

SOUTH HAMS DISTRICT COUNCIL

Regulations made by South Hams District Council with regard to street collections.

In pursuance of Section 5 of the Police Factories etc (Miscellaneous Provisions) Act 1916, as amended by section 251 and schedule 29 to the Local Government Act 1972, South Hams District Council hereby makes the following regulations with respect to the places where and the conditions under which persons may be permitted in any street or public place within South Hams to collect money or sell articles to the benefit of charitable or other purposes.

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

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

“promoter” means a person who caused others to act as collectors

“contributor” means a person who contributes to a collection and includes a purchaser or articles for sale for the benefit of charitable or other purposes

“collection box” means a box or other receptacle for the reception of money from contributors

“Mile of pennies” means a collection in which coins of any denomination give by contributors are placed in a continuous line on the ground in a street or public place.

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 of the South Hams unless a promoter shall have obtained from the South Hams District Council 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 South Hams District Council may reduce the period of one month if satisfied there are special reasons for doing

4. No collection shall be made except upon the day and between the hours stated in the permit.

5. The South Hams District Council 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 the 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 South Hams District Council or any constable.

7. No collection shall be made in any part of the carriageway of any street which has a footway except for a collection authorised by the South Hams District Council 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, except in the case of a Mile of Pennies:-
 - (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 South Hams District Council 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) Except in the case of a Mile of Pennies:-
 - a) Every collector shall carry a collection box;
 - b) All money received by a collector from contributors shall immediately be placed in a collection box.
- (2) In the case of a Mile of Pennies:-
 - a) Every collector shall wear a badge or other means of identification issued by or on behalf of the promoter to clearly indicate to the public that he or she is a collector and to display prominently the name of the charity or fund which is to benefit;
 - b) The promoter shall allot to each collector a part of the line of coins for which the collector shall be responsible.
 - c) Every collector shall ensure that all coins received from contributors in respect of that part of the collection allotted by the promoter to the collector shall be immediately placed by the contributor to form a continuation of the line of coins.
 - d) On the termination of the Mile of Pennies by the promoter every collector shall forthwith place the coins from that part of the line of coins allotted to him or her by the promoter in a collection box.
- (3) All collection boxes shall be numbered consecutively and shall be sealed and securely closed in such a way as to prevent them being opened without the seal being broken.

- (4) Every collector shall deliver, unopened, all collection boxes in his possession to a promoter.
13. A collector shall not carry or use any collection box, receptacle or tray which does not bear displayed prominently thereon the name of the charity or fund which is to benefit, nor any collection box which is not duly numbered.
14. (1) Subject to paragraph (2) below a collection box shall be opened in the presence of a promoter and another responsible person;
- (2) Where a collection box is delivered, unopened, to a bank, it may be opened by an official of the bank;
- (3) As soon as a collection box has been opened, the person opening it shall count the contents and shall enter the amount with the number of the collection 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 South Hams District Council.
16. (1) Within one month after the date of any collection the person to whom a permit has been granted shall forward to the South Hams District Council:
- (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 a collection, and certified by that person and a qualified accountant or where the amount collected was £150 or less by a qualified accountant or an independent responsible person acceptable to the South Hams District Council.
- (b) A list of the collectors.
- (c) A list of the amounts contained in each collection box;

And shall, if required by the South Hams District Council, satisfy it as to the proper application of the proceeds of the collection.

- (2) The person to whom a permit has been granted shall also, within the same period, at the expense of that person and after the certificate under paragraph (1)(a) above has been given, publish in such newspaper or newspapers as the South Hams District Council 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.

