

## **Joint Policy for Charity Collections – House to House Collections and Street Collections**

This policy was adopted by the South Oxfordshire District Council at the meeting of the General Licensing Committee on **TBC** and the Vale of White Horse District Council at the meeting of the General Licensing Committee on **TBC** and comes into force on **TBC** and will be reviewed five years from that date unless previously amended.

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v1	<b>TBC</b>	Policy came into force

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## 1 Introduction

- 1.1. This policy sets out the framework for the management of street collections and house to house collection in the districts of South Oxfordshire and Vale of White Horse.
- 1.2. The licensing of charitable collections is regulated by the [Police, Factories, etc \(Miscellaneous Provisions\) Act 1916](#) which governs collections of money or sales of articles for charitable purposes in streets and public places, and the [House to House Collections Act 1939](#) which governs collections of money or other articles made by means of going from house to house.
- 1.3. South Oxfordshire District Council and Vale of White Horse District Council ('the Councils') are responsible for issuing licences for house to house collections, and permits for street collections within the districts.
- 1.4. This policy will remain in existence for a period of five years, during which time it shall be kept under review and revised as necessary. The Head of Communities in consultation with the Chairs of the General Licensing Committees is authorised to make minor administrative amendments to the policy where necessary, and to amend the policy to reflect any changes in legislation, statutory guidance or similar.

## 2 Aims and objectives

- 2.1. The primary aims of this policy are to:
  - Safeguard the interests of donors and beneficiaries
  - Facilitate well organised collections which are benefitting bona fide charities and good causes
  - Promote fairness in collection availability and to prevent monopolisation
  - Prevent unlicensed collections
- 2.2. This policy does not seek to make judgement on the worthiness of any registered charity or group to benefit from a collection, and it will ultimately be down to a donor to decide whether they wish to contribute to any collection.

## 3 Standards and regulation

- 3.1. In the UK, there are a number of bodies involved with regulating charities and charitable collections.
- 3.2. The Fundraising Regulator is an independent regulator for fundraising in the UK. The councils expect all organisations conducting collections within the districts to adhere to the Fundraising Regulator's [Code of Fundraising Practice](#).
- 3.3. The [Public Fundraising Regulatory Association](#) and the [Chartered Institute of Fundraising](#) are membership organisations for charities. Their remit includes certain types working with groups fundraising by means not covered by permits or licences, such as direct debit collectors. Complaints can be made to these organisations about the conduct of their members.

- 3.4. The councils are not responsible for investigating fraud or criminal offences. Such matters should be reported to the police or Action Fraud.
- 3.5. If anyone feels the behaviour of a registered charity falls below expected standards, this can be [reported to the Charity Commission](#).

#### **4 Direct debit collections in the street**

- 4.1. This policy does not cover direct debit collections that are taken face to face in the street. Such collections are not covered by charitable collection legislation as no donation is being made at the time, only a promise to donate via direct debit, usually on a monthly basis. Direct debit collections made house to house are counted as house to house collections.
- 4.2. Complaints about such direct debit collections can be made to the Public Fundraising Regulatory Association ('PFRA'), or directly to the organisation conducting the collection or the charity or group they are collecting for.
- 4.3. If it established that such collections are becoming a regular a source of complaint within any area within the councils' jurisdiction, the councils can seek to enter into a site management agreement with the PFRA. Such an agreement aims to manage the location and frequency of such collections to minimise any potential negative impacts. Such an agreement will only be entered into if considered necessary.

#### **5 House to House Collections**

- 5.1. House to house collections are governed by the House to House Collections Act 1939. This Act allows the Secretary of State to prescribe regulations in respect of house to house collections. These regulations are attached at Appendix 5.
- 5.2. Generally, house to house collections for charitable, benevolent, or philanthropic purposes, whether or not the purpose is charitable within the meaning of the rule of law, are required to be licensed by the authority.
- 5.3. The definition of 'collection' extends beyond requests for money, to include the sale of magazines, requests for unwanted clothing and household items, collecting 'promises to pay' by direct debit, visits to persuade persons to buy goods etc, where any part of the proceeds may go to charity.
- 5.4. Collections are generally made in residential areas door to door, but collections made business to business are also within the scope of the legislation, such as collections made in pubs.
- 5.5. The only exception to the general rule is for organisations that have been granted an Exemption Certificate by the Home Office under the provisions of the House to House Collections Act 1939. This Certificate allows an organisation to collect in the District without applying for a licence. The organisation must inform the authority of the dates and areas of any planned collections to be carried out under an exemption certificate. [Details of groups holding an exemption certificate can be found on gov.uk](#).

## Application Process

- 5.6. An application for a licence must be made to the appropriate council in writing and on the prescribed form no later than 28 days before the proposed collection date. The council may waive the 28-day notice requirement in exceptional circumstances, such as for appeals following major disasters.
- 5.7. All applications must include copies of promotional materials (e.g. leaflets) that are to be used during the collection, along with, where applicable, a copy of any collection bag that will be used for the collection of goods.
- 5.8. For collections being promoted other than by the charity or cause to benefit (e.g. by a commercial collection partner), the following must also be provided:
- A letter of authorisation from the charity or cause head office confirming that the applicant is authorised to conduct a house to house collection on their behalf
  - A signed statement of due diligence; or
  - A copy of the contract / agreement between the charity and the applicant's organisation;
  - A copy of the commercial collection partner's full accounts for the most recent completed fiscal year showing how much:
    - a) gross income was made from sales of collected clothes or other property; and
    - b) was directly provided to any named charities.
- 5.9. There is no fee for the grant of a house to house collection licence.
- 5.10. Applicants must specify where within the district they wish their collection to take place. Maps defining collection areas, which align with the council ward boundaries, are attached at Appendix 2 and Appendix 3. Applications requesting licences covering the whole district will not be accepted, and applicants may apply for a maximum of three collection areas in any single application. For the purposes of defining collection areas in this section of the policy, the following wards shall be considered as single collection areas:
- "Didcot" – consisting of the wards 'Didcot West', 'Didcot South', and 'Didcot North East'
  - "Abingdon" – consisting of the wards "Abingdon Dunmore, "Abingdon Peachcroft', 'Abingdon Abbey Northcourt', 'Abingdon Fitzharris', and 'Abingdon Caldecott'
  - "Wantage" – consisting of 'Wantage and Grove Brook' and 'Grove North'.
- 5.11. Any licence shall not be granted for a period longer than twelve months.
- 5.12. Each application will be determined on merit, however, at least 80% of the total proceeds of the collection must be given to charitable, benevolent, or philanthropic purposes. Donors have the right to expect that the vast majority of any money or goods donated shall be used to benefit the named cause, and therefore collections will not be authorised where the applicant does not specify that at least 80% of the gross collection proceeds are given to the charitable, benevolent, or philanthropic purpose. For example, if a clothing collection is carried out and goods to the value of

£100 are collected, a minimum of £80 must be given to the charitable, benevolent, or philanthropic purpose specified on the application form.

- 5.13. Collectors wishing to obtain donations of goods, such as used clothing, must provide a copy of any collection bag to be used as part of the collection. Such collection bags must comply with current Advertising Standards Agency guidelines, or such replacement guidelines as may be issued in the future. Collection bags that have not been provided to the council with the application shall not be authorised for use for collections within the councils' area.
- 5.14. The council reserves the right to make more detailed enquiries about an application in certain circumstances.
- 5.15. Tacit consent does not apply to this type of application because it is in the public interest that the authority must process and determine an application before a licence can be issued. We aim to process applicants within 28 days of receipt. Applicants may contact us after this time if they have not had a response in respect of their application.
- 5.16. The council may refuse to issue a licence, or revoke a licence that has been granted, where:
  - i) The amount likely to be applied for charitable purposes as a result of the collection is inadequate in proportion to the value of the proceeds likely to be received
  - ii) That remuneration received from the proceeds retained by any person is likely to be excessive
  - iii) The applicant or holder of the licence is not a fit and proper person to hold a licence as a result of receiving a conviction for fraud, dishonesty, robbery, burglary, or offences relating to charitable collections
  - iv) The applicant or holder of the licence fails to exercise due diligence with regard to collectors to ensure they are suitable persons to be acting as collectors
  - v) The applicant or holder of the licence refuses or neglects to furnish the council with such information as they have been reasonably requested to provide (such as a return form detailing proceeds and deductions relating to a previous collection).
- 5.17. A person who is refused a licence or has a licence revoked as a right of appeal to the Secretary of State within 14 days from the date they are notified of the refusal or revocation.
- 5.18. Licences shall by default be issued electronically and sent to the email address provided on the application form.
- 5.19. Holding a house to house licence does not negate any requirement which may be made under any other applicable Act or regulation.

### **During the collection**

5.20. The council expects promoters and collectors to comply with the [Institute of Fundraising 'Code of Fundraising Practice'](#) as well as the councils' own regulations. The key responsibilities are:

- i) Collectors must obtain and display the prescribed badges and certificates, obtainable from HM Stationery Office.
- ii) All collectors must be over 16 years of age
- iii) Collectors must produce their badge, certificate, and collection licence upon request from the occupant of any house, or a police officer or authorised council officer
- iv) No collection shall be undertaken in a manner that would be likely to inconvenience or annoy any person.

5.21. Collectors must respect any “no cold calling” or “no doorstep selling” signage on display in any neighbourhood or on any property.

5.22. Any collections of cash must be made into a numbered and sealed collecting box displaying the name of the benefitting charity or fund. It must be sealed in such a way that it cannot be opened without the seal being broken and must be numbered consecutively with any other boxes being used.

### **After the collection**

5.23. For collections involving cash:

- i) All collection boxes must be opened in the presence of the promoter and another responsible person, except in cases where the unopened box is delivered straight to the bank. In that instance the bank is permitted to open the collection box.
- ii) The person opening the box must count the contents and enter the amount with the number of the collecting box on a list. This list must be certified by that person.

5.24. Payments must not be made to any collector, or any person, directly or indirectly connected with the promotion that has not been approved by the council in the application.

5.25. Within one month of the collection taking place a return form must be completed and sent to the council, along with a list of collectors and a list of the amounts collected in each box.

5.26. Upon receipt of the return form, the promoter may be requested to provide further information to explain any discrepancies, for example, any information provided which conflicts with information given in the application.

5.27. Future applications may be refused where:

- i) it is believed that false or misleading information has been given in a previous application
- ii) evidence has been obtained that collectors have used unauthorised collection bags or have ignored “no cold calling” or “no doorstep selling” signage

- iii) complaints have been received about previous collections.
- iv) return forms have not been provided from previously authorised applications
- v) for any other reasonable cause.

## **6 Street Collections**

- 6.1. A street collection is the collection of money, or the sale of goods, for a charitable cause in any street or public place.
- 6.2. The organisation to benefit from the collection need not be a charity registered with the Charity Commission, but can include other groups such as community societies, sports clubs, and other similar such organisations which would be generally understood to constitute “good causes”. Where the group is not a registered charity, the council may need to make further enquiries as deemed necessary.
- 6.3. In this section, a street includes any highway, public bridge, road, lane, footway, square, court, alley or passage, whether a throughfare or not. A public place can also include places not within public ownership, and could therefore extend to, for example, a supermarket car park.
- 6.4. A collection taking place inside a premises, for example inside a shopping centre or supermarket entrance hall, would not be considered a street collection. Permission to collect in such locations must be sought from the landowner or their agent.
- 6.5. Collectors who wish to go from business to business to solicit donations, such as inside pubs, must apply for a house to house collection licence.

### **Application Process**

- 6.6. Complete applications must be made to the relevant council no later than 28 days before the proposed collection date. Incomplete applications will not be accepted.
- 6.7. The council may waive the 28 day notice requirement in exceptional circumstances, such as for appeals following major disasters.
- 6.8. Collection dates are booked on a “first come, first served” basis.
- 6.9. Typically, the councils will only permit one charitable collection per area (e.g. town centre) per day.
- 6.10. To allow for equal access to all who wish to collect, any one charity or group shall only be granted a maximum of four street collection permits per calendar year for each district. Additional applications in excess of four permits granted will be considered on a case by case basis.
- 6.11. For any collection taking place on private property, such as a supermarket car park, the collector must obtain the permission of the landowner to collect on their property. It is recommended that this permission is obtained in writing and is made available to any person requesting proof of permission during the collection.
- 6.12. The councils may make more detailed enquiries about an applicant and the proposed collection if it is deemed necessary.

6.13. Where applications are made for collections along a specific route, such as in a procession, full details of the route must be provided with the application form, ideally accompanied by a map of said route.

6.14. The councils may refuse an application for the following reasons:

- i) The application does not comply with the provisions of the street collection legislation and regulations
- ii) The collection is considered not to be for charitable purposes
- iii) To limit the number of collections taking place in any one area
- iv) The sum allocated for expenses is considered to be too high
- v) Inaccurate or inadequate information has been provided on the application form.
- vi) Return forms have not been provided from previously authorised applications.

6.15. Permits issued shall state the name of the promotor, the name of the charity or organisation to benefit, the maximum number of collectors who shall be taking part at any one time, and the dates, times, and locations the collection is authorised to take place.

6.16. Permits shall by default be issued electronically and sent to the email address provided on the application form.

6.17. Holding a street collection permit does not negate any requirement which may be made under any other applicable Act or regulation (such as food safety standards where any food is to be sold).

6.18. Promotors should consider what steps, if any, are required to ensure the safety of persons carrying out the collection; this may include carrying out a risk assessment. Consideration should also be given to whether public liability insurance is required, particularly if the collection is being carried out using a stall, stand, or any vehicles.

### **During the collection**

6.19. The promotor shall ensure that all collection boxes used for the collection are labelled, numbered, and sealed in line with the regulations.

6.20. The promotor shall ensure that any person acting as a collector shall be clearly identifiable as an authorised collector. All collectors shall be required to present immediately upon request a copy of the permit issued by the council authorising the collection.

6.21. The promotor shall ensure that any person acting as a collector shall behave in a manner not likely to inconvenience or annoy any person, for example, noisily shaking collection tins, blocking pavements, etc.

### **After the collection**

6.22. The promotor shall ensure that the correct procedure is followed for opening collection boxes and counting their contents, as outlined within the regulations.

6.23. A return form must be completed and returned to be received by the issuing council within 28 days of the date of the collection. No further permits will be issued until the financial return has been received.

6.24. Future applications may be refused where return forms are not provided, where unauthorised deductions have been made, or where complaints have been received about previous collections.

## **7 Decision making and appeals**

7.1. In exercising its discretion in carrying out regulatory functions, the councils will have due regard to this policy.

7.2. Each application will be considered on its own merits.

7.3. Clear reasons shall be given for instances where the council has found it necessary to depart substantially from this policy.

7.4. Where the council has decided to refuse an application or revoke a licence/permit, the decision shall be given in writing by email to the email address provided on the application. Where no such email is available, the decision shall be given by post.

7.5. Any person aggrieved by the refusal to grant an application or revoke a permit for a street collection should appeal against the decision within fourteen days from the date on which the notice is given. Any appeal must be made to the Head of Communities and their decision will be final.

7.6. Any person aggrieved by the refusal to grant an application or revoke a licence for a house to house collection may appeal against the decision within fourteen days from the date on which the notice is given. Any appeal must be made to the Secretary of State and the Secretary's decision will be final.

## **8 Information for residents**

8.1. The councils shall aim to publish a register of street collection permits and house to house collection licences that have been issued, including the dates and locations where collections are authorised. House to house collections being carried out under a national exemption shall be entered onto the register where the councils have been informed that such a collection is taking place.

8.2. If a resident is in any doubt as to whether a collection is authorised, they can review the register on the councils' website or request the collector to produce the licence which authorises their collection.

8.3. If a resident is still in doubt as to the legitimacy of a collection, they are recommended not to make a donation. A genuine collector should not put anyone under pressure to donate.

8.4. Where a collection does not appear on the register and/or where the collector cannot produce a copy of a permit authorising the collection, a report can be made to the

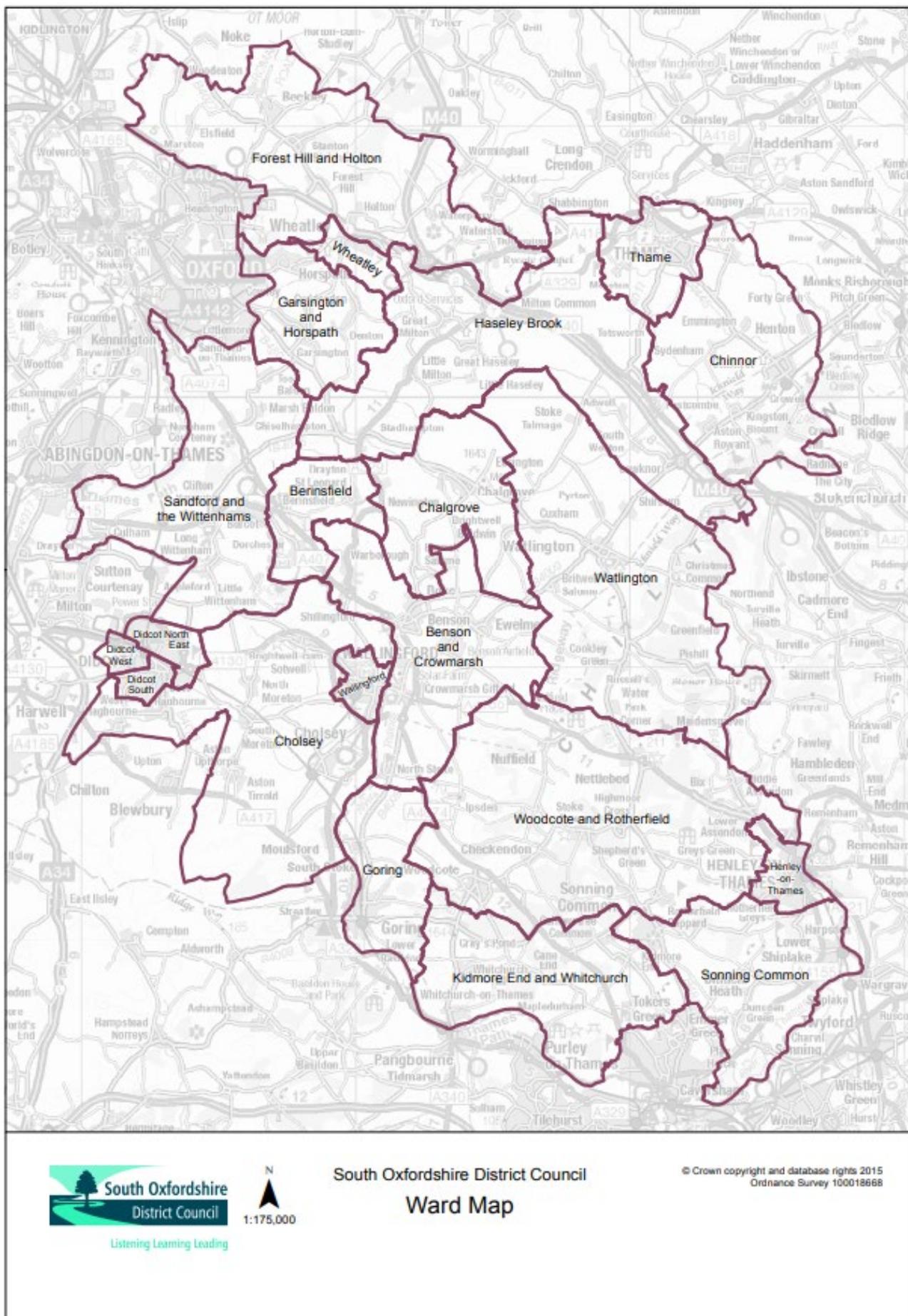
council. To aid the council in investigating the matter, the following details should be provided where they are available:

- a) Date and time
- b) Location
- c) Names of any organisation carrying out the collection and/or charity/group to benefit
- d) Copy of any collection bag or leaflet provided
- e) Make/model/registration number of any vehicle involved.

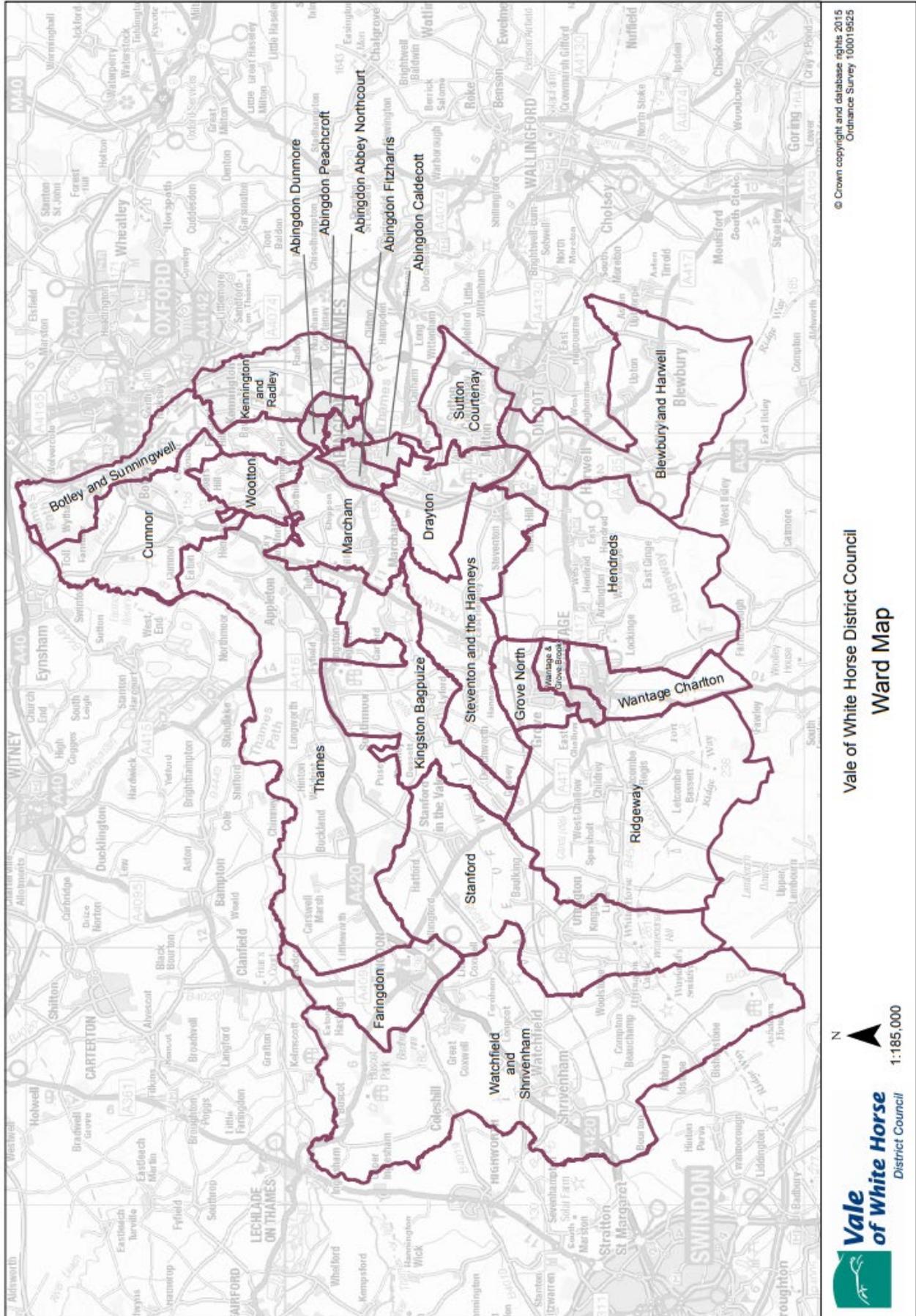
## Appendix 1 – Glossary of terms

Charity Commission	The government department established to regulate registered charities - <a href="http://www.gov.uk/government/organisations/charity-commission">www.gov.uk/government/organisations/charity-commission</a> .
Charitable purpose	means any charitable, benevolent or philanthropic purpose, whether or not the purpose is charitable within the meaning of any rule of law;
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, in relation to a collection, a person who makes the appeal in the course of such visits as aforesaid;
Collecting Box	a box or other receptacle for the reception of money from contributors
Contributor	a person who contributes to a collection and includes a purchaser of articles for sale for the benefit of charitable or other purposes
House	Includes a place of business
Licence	A house to house collection licence
Permit	A street collection permit
Promoter	a person who causes others to act as collectors
PFRA	Public Fundraising Regulatory Association, a body representing face to face fundraising groups
Street	includes any highway and any public bridge, road, lane, footway, square, court, alley, or passage, whether a thoroughfare or not.
The Licensing Authority	South Oxfordshire District Council and Vale of White Horse District Council

## Appendix 2 – South Oxfordshire District Council ward map



# Appendix 3 – Vale of White Horse District Council ward map



## Appendix 4 – Street Collection Regulations

### STREET COLLECTION REGULATIONS 1974

1. In these Regulations, unless the context otherwise requires -

**"collection"** means a collection of money or a sale of articles for the benefit of charitable or other purposes and the word "collector" shall be construed accordingly;

**"promoter"** means a person who causes others to act as collectors;

**"the licensing authority"** means the District Council;

**"permit"** means a permit for a collection;

**"contributor"** means a person who contributes to a collection and includes a purchaser of article for sale for the benefit of charitable or other purposes;

**"collecting box"** means a box or other receptacle for the reception of money from contributors.

2. No collection, other than a collection taken at a meeting in the open air, shall be made in any street or public place within the District unless a promoter shall have obtained from the licensing authority a permit.
3. Application for a permit shall be made in writing not later than one month before the date on which it is proposed to make the collection:  
  
Provided that the licensing authority may reduce the period of one month if satisfied that there are special reasons for so doing.
4. No collection shall be made except upon the day and between the hours stated in the permit.
5. The licensing authority may, in granting a permit, limit the collection to such streets or public places or such parts thereof as it thinks fit.
6. (1) No person may assist or take part in any collection without the written authority of a promoter.  
  
(2) Any person authorised under paragraph (1) above shall produce such written authority forthwith for inspection on being requested to do so by a duly authorised officer of the licensing authority or any constable.
7. No collection shall be made in any part of the carriage way of any street which has a footway;  
  
Provided that the licensing authority may, if it thinks fit, allow a collection to take place on the said carriage way where such collection has been authorised to be held in connection with a procession.
8. No collection shall be made in a manner likely to inconvenience or annoy any person.

9. No collector shall importune any person to the annoyance of such person.
10. While collecting
  - (a) a collector shall remain stationary; and
  - (b) a collector or two collectors together shall not be nearer to another collector than 25 metres:

Provided that the licensing authority may, if it 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.

11. 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.
12.
  - (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.
13. 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 nor any collecting box which is not duly numbered.
14.
  - (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 person.
15.
  - (1) No payment 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 payments as may have been approved by the licensing authority.
16. (1) Within one month after the date of any collection the person to whom a permit has been granted shall forward to the licensing authority -

- (a) a statement in the form set out in the Schedule to these Regulations, or in a form to the like effect, showing the amount received, and the expenses and payments incurred in connection with such collection, and certified by that person and a qualified accountant;
- (b) a list of the collectors;
- (c) a list of the amounts contained in each collecting box;

and shall, if required by the licensing authority, satisfy it as to the proper application of the proceeds of the collection.

- (2) The said person shall also, within the same period, at the expense of that person and after a qualified accountant has given his certificate under paragraph (1)(a) above, publish in such newspaper or newspapers as the licensing authority may direct a statement showing the name of the person to whom the permit has been granted, the area to which the permit relates, the name of the charity or fund to benefit the date of the collection, the amount collected, and the amount of the expenses and payments incurred in connection with such collection.
- (3) The licensing authority may, if satisfied there are special reasons or so doing extend the period of one month referred to in paragraph (1) above.
- (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 of Scotland;

the Association of Certified Accountants;

the Institute of Chartered Accountants in Ireland.

17. 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.

18. Any person who acts in contravention of any of the foregoing regulations shall be liable on summary conviction to a fine of £200 (Section 31 of Criminal Law Act 1977)

## Appendix 5 – South Oxfordshire House to House Regulations

### SOUTH OXFORDSHIRE DISTRICT COUNCIL

#### HOUSE TO HOUSE COLLECTIONS ACT 1939

#### HOUSE TO HOUSE COLLECTIONS REGULATIONS 1947 (AS AMENDED)

1. The above Act and Regulations regulate collections from house to house for any charitable purpose.
2. Definitions in the Act are as follows:
  - (i) “Charitable purpose” means any charitable, benevolent or philanthropic purpose, whether or not the purpose is charitable within the meaning of any rule of law.
  - (ii) “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, in relation to a collection, a person who makes the appeal in the course of such visits as aforesaid.
  - (iii) “house” includes a place of business
  - (iv) “licence” means a licence under the Act
  - (v) “prescribed” means prescribed by regulations made under the Act
  - (vi) “proceeds” means, in relation to a collection, all money and all other property given, whether for consideration or not, in response to the appeal made.
3. House to house collections are prohibited unless the promoter of the collection has either :
  - (i) a licence issued by the Licensing Authority (ie, the District Council) for the locality in which the collection is to be made; or
  - (ii) an Order of Exemption granted by the Home Secretary to a person who pursues a charitable purpose throughout the whole of England or a substantial part thereof and wishes to promote collections for that purpose (which Order has the effect of exempting the promoter from obtaining licences from the Licensing Authorities for the localities described in the Order); or
  - (iii) a Certificate of Exemption from the Chief Officer of Police for the police area comprising the locality in which the collection is to be made, where he is satisfied that the purpose for which the collection is to be made is local in character and that the collection is likely to be completed within a short period of time

- 4 Applications to the District Council for licences must be made in the form prescribed by Regulations, copies of which may be obtained from Licensing Department. Applications to the Home Secretary for Certificates of Exemption should be addressed to the Home Office, Whitehall, London SW1. Applications to the Chief Officer of Police for Certificates of Exemption should be addressed to The Chief Constable, Thames Valley Police Authority, Police Headquarters, Kidlington, Oxford.
- 5 An application to the District Council for a licence, or to the Home Secretary for an Order of Exemption, must be made not later than the first day of the month preceding that in which it is proposed to commence the collection although the District Council and the Home Secretary have a discretion to waive this requirement if satisfied that there are special reasons for so doing.
- 6 A licence granted by the District Council must (except in certain prescribed circumstances) be for the period, not exceeding twelve months, specified in the application and, unless it is revoked, remains for that period.
- 7 The District Council may refuse to grant a licence, or revoke a licence previously granted if it appears to the District Council:
  - (i) that the total amount likely to be applied for charitable purposes as a result of the collection is inadequate in proportion to the value of the proceeds likely to be received;
  - (ii) that remuneration which is excessive, in relation to the total amount likely to be applied for charitable purposes, is likely to be retained or received out of the proceeds of the collection by any person;
  - (iii) that the grant of a licence would be likely to facilitate the commission of an offence under Section 3 of the Vagrancy Act 1824, or that an offence under that Section has been committed in connection with the collection;
  - (iv) that 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 or the Dominions of certain offences specified in the Act or of any offence involving fraud or dishonesty;
  - (v) that the applicant or the holder of the licence, in promoting a collection, has failed to secure that the collectors were fit and proper persons or to see that the Regulations were complied with; or
  - (vi) that the applicant or the holder of the licence has refused or neglected to furnish to the District Council such information as they may have reasonably required for the purposes mentioned above.
- 8 If the District Council revoke a licence or refuse to grant a licence, they must give written notice to the applicant or holder of the licence stating on which of the grounds outlined in paragraph 7 above the licence has been revoked or refused. The applicant or holder of the licence may within 14 days appeal to the Home Secretary, whose decision is final.
- 9 The Regulations made by the Home Secretary include the following, amongst other provisions:

- (i) The promoter of the collection shall 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
- (ii) No promoter of a collection shall permit any person to act as a collector, unless he has issued to that person:
  - (a) a prescribed Certificate of Authority, in the form set out in the Regulations, to be obtained from H M Stationery Office;
  - (b) a prescribed Badge, in the form set out in the Regulations, also to be obtained from HM Stationery Office; 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, in the case of a Receipt Book, must be marked on each receipt in addition to the receipt number).
- (iii) No person under the age of 16 years shall act or be authorised to act as a collector of money
- (iv) 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
- (v) (a) where a collector is collecting money by means of a collecting box, he shall not receive any contribution save by permitting the person to place it in the collecting box
  - (b) where a collector is collecting money by other means than a collecting box, he shall, upon receiving a contribution from any person, forthwith issue a receipt in the manner described in the Regulations
- (vi) Every collector to whom a collecting box or receipt book has been issued shall upon the completion of the collection, or in certain other circumstances, return the collecting box or receipt book to the promoter of the collection in the manner described in the Regulations
- (vii) A collecting box when returned shall be examined and opened, and every receipt book when returned shall be examined in the manner described in the Regulations
- (viii) The chief promoter of a collection in respect of which a licence has been granted shall furnish an account of the collection in the form prescribed by the regulations to the District Council within one month of the expiry of the licence. The chief promoter of a collection in respect of which an Order of Exemption has been made shall furnish an account annually in the form prescribed by the Regulations to the Home Secretary.

10 Offences under the Act are committed:

- (i) if any person promotes or makes a collection for a charitable purpose in any locality without there being a licence in force, unless an Order of Exemption or Certificate of Exemption is in force
- (ii) if any person contravenes or fails to comply with the Regulations
- (iii) if any person displays or uses a prescribed badge or a prescribed certificate of authority not held for the purposes of the collection, or any badge or device, or any certificate or other document calculated to device
- (iv) if any person, believed by a police constable to be acting as a collector, fails to declare to him his name and address and to sign his name
- (v) if any person in furnishing any information for the purposes of Act knowingly or recklessly makes a false statement

11 For further information, the House to House Collections Act 1939, the House to House Collections Regulations 1947 and the House to House Collections Regulations 1963, obtainable from H M Stationery Office or through Booksellers, should be consulted. Enquiries may also be addresses to the undersigned.

South Oxfordshire District Council  
Council Offices  
Crowmarsh  
Wallingford  
Oxon  
OX10 8NW

Licensing Officer

August 1993

## Appendix 6 – Vale of White Horse House to House Regulations

### **HOUSE TO HOUSE COLLECTIONS ACT 1939** **House to House Collections Regulations 1947 (as amended)**

**The above Act and regulations contain important provisions for the regulation of House to House Collections for charitable purposes, and prescribe fines and/or imprisonment for offences against the Act or the Regulations.**

1. Except in 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 of 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 respects all collections for that purpose in such localities as may be described in the Order.
4. Where the Chief Constable of the police areas 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 a 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 Certificate.
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 collectors are fit and proper persons and that they are authorised to act as collectors; 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; and
  - (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 Certificate of Authority shall be given a form obtained from The 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 required to leave by the occupant thereof.
- (f) The promoter of a collection must, within one month of the expiry of the licence, 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.