



HOUSE TO HOUSE COLLECTIONS ACT 1939

House to House Collections Regulations 1947 (as amended)

The above Act and the 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 the cases specified in Paragraphs 3 and 4:-
No collection in any locality for a charitable purpose may be made unless the promoter is licensed by the Licensing Authority for the area comprising that locality, and the collectors are authorised by the promoter.
2. Application for a licence must be made in the prescribed manner. The Licensing Authority cannot grant a licence for a period longer than twelve months and may refuse a licence, or where granted, may revoke it, in circumstances specified in the Act.

Torrige District Council may refuse to grant a licence or revoke it for the following reasons -

- (a) The amount to be applied to charitable purposes is inadequate in proportion to the total likely to be collected;
- (b) A figure which, in relation to the total amount collected, is excessive and is likely to be paid to an individual;
- (c) The grant of a licence will be likely to facilitate an offence under Section 3 of the Vagrancy Act 1924, i.e. begging;
- (d) The person applying for a licence is not fit and proper because they have been convicted of offences of assault, robbery, blackmail, burglary, offences under Section 5 of the Police, Factories etc (Miscellaneous Provisions) Act 1916 and certain offences in Scotland;
- (e) The fact that the person applying for a licence or the holder of a licence has failed to exercise due diligence to ensure that all collectors were fit and proper people or failed to ensure that collectors complied with the provisions or regulations made under the Act, or failed to stop badges and certificates being obtained by unauthorised individuals;
- (f) The applicant or holder of a licence has not given the Council such information as the authority reasonably required for the purpose of informing themselves of any other matters referred to as above.

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

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

4. If the Chief Constable for the Police Area comprising a locality in which a collection for a charitable purpose is being, or proposed to be, made is satisfied that the purpose is local in character, and that the collection is likely to be completed within a short period, he may grant to the person who appears to him to be principally concerned in the promotion of the collection a Certificate in the prescribed form; and where a Certificate is so granted, a Licence from the Licensing Authority is not required, and the provision of the Regulations (as to which see Paragraph 5 below) shall not apply to a collection made in conformity with such a 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 persons authorised to act as collectors are fit and proper persons; and to secure compliance by collectors with the Regulations.
 - (b) No promoter of a collection shall permit any person to act as a collector unless he has issued to that person -
 - (i) a prescribed Certificate of Authority;
 - (ii) a prescribed Badge; 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 prescribed Certificate of Authority shall be given on a form obtained from The Stationery Office Ltd., and every prescribed Badge shall be so obtained.
 - (d) No person under the age of 16 years, shall act or be authorised to act as a collector of money.
 - (e) No collector shall importune any person to the annoyance of such person, or remain in, or at the door of, any house if requested to leave by any 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.

FURTHER INFORMATION

7. For further information, reference should be made to the Act and Regulations. Please contact Her Majesty's Stationery Office, St Crispin's House, Colegate, Norwich, NR3 1BQ.
8. Enquiries in connection with these matters may also be addressed to:

Torrige District Council
Licensing Unit
Bridge Buildings
Bideford
Devon
EX39 2HT

Telephone: (01237 428917)

Email: licensing@torridge.gov.uk