

**ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD**

**HOUSE TO HOUSE COLLECTIONS ACT 1939**

**HOUSE TO HOUSE REGULATIONS 1947 (as amended)**

The House to House Collections Act 1939 together with the House to House Collections Regulations 1947 set out the licensing code and conditions applicable to house to house collections for charitable purposes as defined in Section 11 of the Act. In addition they prescribe fines and/or imprisonment for offences against the Act or the Regulations.

1. No collection may be made in any locality unless it is for a charitable purpose and the promoter is licensed by the Licensing Authority for the area comprising that locality and the collectors are authorised by the promoter.
2. If a person acts as a collector in any locality for the purposes of a collection for a charitable purpose, then, unless there is in force, at all times when he so acts, a licence authorising a promoter under whose authority he acts, or authorising the collector himself, to promote a collection therein for that purpose, he shall be guilty of an offence.
3. Where the Secretary of State is satisfied that a person pursues a charitable purpose throughout the whole of England or substantial part thereof and is desirous of promoting collections for that purpose, he may by Order direct that that person shall be exempt from provisions requiring a licence to be obtained 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 Officer of Police for the Police area comprising a locality in which the collection for a charitable purpose is being, or is proposed to be made is satisfied that the purpose is local in character and that collection is likely to be completed within a short period of time, 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.
5. An application for a licence to the Royal Borough of Windsor and Maidenhead (hereinafter called “the Council”) must be made in the prescribed manner and must be made not later than the first day of the month preceding that in which the collection is to take place.
6. A licence shall be granted for such period, not being longer than twelve months, as may be specified in the application, and shall, unless it is previously revoked, remain in force for that period.
7. The Licensing Authority may refuse to grant a licence, or, where a licence has been granted, may revoke it in certain circumstances specified in the Act. Should the application for a licence be refused, or where granted, revoked the applicant or holder of the licence may appeal to the Secretary of State within 14 days of the date on which notice is given of the refusal or revocation.

8. The Council has no power to control the number of house to house collections taking place at any one time in any one locality.
9. Where a licence has been granted Regulations have been made by the Secretary of State under the Act which include, inter alia, the following:-
  - i) Every promoter of a collection shall exercise all due diligence to secure that persons authorised to act as collectors for the purposes of the collections are fit and proper persons and secure compliance on part of persons so authorised with the provisions of the regulations.
  - ii) 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 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 the 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.
  - iii) The 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 has 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.
  - iv) 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 HM Stationery Office and every prescribed badge shall be so obtained.

- v) 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 any occupant of a house visited by him for the purposes of the 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 in the demand of a promoter of the collection.
- vi) No person under the age of 16 years shall act or be authorised to act as a collector of money.
- vii) 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.
- viii) 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.
- ix) 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 purpose 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.

### **Definitions**

In the Act the following expressions have the meanings hereby respectively assigned to them:-

- 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.
- b) “**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.
- c) “**Collector**” means in relation to a collection, a person who makes the appeal in the course of visits as aforesaid.
- d) “**House**” includes a place of business.
- e) “**Licence**” means a licence under the Act.
- f) “**Prescribed**” means prescribed by regulations made under the Act.
- g) “**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.
- h) “**Promoter**” means in relation to a collection, a person who causes others to act whether for remuneration or otherwise as collectors for the purposes of the collection.