

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

A GUIDE TO THE HOUSE TO HOUSE COLLECTIONS ACT 1939 AND THE HOUSE TO HOUSE COLLECTIONS REGULATIONS 1947 (AS AMENDED)

1. INTRODUCTION

The provisions of the above Act and Regulations govern house to house collections for charitable purposes. It is important that promoters and collectors are aware of these provisions as offences can result in fines and/or imprisonment.

These notes are intended as a guide to the main provisions of the law. However, they are **not** a definitive statement of the legal provisions and, if in doubt, you should refer direct to the Act or the Regulations, **not** rely on these notes. Copies of the Act and Regulations can be purchased from H M Stationery Office, PO Box 569, London, SE1 9NH or through a book seller.

2. THE ACT

- 2.1 It is an offence to promote or make a house to house collection for a charitable purpose without the promoter first obtaining a licence.
- 2.2 The chief officer of police may grant a local exemption certificate if he is satisfied that a collection is local in character and likely to be completed in a short time.
- 2.3 An application for a licence must be submitted in respect of each of the district council areas within which the collection is intended to take place.
- 2.4 Applications must be made on the prescribed form not later than the first day of the month preceding that in which the collection is proposed to be held. This requirement may only be waived if there are, in the opinion of the licensing authority, special reasons for doing so.
- 2.5 The Council may only refuse to grant a licence on one or more of the grounds specified in the Act.
- 2.6 A licence may be granted for a period normally not exceeding 1 year.
- 2.7 The Home Secretary may grant an exemption order in respect of collections to be carried out throughout the whole (or a substantial part) of England.
- 2.8 It is an offence to use certificates of authority or badges in any way calculated to deceive the public.
- 2.9 Collectors must give their names and addresses to the police on demand.

3. THE REGULATIONS

- 3.1 Promoters must ensure that collectors are "fit and proper persons" and that they comply with the regulations.
- 3.2 The promoter must issue all collectors with a certificate of authority and a badge and also, if money is to be collected, a collecting box or receipt book clearly marked with the purpose of the collection and a distinguishing number.
- 3.3 The promoter must keep a list of the names and addresses of the collectors to whom certificates of authority, badges, collecting boxes or receipt books have been issued.
- 3.4 The promoter must ensure that certificates of authority, badges, collecting boxes and receipt books are returned by collectors on completion of the collection.
- 3.5 Certificates of authority and badges must be obtained from Her Majesty's Stationery Office.
- 3.6 Collectors must:
 - (a) Sign the certificate of authority and produce it on demand to the police or householders.

- (b) Sign the badge and wear it whilst collecting.
- (c) Return the certificate and badge to the promoter on completion of the collection.
- 3.7 No-one under the age of 16 years may collect money.
- 3.8 No collector shall annoy householders and must leave the premises if requested to do so.
- 3.9 If collecting boxes are being used, all contributions must be placed in the boxes.
- 3.10 If collecting boxes are not being used, a receipt must be given for each contribution and a counterfoil or duplicate retained. These must show the date, name of contributor, amount contributed and the signature of the collector.
- 3.11 Collectors must return collecting boxes and receipt books and all monies collected to the promoter.
- 3.12 The promoter must open collecting boxes in the presence of another responsible person and record the contents of each collecting box or, if receipts are used, check in the presence of another responsible person and that the amount collected is the same as the total value of receipts issued.
- 3.13 The Home Secretary may give permission for an envelope collection. In these cases:
 - (a) Every envelope must have a gummed flap by which it can be sealed.
 - (b) All contributions must be made in the envelopes.
 - (c) The other regulations still apply.
- 3.14 The promoters must furnish accounts of the collection to the Council certified by himself and an independent responsible person acting as auditor within one month of the expiry of the licence. This period may be extended if the Council is satisfied that there are special reasons for doing so.
- 3.15 The accounts must be submitted on the prescribed form and must be accompanied by either the list of collectors and the amount of money in each box or the receipt books **unless** the accounts have been certified by a competent auditor. Even where this is done, they must remain available for a period of 3 months and be submitted to the Council upon request.
- 3.16 The promoter must ensure that all certificates of authority and badges are destroyed when no longer required.

4. DEFINITIONS

- 4.1 "Charitable purpose" means any charitable, benevolent or philanthropic purpose.
- 4.2 "Collection" means an appeal to the public made by means of visits from house to house to give, whether for consideration or not, money or other property.
- 4.3 "Collector" means, in relation to a collection, a person who makes the appeal in the course of such visits.
- 4.4 "House" includes a place of business.
- 4.5 "Proceeds" means all money and all other property given, whether for consideration or not, in response to the appeal.
- 4.6 "Promoter" means a person who causes others to act, whether for remuneration or otherwise, as collectors for the purposes of the collection.