

(ENTER COUNCIL NAME HERE)

Application form for a House to House Collection Licence

This pack contains a form and explanatory notes to apply for a House to House collection Licence.

The application should be made on the form provided and returned to the address given below. Please give **no less than** 28 days' notice.

For collections involving Professional Fundraisers and/or Commercial Participators please provide all the information requested on Pages 5/6 together with your application form. Any application sent in without this information may be returned unprocessed.

NOTES

Anyone wishing to appeal to the public to collect money or other property for any charitable purpose by going from house to house must have a licence to do so.

(Note: "HOUSE in this connection includes public houses and places of business).

Permission is given:-

1. By the Secretary of State, who may do so by Order, in the case of collections made throughout the whole country or a substantial part of it; or
2. By the Licensing Committee, who may grant a licence authorising a person to promote such collection in the City; or
3. By the Chief Constable, who may grant a certificate to allow a minor collection in a particular part of the City, for a purpose local in character, and which is to be completed within a short period of time. (See * below)

* A person who wishes to hold a minor charitable house to house collection in a particular area of the City, which is for the benefit of that area and only for a short period of time, should apply to the local police station.

You must give details of the proposed collection so that, if agreed, a Police Certificate giving you authority to hold the collection, may be issued. You will then be exempted from the provisions of the Act, except that any person collecting for you must give his name, address and signature if requested by a police officer.

Anyone who wishes to hold a House to House Collection should obtain a copy of the House to House Collections Act, 1939, and of the Regulations made under the Act, which will give them full information on the subject.

Cont/.....

Rules to be followed for any House to House Collection not covered by a Police Certificate:-

1. An application for a licence must be in the prescribed form at least 28 days before the date of the collection.
2. If you are not a member of the group you wish to collect for, you will need to send us a letter from them saying that they agree to you collecting for them. Please send this with your completed application form.
3. Every person acting as a collector must carry a copy of the certificate of authority given to him by the promoter of the collection and which he must produce on request to any police constable, or any occupant of a house visited by him for the purpose of collection.
4. Every collector must have a prescribed badge, which is also to be supplied by the promoter and which he must wear prominently whenever collecting.
5. A collector of money must not be under the age of 16 years.
6. A collector must not harass any person, nor remain at any house if requested to leave by the occupant.
7. If money is collected, the contribution should be put into the box, or if no box, a receipt for the contribution should be given by the collector. The Regulations state the procedure to be followed for the examination of boxes and books.
8. If you wish the collection to be in the form of direct debit pledges you will need to provide a copy of the Agreement (signed by both parties), between the Fundraising Company and the Charity, detailing the costs of your services. Please send this in with your application form.

Any application sent in without this information may be returned unprocessed.

9. A constable may request any person believed to be acting as a collector, to declare immediately their name and address and to sign their name.
10. A Form of Account will be sent with the licence. This has to be completed by the promoter and certified by an Accountant and then returned to the Licensing Section within one month of the licence expiring.

The Licensing Section

The personal information held on this form will be used to process the licence application, enforcement and protection of public funds. It will not be disclosed outside of Birmingham City Council, the Police, Local Government Departments and other Government Agencies.

Please note that any information relating to persons included on this form is accepted on the understanding that they agree to the use of the information in this way.

(ENTER COUNCIL NAME HERE)

HOUSE TO HOUSE COLLECTION ACT 1939
Form Of Application For Licence

The attention of applicants for licences under the House to House Collections Act is drawn to Paragraph 4 of the House to House Collections Regulations 1947 made by the Secretary of State on the 12 December 1947. This paragraph provides that ordinarily an application for licence shall be made not later than the first day of the month preceding that in which it is proposed to commence the collection.

Applicant's details: (BLOCK LETTERS PLEASE)

Name of Applicant (Mr/Mrs/Miss/Ms)

Date of Birth National Insurance No.

Daytime telephone No:

Home Address of Applicant

.....

.....

Name of Society or Organisation responsible for the conduct of the collection:

.....

Address of Society/Organisation

Are you a member of this Society or Organisation? **Yes** **No**

If yes, please state your position within the Society/Organisation

If not, you must supply a letter from them with this application authorising you to collect on their behalf.

Have you previously been granted a House to House Collection Licence by this Authority? **Yes** **No**

If yes, please indicate the date of the last collection and permit number if known.

Has the applicant, or to the knowledge of the applicant, anyone associated with the promotion of the collection been refused a licence under the Act, or had a licence revoked? **Yes** **No**

Name of Charity or Fund which is to benefit from the proceeds of the collection:.....

Address of Charity/Fund

.....

.....

Objects of the charity:

(Please enclose recent literature, accounts, etc.)

Collection details:

Over what parts of the licensing area is it proposed that the collection should extend?
.....

Over what period of the year is it proposed that the collection should be made?

Approximately how many collectors will there be?

Is it proposed to collect money? **Yes** **No**

Is it proposed to collect other property **Yes** **No**

If yes, of what nature

Is it proposed to sell such property or to give it away or to use it? **Sell** **Give away** **Use**

Is application being made for licences for collections for the same purposes in other licensing areas? **Yes** **No**

If yes, to what licensing authorities?

Approximately how many persons in all is it proposed to authorise to act as collectors?

Is it proposed to promote this collection in conjunction with a street collection? **Yes** **No**

If yes, is it proposed to submit one account or separate accounts.

If the collection is for a War Charity, state if such charity has been registered or exempted from registration under the War Charities Act 1940, and give name of registration authority and date of registration or exemption.
.....

Proceeds of the Collection:

Are the whole of the receipts to be paid over to the Charity or Fund? **Yes** **No**

If not, please state the purpose for which deductions will be made?

Please also state approximately how much will be deducted for expenses or other purposes?

NB PLEASE NOTE THAT NO DEDUCTION CAN BE MADE UNLESS DETAILS ARE SPECIFICALLY STATED ON THIS FORM

Is it proposed that remuneration should be paid out of the proceeds of the collection to any persons? **Yes** **No**

If yes, please give details

Please answer **all** questions fully in order that the processing of your application is not delayed.

DECLARATION

I am aware that should a House to House Collection Licence be granted to me the collection must take place in strict compliance with the House to House Collection Regulations which I have read and fully understand. I am aware that it is also necessary for me to submit a certified form of statement within 28 days of the collection taking place.

.....
Signature of Proposed Licence Holder

.....
Date

The completed form should be returned to:

The Licensing Section
(ENTER ADDRESS)

Information for Professional Fund Raisers and Commercial Participators

Charities Act 1992, Part II

Extract from S.I. 1994 No 3024 – The Charitable Institutions (Fund-raising Regulations) 1994.

Agreements between charitable institutions and professional fund-raisers

2. (1) The requirements as to form and content of an agreement made for the purposes of section 59(1) of the Charities Act 1992 are those set out in the following provisions of this regulation.
- (2) Such an agreement (hereafter in this regulation referred to as “the agreement”) shall be in writing and shall be signed by or on behalf of the charitable institution and the professional fund-raiser.
- (3) The agreement shall specify-
 - (a) the name and address of each of the parties to the agreement;
 - (b) the date on which the agreement was signed by or on behalf of each of those parties;
 - (c) the period for which the agreement is to subsist;
 - (d) any terms relating to the termination of the agreement prior to the date on which that period expires; and
 - (e) any terms relating to the variation of the agreement during that period.
- (4) The agreement shall also contain-
 - (a) a statement of its principal objectives and the methods to be used in pursuit of those objectives;
 - (b) if there is more than one charitable institution party to the agreement, provision as to the manner in which the proportion in which the institutions which are so party are respectively to benefit under the agreement is to be determined; and
 - (c) provision as to the amount by way of remuneration or expenses which the professional fund-raiser is to be entitled to receive in respect of things done by him in pursuance of the agreement and the manner in which that amount is to be determined.

Cont/d

2/

Agreements between charitable institutions and commercial participators

3. (1) The requirements as to form and content of an agreement made for the purposes of section 59(2) of the Charities Act 1992 are those set out in the following provisions of this regulation.
- (2) Such an agreement (hereafter in this regulation referred to as “the agreement”) shall be in writing and shall be signed by or on behalf of the charitable institution and the commercial participator.
- (3) The agreement shall specify-
- (a) the name and address of each of the parties to the agreement;
 - (b) the date on which the agreement was signed by or on behalf of each of those parties;
 - (c) the period for which the agreement is to subsist;
 - (d) any terms relating to the termination of the agreement prior to the date on which that period expires; and
 - (e) any terms relating to the variation of the agreement during that period.
- (4) The agreement shall also contain-
- (a) a statement of its principal objectives and the methods to be used in pursuit of those objectives;
 - (b) provision as to the manner in which are to be determined-
 - (i) if there is more than one charitable institution party to the agreement, the proportion in which the institutions which are so party are respectively to benefit under the agreement; and
 - (ii) the proportion of the consideration given for goods or services sold or supplied by the commercial participator, or of any other proceeds of a promotional venture undertaken by him, which is to be given to or applied for the benefit of the charitable institution, or
 - (iii) the sums by way of donations by the commercial participator in connection with the sale or supply of any goods or services or supplied by him which are to be so given or applied,
 - (c) provision as to any amount by way of remuneration or expenses which the commercial participator is to be entitled to receive in respect of things done by him in pursuance of the agreement and the manner in which any such amount is to be determined.

- (5) The statement of methods referred to in paragraph (4)(a) above shall include, in relation to each method specified, a description of the type of charitable contributions which are to be given to or applied for the benefit of the charitable institution and of the circumstances in which they are to be so given or applied.