and the expenses and payments incurred in connection with such collection, and certified by that person and a qualified accountant.
  - A list of the collectors
  - A list of the amounts contained in each collecting box
  - And shall if required by the Licensing Authority satisfy it as to the proper application of the proceeds of the collection.
- 5.22. The said person shall also, within the same period, at the expense of that person and after a qualified accountant has given his certificate under paragraph (a)(i) above, publish in such newspaper or newspapers as the Licensing Authority may direct a statement showing the name of the person to whom the permit has been granted, the area to which the permit

relates, the name of the charity or fund to benefit, the date of the collection, the amount collected, and the amount of the expenses and payments incurred in connection with such collection.

- 5.23. The Licensing Authority may, if satisfied there are special reasons for so doing extend the period of one month referred to in paragraph (a) above.
- 5.24. For the purposes of this Regulation 'a qualified accountant' means a member of one or more of the following bodies:
- The institute of Chartered Accountants in England and Wales
  - The institute of chartered accountants of Scotland
  - The association of certified accountants
  - The institute of chartered accountants in Ireland
- 5.25. If a collection results in a sum of £500 or less being collected the Licensing Authority may if it thinks fit waive the requirements in Paragraph (a), sub-paragraph (i) and paragraph (b) of this regulation, that the statement of accounts shall be certified by a qualified accountant and waive the need to publish a notice in a newspaper as the Licensing Authority may direct a statement showing the name of the person to whom the permit has been granted, the area to which the permit relates, the name of the charity or fund to benefit, the date of the collection, the amount collected, and the amount of expenses and payments and substitute therefore a certificate signed by an independent person acceptable to the Licensing Authority.
- 5.26. These regulations shall not apply:
- In respect of a collection taken at a meeting in the open air; or
  - To the selling of articles in any street or public place when the articles are sold in the ordinary course of trade
  - Any person who acts in contravention of any of the foregoing regulations shall be liable on summary conviction to a fine not exceeding level 1 on the standard scale.

## Appendix B

### 6. House to House Regulations

- 6.1. These regulations may be cited as the House to House collections Regulations 1947, and shall come into operation on the twenty-ninth day of December 1947.
- 6.2. These regulations shall not extend to Scotland.
- 6.3. In these regulations, unless the context otherwise requires-
- 'The Act' means the House to House Collections Act 1939;
  - 'chief promoter' in relation to a collection, means a person to whom a licence has been granted authorising him to promote that collection or in respect of whom an order has been made directing that he shall be exempt from the provisions of Subsection (2) or Section 1 of the Act as respects that collection.
  - 'collecting box' means a box or other receptacle for monetary contributions, securely closed and sealed in such a way that it cannot be opened without breaking a seal;
  - 'licence' means a licence granted by the Local Authority under section 2 of the Act
  - 'order' means an order made by the Secretary of State under Section 3 of the Act
  - 'prescribed badge' means a badge in the form set out in the fourth Schedule to these regulations
  - 'prescribed certificate of authority' means a certificate in the form set out in the Third Schedule to these regulations
  - 'receipt book' means a book of detachable forms of receipt consecutively numbered with counterfoils or duplicates correspondingly numbered
  - 'street collection' means a collection or sale to which regulations made under section 5 of the Police, Factories, etc (Miscellaneous Provisions) Act 1916, apply
- 6.4. A mark shall for the purposes of these regulations be deemed to have been made on a collecting box if it is made on a wrapper securely gummed to the collecting box.
- 6.5. The interpretation act 1889 applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.
- 6.6. Every certificate granted under subsection (4) of section 1 of the Act shall be in the form set out in the First Schedule to these regulations, and sections 5 and 6 and subsections (4) and (5) of section 8 of the Act shall be set forth on the back of every such certificate.
- 6.7. Where such a certificate is granted as aforesaid, the provisions of these regulations shall not apply, in relation to a collection made for the purpose specified on the certificate, within the locality and within the period so specified, to the person to whom the certificate is granted or to any person authorised by him to act as a collector for the purposes of that collection.

- 6.8. An application for a licence shall be in the form set out in the Second Schedule to these regulations, and shall give the particulars there specified
- 6.9. An application for a licence or for an order shall be made not later than the first day of the month preceding that in which it is proposed to commence the collection.
- 6.10. Providing that the District Council or as the case may be, the Secretary of State may grant the application notwithstanding that it was not made within the time required by this paragraph if satisfied that there are special reasons for so doing.
- 6.11. Every promoter of a collection shall exercise all due diligence.
- 6.12. To secure that persons authorised to act as collectors for the purposes of the collection are fit and proper persons; and
- 6.13. To secure compliance on the part of persons so authorised with the provisions of these regulations
- 6.14. No promoter of a collection shall permit any person to act as a collector, unless he has issued or caused to be issued to that person
- 6.15. A prescribed certificate of authority duly completed (except as regards the signature of the collector) and signed by or on behalf of the chief promoter of the collection
- 6.16. A prescribed badge, having inserted therein or annexed thereto a general indication of the purpose of the collection; and
- 6.17. If money is to be collected, a collecting box or receipt book marked with a clear indication of the purpose of the collection and a distinguishing number, which indication and number shall in the case of a receipt book, also be marked on every receipt contained therein addition to the consecutive number of the receipt.
- 6.18. Every promoter of a collection shall exercise all due diligence to secure-
- 6.19. That no prescribed certificate of authority, prescribed badge, collecting box or receipt book is issued, unless the name and address of the collector to whom it is issued have been entered on a list showing in respect of any collecting box or receipt book the distinguishing number thereof; and
- 6.20. That every prescribed certificate of authority, prescribed badge, collecting box or receipt book issued by him or on his behalf is returned when the collection is completed or when for any other reason a collector ceases to act as such.
- 6.21. In the case of a collection in respect of which a licence has been granted-
- Every prescribed certificate of authority shall be given on a form obtained from Her Majesty's Stationary Office, and every prescribed badge shall be so obtained; and
  - Every prescribed certificate of authority shall be authenticated, and the general indication on every prescribed badge of the purpose of the collection

shall be inserted therein or annexed thereto in a manner approved by the licensing authority for the area in respect of which the licence was granted

- 6.22. Every collector shall:
- Sign his name on the prescribed certificate of authority issued to him and produce it on the demand of any police constable or of any occupant of a house visited by him for the purpose of collection
  - Sign his name on the prescribed badge issued to him and wear the badge prominently whenever he is engaged in collecting; and
  - Keep such certificate and badge in his possession and return them to a promoter of the collection on replacement thereof or when the collection is completed or at any other time on the demand of a promoter of the collection.
- 6.23. No person under the age of 16 years shall act or be authorised to act as a collector of money
- 6.24. No collector shall importune any person to the annoyance of such person, or remain in, or at the door of, any house if requested to leave by any occupant thereof
- 6.25. Where a collector is collecting money by means of a collecting box, he shall not receive any contribution save by permitting the person from whom it is received to place it in a collecting box issued to him by a promoter of the collection.
- 6.26. Where as collector is collecting money by other means than a collecting box, he shall upon receiving a contribution from any person, forthwith and in the presence of such person enter on a form of receipt in a receipt book issued to him by a promoter of the collection and on the corresponding counterfoil or duplicate, the date, the name of the contributor and the amount contributed, and shall sign the form of receipt, the entries and signature being in ink or indelible pencil, and shall hand the form of receipt to the person from whom he received the contribution.
- 6.27. Every collector, to whom a collecting box or receipt book has been issued, shall –
- When the collecting box is full or the receipt book is exhausted or
  - Upon the demand of a promoter of the collection or
  - When he does not desire to act as a collector or
  - Upon the completion of the collection
- Return to a promoter of the collection that collecting box with the seal unbroken or that receipt book with a sum equal to the total amount of the contributions (if any) entered therein.
- 6.28. Subject as provided in paragraph (2) of this regulation, a collecting box when returned shall be examined by, and if it contains money, be opened in the presence of, a promoter of the collection and another responsible person.
- 6.29. Where a collection box is delivered unopened to a bank, it may be examined and opened by an official of the bank in the absence of a promoter of the collection.



- 6.30. As soon as a collecting box has been opened, the contents shall be counted and the amount shall be entered with the distinguishing number of the collecting box in a list which shall be certified by the persons making the examination.
- 6.31. Every receipt book when returned and all sums received therewith shall be examined by a promoter of the collection and another responsible person, and the amount of the contributions entered in the receipt book shall be checked with the money and entered with the distinguishing number of the receipt book on a list, which shall be certified by the persons making the examination.
- 6.32. Where the promoter of a collection to whom an order has been granted informs the Secretary of State that he desires to promote an envelope collection, and the Secretary of State is of opinion that the collection is for charitable purposes of major importance and is suitably administered, the Secretary of State may, if he thinks fit, give permission for the promotion of an envelope collection.
- 6.33. Where an envelope collection is made in accordance with this regulation.
- Every envelope used shall have a gummed flap by means of which it can be securely closed.
  - No collector shall receive a contribution except in an envelope which has been so closed; and
- 6.34. These regulations shall have effect subject to the following modifications:-
- Sub-paragraph (c) of paragraph (1) of regulation 6 shall not apply;
  - Regulation 10 shall not apply
- 6.35. Regulation 11 and 12 shall have effect as if each envelope in which a contribution is received were a collecting box;
- 6.36. In regulation 11 for the words 'with the seal unbroken' there shall be substituted the word 'unopened';
- 6.37. In paragraph (3) of regulation 12 for the words 'As soon as a collecting box has been opened' there shall be substituted the words 'As soon as the envelope has been opened' and the words 'with the distinguishing number of the collecting box shall be omitted.
- 6.38. In this regulation 'envelope collection' means a collection made by persons going from house to house leaving envelopes in which money may be placed and which are subsequently called for.
- 6.39. The chief promoter of a collection in respect of which a licence has been granted shall furnish an account of the collection to the licence authority by which the licence was granted within one month of the expiry of the licence.
- 6.40. Provided that if licences are granted to the same person for collections to be made for the same purpose in more than one licensing areas a combined account of the collections made in all or any of those licensing areas may, by agreement between the chief promoter and the respective licensing authorities be made only to such of the respective licensing authorities as may be so agreed.

- 6.41. The chief promoter of a collection in respect of which an order has been made shall furnish an account annually to the secretary of state so long as the order remains in force, and if the order is revoked a final account shall be furnished within three months of the date of the revocation of the order.
- 6.42. The licensing authority or the secretary of state may extend the period within which an account is required to be furnished to the authority or to him, as the case may be, if satisfied that there are special reasons for so doing.
- 6.43. The chief promoter of a collection which is made in connection in whole or in part with a street collection of which an account is required to be furnished to a licensing authority by regulations made under section 5 of the Police, Factories, etc (Miscellaneous Provisions) Act 1916, may, if the said licensing authority agrees, combine the accounts of the house to house collection, in so far as it is made in connection with the street collection, with the accounts of the street collection and the amount so included in the combined account not be required to form part of the account required to be furnished under paragraph (1) or, as the case may be, paragraph (2) of this regulation, so, however that in the case of an account furnished under the said paragraph (2) the account shall show in addition to an account in respect of moneys received from house to house collections not made in connection with a street collection, a statement showing the total proceeds of all combined collections, the total expenses and the balance applied to charitable purposes.
- 6.44. The account required by the preceding regulation-
- Where money has been collected, shall be furnished in the form set out in the Fifth Schedule to these regulations and, where property has been collected and sold, shall be furnished in the form set out in the Sixth Schedule to these regulations, and in either case shall be certified by the chief promoter of the collection and by an independent responsible person as auditor; and
  - Where property (other than money) has been collected and given away or used, shall be furnished in the form set out in the Seventh Schedule to these regulations and shall be certified by the chief promoter and by every person responsible for the disposal of the property collected.
- 6.45. Every account furnished under paragraph (a) of regulation 15 of these regulations shall be accompanied by vouchers for each item of the expenses and application of the proceeds and, in the case of a collection of money, by every receipt book used for the purpose of the collection and by the list referred to in paragraph (2) of regulation 6 of these regulations and the list referred to in regulation 12 of these regulations.
- 6.46. Paragraph (1) of this regulation shall not apply to an account certified by an auditor who is a member of an association or society of accountants incorporated at the date of these regulations or is on other grounds accepted as competent by the authority to which the account is submitted, but where in such a case the vouchers, receipt books and lists mentioned in the said paragraph (1) are not submitted with an account, the chief promoter shall ensure that they are available for three months after the account is submitted and shall, if the authority to which the account was submitted so required at any time within that period, submit them to that authority.
- 6.47. The chief promoter of a collection shall exercise all due diligence to secure that all forms of prescribed certificated of authority and prescribed badges obtained by him for that purposes of the collection are destroyed when no longer required in connection with that

collection or in connection with a further collection which he has been authorised to promote for the same purpose.

DRAFT