

**Rotherham Metropolitan Borough Council**

**HOUSE TO HOUSE COLLECTIONS POLICY**

**December 2023**

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## 1. Introduction

### Aim of this Policy

This policy aims to ensure that residents in the Rotherham Borough boundary area who want to donate to a charitable or good cause through house to house collections are able to do so secure in the knowledge that an adequate proportion of what they donate will directly benefit the named charity or good cause.

This policy was originally introduced in 2019, and was fully reviewed in 2023 to ensure that the aim of the policy is being achieved.

### General Information Regarding House to House Collections

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.

There has been an increase in the number of house to house collectors in the Borough over the last few years and as such it is vital that permits 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.

House to house collections are currently regulated by the House to House Collections Act 1939 and the House to House Collections Regulations 1947. Permits for collections that are carried out within the Rotherham Borough boundary are issued by the Council. 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. These are issued to the charity by the Cabinet Office directly.

The intention of this policy is to give clear guidance to members of the Licensing Board, applicants and officers, on the factors to be taken into account when determining applications for a House to House Collection permit.

All decisions regarding the implementation of the House to House Collections Policy (such as determination of applications) are made by the Licensing Board, although the Licensing Board may delegate this to officers if the Board considers this to be necessary or appropriate. The Policy itself is a decision for Cabinet.

Any applicant that is aggrieved by a decision of the Council may appeal to the Secretary of State/Minister for the Cabinet Office, Cabinet Office, 70 Whitehall, London, SW1A 2AS, within 21 days of being given notice of the decision.

### The Regulatory Framework for House to House Collections

House to house collections, as defined by the House to House Collections Act 1939, are required to be licensed by local authorities. House to house collections are defined as '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'. They include, therefore, collections of money, or any other items that may be sold for money, where the proceeds are given to

any charitable, benevolent or philanthropic purpose (for example, charity clothing collection bags).

For the purpose of the House to House Collection Act 1939, the term 'house' also includes places of business. This provision, therefore, also covers collections made within places such as shops, offices and public houses where the collectors go from premises to premises collecting money, or other property, and the proceeds of such collections are given to charity (for example, rose sellers in public houses and restaurants).

Unless those who wish to conduct a collection possess an Exemption Certificate issued by the Secretary of State, it is an offence for any person to promote or make collections from door to door for charitable purposes without the promoter first obtaining a licence from this Council to do so.

Some larger charities (particularly those that operate nationally) have secured Exemption Certificates from the Secretary of State; however, most of the smaller charities operating locally do not have Exemption Certificates and, therefore, they need to apply for, and be granted, a permit before they can collect money door to door within the Borough boundary of Rotherham. There is no application fee associated with an application for a house to house collection permit.

There are two circumstances where the need for a permit from the Council can be waived following the intervention of other authorities.

1. If the Secretary of State is satisfied that a person pursues a charitable purpose throughout the whole of, or a substantial part of, England and Wales, and wants to promote collections for that purpose, he/she may then direct by Order that the promoter shall be exempt from the requirement to obtain licences from this Council. All collections exempt from licensing requirements would be described in the Order.
2. Where the chief constable for a police area is satisfied that the purpose of a collection is local in character and that the collection is likely to be completed within a short period of time, he/she may grant the promoter of the collection a certificate in the prescribed form. Where such a certificate is granted, a permit from the Council is not required and the provisions of the Regulations shall not apply to a collection made in conformity with such certificate. An example of this would be where the collection is taking place as part of an event occurring in a clearly defined locality over a short period of time (a maximum of a few days).

Any applications made for a permit will be processed and considered in accordance with Section 2 of this policy.

## 2. Applications for a House to House Collection Permit

### The application process

Applicants are advised to contact the Council at their earliest opportunity, preferably before an application is made. This will allow Council Officers to provide appropriate advice, as well as clarifying any areas of uncertainty.

All applications must be made on the Council's prescribed application form (see Appendix A).

Applications should normally be made at least two calendar months before the first proposed collection date, the application will not be considered as complete unless the applicant provides all of the information that is specified on the application form and accompanying notes.

Any application received with less than one calendar months' notice prior to the first proposed collection date is unlikely to be considered, save for exceptional circumstances at the Council's discretion.

In addition to completing the Council's application form, the applicant must also supply information relating to:

1. Whether the collection beneficiary is a registered charity (with charity number), and the objectives of the charitable cause as supplied to the Charity Commission. The collection beneficiary is the term used to describe the organisation on whose behalf the collection is being undertaken.
2. A statement of the collection beneficiary's aims, and any literature to support this.
3. Full details of the collection beneficiary – this must include date of formation, names of trustees, directors etc.
4. If the collection is being undertaken by an individual or organisation other than the beneficiary of the collection then full details of this individual / organisation must be provided – this will include details of directors / trustees / owners (in the case of an organisation).
5. Relevant accounts and financial statements of the promoter, collection company / agent and the charity (if different)
6. The details of how the amounts to be allocated to the charity, collectors and promoter are calculated. The following must be clear from the information provided:
  - 6.1. The expected value of the money / items collected before any expenses are deducted ('the gross collection amount').
  - 6.2. Full details of any deductions that will be applied to the 'gross collection amount' and how these will be calculated.

7. A written agreement between the applicant and the charity as required by the Charities Act 1992.
8. Declaration of any previous refusals for House to House Collections
9. A basic Disclosure Certificate relating to the promoter or the director of the collection company / agent if different (this must be dated within the last six months).
10. It must be clear from the application how much the collection beneficiary will receive as part of the collection, the proportion of this as a percentage of the cost of running the collection and a clear set of returns if the organisation has operated collections before. Although each case will be considered individually, the Council considers it reasonable that a charity can expect to receive at least 80% of the net proceeds from a collection (i.e. after the deduction of reasonable expenses).
11. The times that collections are expected to take place (the Council's default position is that collections will not take place before 8am or later than 7pm).
12. Written assurance from collectors that they will not deliver bags to households that clearly state they do not wish to receive house to house collections.

The Council encourages collectors to use recyclable / environmentally friendly collection bags wherever practicable and applicants may wish to refer to their use when completing the application.

All applications for a House to House Collection Permit will be referred to the Council's Licensing Board for consideration. The applicant will have the opportunity to address the Board should they wish to do so, they may also provide a written submission to the Licensing Board for consideration along with their application.

Licensing Officers and / or the Licensing Board may request additional information from applicants in order to fully consider applications that are received by the Council. In cases where additional information is requested, the application will not be processed by the Council until such time as the requested information has been provided.

#### Grant of a House to House Collection Permit

If the Licensing Board are satisfied that it would be appropriate to issue a permit for a House to House Collection then one will be issued for the times and dates specified on the application. The Council will issue a Certificate for the Information of the Stationery Office under the House to House Collections Act 1939. This document will allow the promoter to obtain the prescribed badge and prescribed Certificate of Authority. These documents must be carried by all collectors involved in the House to House Collection.

If the dates specified on the application have passed, then the permit will run from the date that the Licensing Board make the decision to issue the permit.

In any event, a permit authorising a house to house collection will not be valid for a period longer than twelve months.

Permits will not be issued retrospectively, therefore a permit must be in place before the collection commences. Collections undertaken without a valid permit or exemption will be unlawful and the promoter of such a collection risks prosecution by the Council.

The House Collections Act 1939 and the House to House Collections Regulations 1947 specify the obligations of all those involved in house to house collections. A copy of the House to House Collections Regulations 1947 is appended to this policy as Appendix B.

Key obligations placed on the person / organisation to whom a permit is issued are as follows:

1. the necessary written permission has been obtained from the Council;
2. no collection must be undertaken in a manner which will inconvenience or annoy any person such collections taking place at an unreasonable hour. The Council would consider that collections taking place later than 7pm would be unreasonable;
3. every collector must wear a standard badge and carry a Certificate of Authority;
4. collectors must produce their badge, on demand, to the occupant of any house, any police officer or authorised officer of the Council;
5. all collectors must be aged sixteen years or more;
6. must only collect between the hours that are specified on the permit;
7. if a collector is carrying a collecting box, it must be sealed, numbered and clearly display the name of the charity or fund which is to benefit.

The key obligations following a collection are as follows:

1. collectors must not be given access to the contents of collection boxes prior to their being returned to the promoter for opening and counting;
2. boxes should only be opened in the presence of the promoter and another responsible person. Once the boxes have been opened, the contents should be counted immediately and the amount collected in each box recorded;
3. after the collection the promoter must complete a prescribed returns form and return it to the Council within one month of the expiry of the permit. The promoter must certify the return and have it countersigned by a qualified accountant.

The prescribed forms are detailed in Regulation 6 of the House to House Collections Regulations 1947 (as amended by the House to House Collections Regulations 1963) – an extract of these Regulations is attached as Appendix B to this policy.

The “combined badge and certificate of authority for collector performing house to house collection” (ISBN 9780113407422) is available from The Stationery Office ([www.tsoshop.co.uk](http://www.tsoshop.co.uk)). Further information is available from the licensing office.

## Refusal to issue a House to House Collection Permit

The statutory reasons why a licensing authority may refuse to grant a permit, or where a permit has been issued may revoke it, if it appears to the authority that:

1. The total amount likely to be applied for charitable purposes as the result of the collection (including any amount already so applied) is inadequate in proportion to the value of the proceeds likely to be received (including any proceeds already received);
2. Remuneration which is excessive in relation to the total amount aforesaid is likely to be, or has been, retained or received out of the proceeds of the collection by any person;
3. 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;
4. 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 relevant offences specified below, 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 relevant offences referred to above are as follows:
  - 4.1. Offences under sections 47 to 56 of the Offences against the Person Act 1861
  - 4.2. Robbery, burglary or blackmail
  - 4.3. Offences in Scotland involving personal violence or lewd, indecent, or libidinous conduct, or dishonest appropriation of property
  - 4.4. Offences under the Street Collections Regulation (Scotland) Act 1915
  - 4.5. Offences under section 5 of the Police, Factories etc. Miscellaneous Provisions) Act 1916
5. 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
6. 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.

Where a House to House Collection Permit has previously been granted, the Council will ordinarily revoke the permit if it is of the opinion that any of the circumstances listed above subsequently apply.

### Consideration of financial information

All financial information provided as part of an application for a House to House Collection Permit will be handled in accordance with the Council's Information Security Policy.

The proportion allocated to the collection beneficiary must be clearly detailed by the applicant, this includes the calculations that have been used to determine the way that funding is allocated to each party involved in, or benefiting from, the collection.

The Council must be satisfied that the amount to be given to the charity is adequate in relation to the proceeds received. The cost of collection needs to be taken into account and balanced against the perception of the public that all of the items or money they donate will be given to charity.

It is common practice for collectors to be paid by organisations to collect money and products. When determining the remuneration and whether this 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 remuneration received by individuals involved in the collection process at all levels, should also be considered as part of this assessment.

It is anticipated that in most cases, the amount allocated to the collection beneficiary should exceed 80% of the net proceeds from a collection (i.e. after the deduction of reasonable expenses).

If no previous returns have been supplied to the Council after previous licensed collections by the same organisation or individual within the Council's area then the application should be refused. 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.

### **3. Enforcement**

Enforcement activity available to the Council is prescribed in legislation and is limited to the criteria for refusals or revocations of licences, and breaches of conditions, described in section 2 of the Policy. Failure to comply with this Policy in itself is not an offence, however, the Policy clearly identifies the issues that are prescribed as offences.

The Council considers that collections should be undertaken in accordance with the Fundraising Regulator's Code of Fundraising Practice. Where the Council believes that a collector has not adhered to this Code, the Council will refer the matter(s) to the Fundraising Regulator who will then pursue the breach via their own processes.

It is recognised that well-directed enforcement activity by the Council benefits not only the public but also those responsible for organising charitable collections. In implementing this Policy, the Council will operate in accordance with the General Enforcement Policy and

any other service specific enforcement policies or processes.

The provisions of this policy are discharged by the Council through the Licensing Board.

The responsibility for enforcement of the House to House Collections Act (and associated Regulations) has been delegated to the Assistant Director of Community Safety and Street Scene. The Assistant Director has authorised officers to enforce the requirements of the legislation relevant to House to House Collections.

## Appendix A: House to House Collection Permit Application Form

### APPLICATION FOR A HOUSE TO HOUSE COLLECTION PERMIT

**This application must be completed by the individual or organisation that is promoting the collection ('the promoter'). The role and obligations of the promoter are outlined in the Council's House to House Collection Policy, and all applicants are advised to consult this document prior to making an application for a permit within the Rotherham Borough boundary.**

**The information below (including that which is detailed in the notes at the end of this form) is the MINIMUM that must be provided in order to make an application for a permit within the Rotherham Borough boundary. You may provide additional information in support of your application if you consider that this would assist your application.**

**If there is not enough space on the form for you to provide the requested information then please continue on additional sheets and attach these to your application.**

Name of Promoter	
Address and daytime telephone number of Promoter.	
Details of charitable purpose to which proceeds of the collection are to be applied (full details are to be enclosed with this application, including a copy of the authorisation from the charity to whom the proceeds will be sent). The additional information referred to in the notes below must also be included.	
Dates and times on which you are wish to undertake the collection(s) (Please include alternative dates should your first choice not be available)	



<p>Payments to an organisation (other than the charitable purpose for which the collection is being undertaken):</p> <p>Payments to the charitable organisation:</p>	
<p>Are you intending to apply for House to House Collection Permits from other local authorities?</p> <p>If so, please list the other authorities to which applications have been or will be made (attaching a separate sheet if required).</p>	
<p>Has the applicant or anyone associated with the promotion or undertaking of the collection, ever has an application under the Act refused or revoked?</p> <p>If so, please give full details.</p>	
<p>Is it proposed to promote the collection in conjunction with a street collection?</p>	
<p>If so, is it desired that the accounts of this collection should be combined wholly or partly with the accounts of the street collection?</p>	
<p>If the collection is for a War Charity, state if such a charity has been registered or exempted from registration under the War Charities Act 1940, and give the name of the registration authority and the date of registration or exemption.</p>	
<p>Please state if your charity holds an Order of Exemption under Section 3 of the House to House Collections Act 1939, as issued by the Secretary of State.</p> <p>If so, please enclose a copy of the Order.</p>	

<p>Please provide any additional information in support of your application (enclosing additional sheets if required).</p>	
<p><b>Declaration</b></p>	<p><b>I / we declare that to the best of my / our knowledge and belief that the foregoing information is correct and, if a permit is granted, I / we undertake to comply strictly with the Council's House to House Regulations as listed in the Council's House to House Collections Policy.</b></p> <p><b>I / we consent to the Council sharing this information with regulatory partners for the prevention and / or detection of crime.</b></p> <p><b>I / we confirm that we have reviewed the Council's House to House Collection Policy and the important notes and the end of this form, and have taken this information into consideration when making my / our application.</b></p>
<p>Signature of person(s) making this application</p>	
<p>Name(s) of person(s) making this application</p>	
<p>If you are not the promoter then please state the capacity in which you are making this application and provide confirmation of your authority to make this application on behalf of the promoter.</p>	
<p>Date of signature(s)</p>	

Please tick to confirm inclusion of the following information (see notes at the end of this form)

Details of the objectives of the charitable cause.	
A statement of the collection beneficiary's aims, and any literature to support this.	
Full details of the collection beneficiary.	
Full details of this individual / organisation making the application.	
Relevant accounts and financial statements.	
Details of how the amounts to be allocated to the charity, collectors and promoter are calculated.	
A basic Disclosure Certificate relating to the promoter.	

**Your application will not be considered to be complete if any of the above information or anything detailed in the Important Notes is missing or unclear.**

**IMPORTANT NOTES:**

1. All sections of this application form must be completed – if any section is not relevant to your circumstances then please state 'not applicable' or 'n/a'.
2. The following information must also be provided with the application:
3. Whether the collection beneficiary is a registered charity (with charity number), and the objectives of the charitable cause as supplied to the Charity Commission.
4. A statement of the collection beneficiary's aims, and any literature to support this.
5. Full details of the collection beneficiary – this must include date of formation, names of trustees, directors etc.
6. If the collection is being undertaken by an individual or organisation other than the beneficiary of the collection then full details of this individual / organisation must be provided – this will include details of directors / trustees / owners (in the case of an organisation).
7. Relevant accounts and financial statements of the promoter, collection company / agent and the charity (if different)
8. The details of how the amounts to be allocated to the charity, collectors and promoter are calculated. The following must be clear from the information provided:
  - 8.1. The expected value of the money / items collected before any expenses are deducted ('the gross collection amount').
  - 8.2. Full details of any deductions that will be applied to the 'gross collection amount' and how these will be calculated.
9. A written agreement between the applicant and the charity as required by the Charities Act 1992.

10. Declaration of any previous refusals for House to House Collections
11. A basic Disclosure Certificate relating to the promoter or the director of the collection company / agent if different (this must be dated within the last six months).
12. It must be clear from your application how much the collection beneficiary will receive as part of the collection, the proportion of this as a percentage of the cost of running the collection and a clear set of returns if the organisation has operated collections before.
13. You are advised to review and consider Rotherham MBC's House to House Collection Policy and the legislative extract prior to submitting your application.



**Appendix B: Extract from the House to House Collections Regulations 1947 (as amended by the House to House Collections Regulations 1963) forming the Regulations for House to House Collection Licences pursuant to section 4 of the House to House Collections Act 1939**

**1. Title and extent**

1.1 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.

1.2 These regulations shall not extend to Scotland.

**2. Interpretation**

2.1 In these regulations, unless the context otherwise requires: '*The Act*' means the House to House Collections Act 1939;

2.1.1 '*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 or subsection (2) or section 1 of the Act as respects that collection;

2.1.2 '*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 the seal;

2.1.3 '*licence*' means a licence granted by a licensing authority under section 2 of the Act;

2.1.4 '*order*' means an order made by the Secretary of State under section 3 of the Act;

2.1.5 '*prescribed badge*' means a badge in the form set out in the Fourth Schedule to these regulations;

2.1.6 '*prescribed certificate of authority*' means a certificate in the form set out in the Third Schedule to these regulations;

2.1.7 '*receipt book*' means a book of detachable forms of receipt consecutively numbered with counterfoils or duplicates correspondingly numbered;

2.1.8 '*street collection*' means a collection or sale to which regulations made under section 5 of the Police, Factories, etc (Miscellaneous Provisions) Act 1916 apply;

2.1.8.1 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.

2.1.8.2 The Interpretation Act 1889 applies to the interpretation of these

regulations as it applies to the interpretation of an Act of Parliament.

### **3. Local collections of a transitory nature**

- 3.1. 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.
- 3.2. 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.

### **4. Applications for licences and orders**

- 4.1 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.
- 4.2 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.

### **5. Responsibility of promoters as respects collectors**

- 5.1 Every promoter of a collection shall exercise all due diligence:
- 5.1.1 to secure that person authorised to act as collectors for the purposes of the collection are fit and proper persons; and
- 5.1.2 to secure compliance on the part of persons so authorised with the provisions of these regulations.

### **6. Certificates of authority, badges, collecting boxes and receipt books**

- 6.1 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:
- 6.1.1 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;
- 6.1.2 a prescribed badge, having inserted therein or annexed thereto a general indication of the purpose of the collection; and
- 6.1.3 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.

6.2 Every promoter of a collection shall exercise all due diligence to secure:

6.2.1 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

6.2.2 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.

6.3 In case of a collection in respect of which a licence has been granted:

6.3.1 every prescribed certificate of authority shall be given on a form obtained from Her Majesty's Stationery Office, and every prescribed badge shall be so obtained; and

6.3.2 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 licensing authority for the area in respect of which the licence was granted.

## **7. Duties of collectors in relation to certificates and badges**

7.1 Every collector shall:

7.1.1 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;

7.1.2 sign his name on the prescribed badge issued to him and wear the badge prominently whenever he is engaged in collecting; and

7.1.3 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.

## **8. Age Limits**

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

## **9. Importuning**

9.1. 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.

## **10. Collecting of Money**

- 10.1. 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.
- 10.2. 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 a 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.

## **11. Duty of collectors to return boxes and books**

- 11.1. Every collector, to whom a collecting box or receipt book has been issued, shall:
- 11.1.1. when the collecting box is full or the receipt book is exhausted, or
  - 11.1.2. upon the demand of a promoter of the collection, or
  - 11.1.3. when he does not desire to act as a collector, or
  - 11.1.4. 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.

## **12. Examination of boxes and books**

- 12.1. 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.
- 12.2. Where a collecting 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.
- 12.3. 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.
- 12.4. 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 of the receipt book on a list, which shall be certified by the persons making the examination.

## **13. Provision for envelope collections**

- 13.1. 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 a charitable purpose 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.

13.2. Where an envelope collection is made in accordance with this regulation:

- 13.2.1. every envelope used shall have a gummed flap by means of which it can be securely closed;
- 13.2.2. no collector shall receive a contribution except in an envelope which has been so closed; and
- 13.2.3. these regulations shall have effect subject to the following modifications:
  - 13.2.3.1. sub-paragraph (c) of paragraph (1) of regulation 6 shall not apply;
  - 13.2.3.2. regulation 10 shall not apply;
  - 13.2.3.3. regulations 11 and 12 shall have effect as if each envelope in which a contribution is received were a collecting box;
  - 13.2.3.4. in regulation 11 for the words 'with the seal unbroken' there shall be substituted the word 'unopened';
  - 13.2.3.5. 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.
- 13.2.4. 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.

#### **14. Promoters to furnish accounts**

- 14.1. 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 the licence was granted within one month of the expiry of the licence:
- 14.2. Provided that if licences are granted to the same person for collections to be made for the same purpose in more than one licensing area 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.
- 14.3. 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.

- 14.4. 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.
- 14.5. 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 shall not be required to form part of the account required to be furnished under paragraph (5) or, as the case may be, paragraph (2) of this regulation, so, however, that in the case of an account furnished under 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.

## **15. Form and certification of accounts**

15.1. The account required by the preceding regulation:

- 15.1.1. 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
- 15.1.2. 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 allocated.

## **16. Vouching of accounts**

- 16.1. 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 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.
- 16.2. 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 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.

**17. Disposal of disused certificates of authority, etc**

17.1. 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.