

Street Collections

Regulations of the Secretary of State

In pursuance of Section 5 of the Police, Factories etc. (Miscellaneous Provisions) Act 1916 the Secretary of State has made Regulations with respect to the places where and the conditions under which persons may be permitted in any street or public place within the Metropolitan Police District to collect money or sell articles for the benefit of charitable or other purposes. The following is an extract from the said Regulations:-

3. These Regulations shall not apply –
 - (a) in respect of a collection taken at a meeting in the open air; or
 - (b) to the selling of articles in any street or public place when the articles are sold in the ordinary course of trade and the purpose of earning a livelihood and no representation is made by or on behalf of the seller that any part of the proceeds of sale will be devoted to any charitable purpose.
4. No collection shall be made unless a permit therefor has been obtained from the Commissioner.
5. (1) Every application for a permit shall be made in writing to the Commissioner in the form set out in Schedule 1 to these Regulations not later than the first day of the month preceding the month in which it is proposed to hold the collection:

Provided that the Commissioner may consider an application made later than that date if he is satisfied that there are special reasons for so doing.

- (2) Every application shall be made by a society, committee or other body consisting of not less than three members acting through not less than three members thereof who shall be jointly responsible for the collection.
 - (3) Every application shall be referred by the Commissioner to an Advisory Committee appointed by him with the approval of the Secretary of State, and, in deciding whether to grant a permit, he may have regard to any recommendation of the Advisory Committee.
6. No collection shall be made except upon the day and between the hours stated in the permit.
 7. The Commissioner may, in granting a permit, limit the collection to such districts, streets or public places or such parts thereof as he thinks fit.

8. (1) No person may assist or take part in any collection unless he is in possession of a written authority signed by or on behalf of the chief promoter.
(2) Any person authorised under paragraph (1) above shall produce that authority forthwith for inspection on being requested to do so by any constable.
9. No collection shall be made in any part of the carriage way of any street:
Provided that the Commissioner may, if he thinks fit, allow a collection to take place on such a carriage way where that collection has been authorised to be held in connection with a procession.
10. No collection shall be in such a manner as to cause, or be likely to cause, danger, obstruction, inconvenience or annoyance to any person.
11. No collector shall importune any person to the annoyance of such person.
12. While collecting -
 - (a) a collector shall remain stationary; and
 - (b) a collector or two collectors shall not be nearer to another collector than 25 metres:Provided that the Commissioner may, if he thinks fit, waive the requirements of this Regulation in respect of a collection which has been authorised to be held in connection with a procession.
13. No promoter, collector or person who is otherwise connected with a collection shall permit a person under the age of sixteen years to act as a collector:
Provided that in the case of a collection which has been authorised to be held in connection with a procession, the Commissioner may, if he thinks fit, authorise the chief promoter to permit persons of less than sixteen but not less than fourteen years to act as collectors after receipt of a written assurance by such chief promoter that each of such persons will at all times be accompanied by a responsible able-bodied adult.
14. No collector shall be accompanied by any animal.
15. (1) Every collector shall carry a collecting box.
 - (2) 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.
 - (3) All money received by a collector from contributors shall immediately be placed in a collecting box.
 - (4) Every collector shall deliver, unopened, all collecting boxes in his possession to a promoter.
16. 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, or any collecting box which is not duly numbered.
17. (1) Subject to paragraph (2) below a collecting box shall be opened in the presence of a promoter and another responsible person.
 - (2) Where a collecting box is delivered unopened to a bank it may be opened by an official of the bank.

(3) 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 number.

18. (1) No payment by way of reward shall be made to any collector.

(2) 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 payment as may have been specified in the form of application for a permit and approved by the Commissioner.

19. (1) Within three months after a date of collection, the chief promoter shall forward to the Commissioner-

(a) a statement in the form set out in Schedule 2 to these Regulations showing the amount received and the expenses and payments incurred in connection with the collection and certified by two of the persons responsible for the collection referred to in Regulation 5 (2) above and by a qualified accountant:

Provided that if a collection results in the sum of £400 or less being collected, the Commissioner may, if he thinks fit, waive the requirement for certification by a qualified accountant and substitute therefor a requirement for certification by an independent responsible person, unless, after examination of the statement, he decides that it should be certified by a qualified accountant.

(b) a list showing the names and collectors; and

(c) a list of the amounts contained in each collection box,

and shall, if required by the Commissioner, satisfy him as to the proper application of the proceeds of the collection.

(2) The chief promoter shall also, within the same period, at the expense of the chief promoter and after any certification required under paragraph (1)(a) above, publish in such newspaper or newspapers as the Commissioner may direct a statement showing the name of the chief promoter, the area to which the permit relates, the name of the charity or fund to benefit, the date of the collection, the amount collected, the amount distributed to each charity or fund to benefit, and the amount of expenses and payments incurred in connection with such collection.

Provided that the Commissioner may, if he thinks fit, waive the requirements of this paragraph in respect of a collection which results in the sum of £400 or less being collected.

(3) Not later than seven days after publication of a newspaper containing the statement required by paragraph (2) above the chief promoter shall send a copy of that newspaper to the Commissioner.

(4) 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 in Scotland;

The Chartered Association of Certified Accountants;

The Institute of Chartered Accountants in Ireland.

20. (1) This Regulation applies to a collection in respect of which the Commander in charge of the Police Borough where it is to be held has issued a certificate for the purposes of this Regulation to the person who appears to them to be principally concerned in promoting the collection and which is made in accordance with the terms of that certificate.
- (2) No certificate shall be issued under paragraph (1) above unless it appears to the Borough Commander that the collection is to be made in the period from 1st to 24th December in any year and in connection with the singing or playing (including the reproduction of recordings) of Christmas carols by two or more persons assembled together.
- (3) In the case of a collection to which this Regulation applies-
- (a) Regulations 4, 5, 12(b), 17 and 19, and in so far as they relate to the numbering of collecting boxes, Regulations 15(2), and 16, shall not have effect; and
 - (b) Regulations 6, 7, 8(1), 9, 12 (except paragraph (b)), and 13 shall be construed as if any reference to a permit or the Commissioner were, respectively, a reference to the certificate under paragraph (1) and the Divisional Commander, as if any reference to the chief promoter or promoter were a reference to the person to whom the certificate is issued, and as if the reference in the proviso to Regulation 13 to a collection which has been authorised to be held in connection with a procession were a reference to any collection.
21. (1) The Regulations made and confirmed by the Secretary of State under section 5 of the Police, Factories, etc. (Miscellaneous Provisions) Act 1916 and dated 2nd July 1926 (1) and the Street Collections (Metropolitan Police District) Regulations 1963(b) are hereby revoked.
- (2) Where a permit has been granted under the Regulations mentioned in paragraph (1) above in respect of a collection to be made after the coming into operation of these Regulations, these Regulations (including paragraph (1) above) shall not have effect in relation to that collection.

Form of Statement

Name and address of society, committee or body to whom the permit for the collection was granted (chief promoter):

.....

Name of charity or fund to benefit

Date of collection

Show NIL entries

| Proceeds of Collection | Amount | Total | Expenses and application of proceeds | Amount | Total |
|--|--------|-------|--|--------|-------|
| From collecting boxes | | | Printing and Stationary | | |
| | | | Postage | | |
| | | | Advertising | | |
| Interest on proceeds | | | Collecting Boxes | | |
| | | | Badges or other emblems | | |
| | | | Other Items (specify items separately) | | |
| Other items (specify items separately) | | | Payments referred to in reg. 18(2) | | |
| | | | Disposal of balance (insert particulars) | | |
| Total | £ | £ | Total | £ | £ |

(If the expenses of the collection were defrayed otherwise than from the proceeds of the collection – either wholly or in part – the particulars of the amount should be inserted on both sides of the Account, *i.e.* in the ‘Proceeds’ column and as an item of ‘Expenses’).

Certificate of two of the persons who applied for the permit

We certify that to the best of our knowledge and belief the above is a true account of the proceeds, expenses and application of the proceeds of the collection.

Signed and Date 20.....

Certificate of Accountant (or other responsible person referred to in regulation 19(1)(a))

I certify that I have obtained all the information and explanations required by me and that the above is in my opinion a true account of the proceeds, expenses and application of the proceeds of the collection.

Signed Date 20..... Qualifications

Name (in block capitals) Address

NEW SCOTLAND YARD, SW1H 0BG