

CIVIC GOVERNMENT (SCOTLAND) ACT, 1982

PUBLIC CHARITABLE COLLECTION

RULES

On receiving permission to organise a collection, the organiser, if he is not an exempted promoter, shall appoint an independent responsible person or a qualified accountant to act as auditor of the collection.

The organiser of a collection or his agent shall issue to each collector participating in the collection, a certificate of authority which shall bear:

- (a) the name and address of the organiser;
- (b) the name and address of the collector to whom the certificate is issued;
- (c) the name of the funds or organisations which are to benefit from the collection;
- (d) the area in which the collector is authorised to collect;
- (e) the period during which the collector is authorised to collect;
- (f) the signature of the collector;
- (g) the signature of the organiser or his agent; and
- (h) when the certificate has been signed by an agent the name and address of the agent.

The organiser or his agent shall:

- (a) if the collection is an envelope collection, issue a supply of envelopes to each collector;
- (b) if the collection is not an envelope collection, issue a collecting box marked with a distinguishing number to each collector; and
- (c) record the name and address of each collector, and the number marked on the box given to him or the number of envelopes issued to him.

The organiser or his agent shall exercise all due diligence to ensure that the collectors to whom certificates of authority are issued are:

- (a) if the collection is a street collection, 14 years of age or over;
- (b) if the collection is a house to house collection, 16 years of age or over;
- (c) fit and proper persons to act as collectors; and
- (d) aware of their obligations under these regulations and under any conditions relating to the collection made under Section 119 of the Act by the Council, the Sheriff or the Secretary of State.

DUTIES OF COLLECTORS

No person shall act as a collector unless he possesses a certificate of authority and displays a badge bearing the name of the funds or organisations which are to benefit from the collection.

The use of photographs and soliciting of any fixed amount of cash by collectors is prohibited.

A collector shall produce his certificate of authority, on demand, to a police constable, to any person from whom he has solicited a contribution or to any other interested person.

No collector shall importune any person to the annoyance of that person or remain in or at the door of any house if requested to leave by any occupants thereof.

ACCOUNTS

The organiser, other than an exempted promoter, or a collection within the area of a district or islands council shall, within one month of the last date for which he possessed permission to collect, submit to that council accounts relating to the collection.

The accounts shall disclose particulars of:

- (a) the amount collected in the collection;
- (b) any other amount attributable to the collection;
- (c) all expenses incurred in connection with the collection; and
- (d) the name of the funds or organisations which have benefited from the collection and the amount which each has been paid from the net proceeds of the collection.

Accounts relating to an envelope collection shall be accompanied by a list showing the number of envelopes issued to each collector, the number of envelopes returned by each collector, and the total amount in them. Accounts relating to a collection that is not an envelope collection shall be accompanied by a list showing the distinguishing numbers of all collecting boxes issued and the amount in each of them on return. The accounts shall be accompanied by a statement by the organiser and a report by the auditor as set out in the form of Account of Expenses attached.

The organiser shall retain all vouchers, receipts and other papers relating to the collection for a period of 3 months from the submission of the accounts and shall furnish them if required to any council to which the accounts were submitted.

The organiser and the auditor shall, if required, satisfy any council to which the accounts were submitted as to the due and proper application of the net proceeds of the collection, or as to any other matter arising from the accounts or the papers relating to the collection.

The organiser shall within one month of submitting accounts publish a summary of them in one or more newspapers circulating in the area or areas for which permission had been granted to collect, or, if the organiser is an exempted promoter, in one or more newspapers circulating throughout Scotland.

I T Innes
Head of Legal Services

Council Building
2 High Street
PERTH PH1 5PH