

Civic Government (Scotland) Act 1982 (Section 119)

Regulation of Public Charitable Collections

Notes for Information of Organisers

1. Permission is required from the Council in terms of Section 119 of the Civic Government (Scotland) Act 1982 to organise a public charitable collection i.e. a house-to-house collection, street collection, flag day or any other collection taken in conjunction with a stall in a street or other public place if it is for charitable purposes.
2. Permission is not required to place an unattended collection box in a fixed position in a public place such as a shop counter, bar counter, etc., provided the shop keeper or proprietor has consented.
3. Application for permission to promote any collection of a type specified in Note 1. Above, must be made on the attached form which must be submitted to the relevant licensing office, not later than one month before the date of the collection.
4. In terms of the above Act, the Council may refuse to grant permission for a collection to take place if such permission has already been granted to another organisation for a collection in the same part or parts of the Division on the same day or dates. To prevent “double-booking” occurring, however, the Licensing Service will normally contact the organiser concerned to suggest an alternative available day or dates.
5. The organiser of any public charitable collection must ensure that any agents, assistants or collectors comply with the conditions under which permission to collect has been granted.
6. Collectors in street collections must be aged 14 years or over; those in house-to-house collections, 16 years or over.
7. The organiser of any public charitable collection for which permission has been granted by the Council is required to appoint an independent responsible person, or qualified accountant, to act as an auditor for the collection (see Note 8 below).

When an organisation has been give permission to promote any collection or collections within the Division, the organiser must send to the Head of Legal and Governance, within one month of the conclusion of the collection or collections, a financial statement containing the following details:-

- (a) The amount collected in the collection or collections.
- (b) Any other amount attributable to the collection or collections.
- (c) The expenses incurred in connection with the collection or collections.

- (d) The name of the funds or organisations which have benefited from the collection or collections and the amounts paid out in each case from the actual proceeds.

The accounts must contain or be accompanied by a statement by the organiser and a certificate from the auditor. The wording of the statement is shown in the Appendix to these notes. The accounts will be made available by the Council for Public Inspection.

- 8. Full details of the statutory requirements to be observed by organisers of collections are set out in the Public Charitable Collections (Scotland) Regulations 1984 (as amended), which are reproduced in the Appendix to these notes.
- 9. Where a collection is not confined to this Division but is also being promoted in other areas, the organiser must also publish a statement in a newspaper circulating in the area affected, giving financial details of the collection. (See Appendix to notes)