

BASINGSTOKE AND DEANE BOROUGH COUNCIL

STREET COLLECTION REGULATIONS

**Made in pursuance of Section 5 of the
Police, Factories etc Miscellaneous Provisions Act 1916**

In these Regulations, unless the context otherwise requires:

1. **COLLECTION** means a collection of money or articles for the benefit of charitable or other purposes and the word **COLLECTOR** shall be construed accordingly.

PROMOTOR means a person who causes others to act as collectors.

THE LICENSING AUTHORITY means Basingstoke & Deane Borough Council.

PERMIT means a permit for collection.

CONTRIBUTOR means a person who contributes to a collection and includes a purchaser of articles 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 Basingstoke Borough 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 doing so.
4. No collection shall be made except upon the day and between the hours stated on 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 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 Licensing Authority or any constable.
7. No collection shall be made in any part of the carriageway 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 carriageway where such collection had 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 collection 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 shall not be nearer to another collector than 24 metres, provided that the Licensing Authority may, if it thinks fit, waive the requirement of the Regulation in respect of a collection which had 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. a) Every collector shall carry a collecting box.

b) All collecting boxes shall be numbered consecutively and shall be securely closed and sealed in such a way as to prevent their being opened without the seal being broken.

c) All money received by a collector from contributors shall immediately be placed in a collecting box.

d) 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. a) Subject to paragraph b) below, a collecting box shall be opened in the presence of a promoter and another responsible person.
 - b) Where a collection box is delivered, unopened, to a bank it may be opened by an official of the bank.
 - c) 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. a) No payment shall be made to any collector.
 - b) 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.

FINANCIAL RETURN

16. (1) **WITHIN ONE MONTH AFTER THE DATE OF A COLLECTION**, the person to whom the 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 a 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) about, 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 any payments incurred in connection with such collection.

(3) The Licensing Authority may, if satisfied that there are special reasons for doing , extend the period of one month referred to in paragraph (1) above.

(4) For the purpose 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 Institute of Chartered Accountants in Ireland

The Association of Certified Accountants

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 not exceeding fifty pounds.