

HOUSE TO HOUSE COLLECTIONS ACT 1939

House to House Collections Regulations 1947
(as amended)

The above Act and the Regulations made thereunder contain important provisions for THE REGULATIONS OF HOUSE TO HOUSE COLLECTIONS FOR CHARITABLE PURPOSES, and prescribes FINES AND/OR IMPRISONMENT for offences against the Act of the Regulations.

1. Except in the cases specified in Paragraphs 3 and 4:-

No Collection in any locality for a charitable purpose may be made, unless the promoter is licensed by the Licensing Authority for the area comprising that locality, and the collectors are authorised by the promoter.

2. Application for a licence must be made in the prescribed manner. The Licensing Authority cannot grant a licence for a period longer than twelve months and may refuse a licence, or where granted, may revoke it, in circumstances specified in the Act.

There is a right of Appeal to the Secretary of State against the refusal or the revocation of a licence, within fourteen days from the date on which notice is given of the refusal or the revocation.

3. Where the Secretary of State is satisfied that a person pursues a charitable purpose throughout the whole, or a substantial part, of England and Wales, and is desirous of promoting collections for that purpose, the Secretary of State may by Order direct, in effect, that such person shall be exempt from the requirement to obtain licences from the Licensing Authority, as respect all collections for that purpose in such localities as may be described in the Order.

4. If the Chief Constable for the Police Area comprising a locality in which a collection for a charitable purpose is being, or proposed to be, made is satisfied that the purpose is local in character, and that the collection is likely to be completed within a short period, he may grant to the person who appears to him to be principally concerned in the promotion of the collection a Certificate in the prescribed form: and where a Certificate is so granted, a Licence from the Licensing Authority is not required, and the provisions of the Regulations (as to which see Paragraph 5 below) shall not apply to a collection made in conformity with such Certificates.

5. Regulations have been made by the Secretary of State under the Act. The Regulations include the following, amongst other provisions:-
- (a) Every promoter of a collection must exercise all due diligence to secure that persons authorised to act as collectors are fit and proper persons; and to secure compliance by collectors with the regulations.
 - (b) No promoter of a collection shall permit any person to act as a collector unless he has issued to that person:-
 - (i) a prescribed Certificate of Authority ;
 - (ii) a prescribed badge ;
 - (iii) if money is to be collected, a Collecting Box marked, or a Receipt Book (with receipts and counterfoils or duplicates consecutively numbered) marked on every receipt, with a general indication of the purpose of the collection, and a distinguishing number.
 - (c) 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 H.M. Stationery Office, and every prescribed Badge shall be so obtained.
 - (d) No person under the age of 16 years, shall act or be authorised to act as a collector of money.
 - (e) 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 the occupant thereof.
 - (f) The promoter of a collection must furnish an account of the collection in the form prescribed to the Licensing Authority or the Secretary of State, as the case may be.

DEFINITIONS

6. *"Charitable Purpose" means any charitable, benevolent, or philanthropic purpose.*

"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; and "Collector" means a person who makes the appeal in the course of such visits.

"House" includes a place of business

"Proceeds" means, in relation to a collection, all money and all other property given, whether for consideration or not, in response to the appeal.

"Promoter" means a person who causes others to act as collectors for the purposes of the collection.

SECTIONS OF THE 1947 REGULATIONS RELATING TO HOUSE TO HOUSE COLLECTIONS LICENSED BY THE LOCAL AUTHORITY.

SECTION 6 CERTIFICATES OF AUTHORITY, BADGES, COLLECTING BOXES AND RECEIPT BOOKS.

1. No promoter of a collection shall permit any person to act as a collector, unless he has been issued or caused to be issued to that person:-
 - (a) 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;
 - (b) a prescribed badge, having inserted therein or annexed thereto a general indication of the purpose of the collection; and
 - (c) 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 in addition to the consecutive number of the receipt.

2. Every promoter of a collection shall exercise all due diligence to secure:-
 - (a) 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 has been entered on a list showing in respect of any collecting box or receipt book the distinguishing number thereof; and
 - (b) 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.

3. In the case of a collection in respect of which a licence has been granted:-
 - (a) every prescribed certificate of authority shall be given on a form obtained from Her Majesty's Stationery Office, and every prescribed badge shall be obtained so; and
 - (c) 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 local authority for the area in respect of which the licence was granted.

SECTION 7 DUTIES OF COLLECTORS IN RELATION TO CERTIFICATES AND BADGES.

Every collector shall:-

- (a) sign his name on the prescribed certificate of authority issued to him and produce it on demand of any police constable or of any occupant of a house visited by him for the purpose of collection;
- (b) sign his name on the prescribed badge issued to him and wear the badge prominently whenever he is engaged in collecting; and
- (c) keep such certificate and badge in his possession and return them to the promoter of the collection on replacement thereof or when the collection is completed or at any time on the demand of a promoter of the collection.

SECTION 8 AGE LIMIT

No person under the age of 16 years shall act or be authorised to act as a collector of money.

SECTION 9 IMPORTUNING

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 the occupant thereof.

SECTION 10 COLLECTION OF MONEY

1. 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.
2. Where a 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 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.

SECTION 11 DUTY OF COLLECTORS TO RETURN BOXES AND BOOKS.

Every collector, to whom a collecting box or receipt book has been issued, shall: -

- (a) when the collecting box is full or the receipt book has been exhausted;
- (b) upon demand of a promoter of the collection; or
- (c) upon the completion of the collection, return to a promoter of the collection that collection box with the seal unbroken

or that receipt book with a sum equal to the total amount of the contributions (of any) entered therein.

SECTION 12 EXAMINATION OF BOXES AND BOOKS

1. 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.
2. 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.
3. 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 on a list, which shall be certified by the persons making the examination.
4. 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.

SECTION 13 (REFERS TO ORGANISATIONS REGISTERED BY THE HOME OFFICE)

SECTION 14 PROMOTERS TO FURNISH ACCOUNTS.

1. The chief promoter of a collection in respect of which a licence has been granted shall furnish an account of the collection to the licensing authority by which a licence was granted within one month of the expiry of the licence.

Provided that if licences are granted to the same person for collections to be made for the same purpose in more than one licensing authority area, a combined account of the collections made in all or any of those areas may, by agreement between the chief promoter and respective licensing authorities as may be so agreed.

2. 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.
3. 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 doing so.
4. 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 may, if the said authority agrees,

combine the accounts of the house to house collection (insofar 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 shall 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.

SECTION 15 FORM AND CERTIFICATION OF ACCOUNTS.

The account required by the preceding regulation:-

- (a) where money has been collected shall be furnished on the enclosed form, and shall be certified by the chief promoter of the collection and by an independent responsible person as auditor.

SECTION 16 VOUCHING OF ACCOUNTS.

1. Every account furnished under paragraph (a) of regulation 15 of these regulations shall be accompanied by vouchers for each item of the expenses, an application of the proceeds and, in the case of a collection of money, by every receipt book used for the purposes 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.
2. Paragraph (1) of this regulation shall not apply to an account certified by an auditor who is a member of an association of 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 requires at any time within that period submit them to that authority.

SECTION 17 DISPOSAL OF DISUSED CERTIFICATES OF AUTHORITY, ETC.

The chief promoter of a collection shall exercise all due diligence to secure that all forms of prescribed certificates of authority and prescribed badges obtained by him for the 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.