Statutory Rules and Orders

The House to House Collections Regulations 1947, England



Wealden
District Council

If you, or somebody you know, would like the information contained in this document in large print, Braille, tape/CD or in another language please contact
Wealden District Council on 01323 443322
or info@wealden.gov.uk

D&P 126414 5.09

UK Parliament Sls 1786-1949/1947/2651-2700/House to House Collections Regulations 1947 (Sl 1947/2662)
1947 No. 2662

House to House Collections Regulations 1947

Made 12th December 1947
Authority: House to House Collection Act 1939, s 4

UK Parliament Sls 1786-1949/1947/2651-2700/House to House Collections Regulations 1947 (SI 1947/2662)/1 Title and extent

1. Title and extent

(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.

(2) These regulations shall not extend to Scotland.

NOTES
Initial Commencement

Specified date

Specified date: 29 December 1947: see para (1) above.

UK Parliament Sls 1786-1949/1947/2651-2700/House to House Collections Regulations 1947 (SI 1947/2662)/2 Interpretation

2. Interpretation

(1) 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) of 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 the seal;

"licence" means a licence granted by a police 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 Provision) Act, 1916, apply.

(2) 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.

(3) The Interpretation Act, 1989, applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

NOTES
Initial Commencement

Specified date

Specified date: 29 December 1947: see reg 1 (1).

Extent
These Regulations do not extend to Scotland.

UK Parliament Sls 1786-1949/1947/2651-2700/House to House Collections Regulations 1947 (SI 1947/2662)/3 Local Collections of a transitory nature.

3. Local Collections of a transitory nature

(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.

(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.

NOTES
Initial Commencement

Specified date

Specified date: 29 December 1947: see reg 1 (1).

Extent
These Regulations do not extend to Scotland.

UK Parliament Sls 1786-1949/1947/2651-2700/House to House Collections Regulations 1947 (SI 1947/2662)/4 Applications for licences and orders.

4. Applications for licences and orders

(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.

(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:

Provided that the police authority 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.

NOTES
Initial Commencement

Specified date

Specified date: 29 December 1947: see reg 1 (1).

Extent
These Regulations do not extend to Scotland.

UK Parliament Sls 1786-1949/1947/2651-2700/House to House Collections Regulations 1947 (SI 1947/2662)/5 Responsibility of promoters as respects collectors.

5. Responsibility of promoters as respects collectors

Every promoter of a collection shall exercise all due diligence -

(a) to secure that persons authorised to act as collectors for the purposes of the collection are fit and proper persons; and

(b) to secure compliance on the part of persons so authorised with the provisions of these regulations.

NOTES
Initial Commencement

Specified date

Specified date: 29 December 1947: see reg 1 (1).

Extent
These Regulations do not extend to Scotland.

UK Parliament SIs 1786-1949/1947/2651-2700/House to House Collections Regulations 1947 (SI 1947/2662)/6 Certificates of authority, badges, collecting boxes and receipt books.

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 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 have 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 so obtained; and

(b) 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 chief officer of police for the area in respect of which the licence was granted.

NOTES
Initial Commencement

Specified date

Specified date: 29 December 1947: see reg 1 (1).

Extent
These Regulations do not extend to Scotland.

UK Parliament Sls 1786-1949/1947/2651-2700/House to House Collections Regulations 1947 (SI 1947/2662)/7 Duties of collectors in relation to certificates and badges.

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 the 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 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.

NOTES
Initial Commencement

Specified date

Specified date: 29 December 1947: see reg 1 (1).

Extent
These Regulations do not extend to Scotland.

UK Parliament Sls 1786-1949/1947/2651-2700/House to House Collections Regulations 1947 (SI 1947/2662)[8 Age limit]

[8 Age limit]
[No person under the age of 16 years shall act or be authorised to act as a collector of money.]

NOTES
Extent
These Regulations do not extend to Scotland.

Amendment
Substituted by SI 1963/684, reg 1.

UK Parliament SIs 1786-1949/1947/2651-2700/House to House Collections Regulations 1947 (SI 1947/2662)/9 Importuning

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 any occupant thereof.

NOTES
Initial Commencement

Specified date

Specified date: 29 December 1947: see reg 1 (1).

Extent
These Regulations do not extend to Scotland.

UK Parliament SIs 1786-1949/1947/2651-2700/House to House Collections Regulations 1947 (SI 1947/2662)/10 Collection of money.

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 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.

NOTES
Initial Commencement

Specified date

Specified date: 29 December 1947: see reg 1 (1).

Extent
These Regulations do not extend to Scotland.

UK Parliament Sls 1786-1949/1947/2651-2700/House to House Collections Regulations 1947 (SI 1947/2662)/11 Duty of collectors to return boxes and books

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 is exhausted, or

(b) upon the demand of a promoter of the collection, or

(c) when he does not desire to act as a collector, or

(d) 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.

NOTES

Initial Commencement

Specified date

Specified date: 29 December 1947: see reg 1 (1).

Extent

These Regulations do not extend to Scotland.

UK Parliament Sls 1786-1949/1947/2651-2700/House to House Collections Regulations 1947 (SI 1947/2662)/12 Examination of boxes and books

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 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.

(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 of the receipt book on a list, which shall be certified by the persons making the examination.

NOTES
Initial Commencement

Specified date

Specified date: 29 December 1947: see reg 1 (1).

Extent
These Regulations do not extend to Scotland.

UK Parliament Sls 1786-1949/1947/2651-2700/House to House Collections Regulations 1947 (SI 1947/2662)/13 Provision for envelope collections

13. Provision for envelope collections

(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.

(2) Where an envelope collection is made in accordance with this regulation:-

(a) every envelope used shall have a gummed flap by means of which it can be securely closed;

(b) no collector shall receive a contribution except in an envelope which has been so closed; and

(c) these regulations shall have effect subject to the following modifications:-

(i) sub-paragraph (c) of paragraph (1) of regulation 6 shall not apply;

(ii) regulation 10 shall not apply;

(iii) regulations 11 and 12 shall have effect as if each envelope in which a contribution is received were a collecting box;

(iv) in regulation 11 for the words “with the seal unbroken” there shall be substituted the word “unopened”;

(v) 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.

(3) 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.

NOTES
Initial Commencement

Specified date

Specified date: 29 December 1947: see reg 1 (1).

Extent
These Regulations do not extend to Scotland.

UK Parliament Sls 1786-1949/1947/2651-2700/House to House Collections Regulations 1947 (SI 1947/2662)/14 Promoters to furnish accounts

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 police authority by which the 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 police area, a combined account of the collections made in all or any of those police areas may, by agreement between the chief promoter and the respective police authorities, be made only to such of the respective police 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 police 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.

(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 police authority by regulations made under section 5 of the Police, Factories, etc. (Miscellaneous Provisions) Act, 1916, may, if the said police 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, 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.

NOTES
Initial Commencement

Specified date

Specified date: 29 December 1947: see reg 1 (1).

Extent
These Regulations do not extend to Scotland.

UK Parliament SIs 1786-1949/1947/2651-2700/House to House Collections Regulations 1947 (SI 1947/2662)/15 Form and certification of accounts

15. Form and certification of accounts
The account required by the preceding regulation -

(a) 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.

NOTES
Initial Commencement

Specified date

Specified date: 29 December 1947: see reg 1 (1).

Extent
These Regulations do not extend to Scotland.

UK Parliament SIs 1786-1949/1947/2651-2700/House to House Collections Regulations 1947 (SI 1947/2662)/16 Vouching of accounts

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 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.

(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 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.

NOTES

Initial Commencement

Specified date

Specified date: 29 December 1947: see reg 1 (1).

Extent

These Regulations do not extend to Scotland.

UK Parliament Sls 1786-1949/1947/2651-2700/House to House Collections Regulations 1947 (SI 1947/2662)/17 Disposal of disused certificates of authority, etc

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.

CONTACT

Council Offices, Vicarage Lane, Hailsham BN27 2AX

Open 8.30am-5.00pm Monday-Friday
Telephone: 01323 443322
Web site: www.wealden.gov.uk
Email: environmentalprotection@wealden.gov.uk
Fax: 01323 443330
Minicom: 01323 443331

Community Help Points are also available at the Library, High Street, Uckfield and the Library, High Street, Heathfield.

NAPM RECYCLED 75% APPROVED