



THE CHARITABLE FUNDS (REGULATION OF COLLECTIONS) ACT, 1953



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THE CHARITABLE FUNDS (REGULATION OF COLLECTIONS) ACT, 1953.

¹ACT NO. XXXI OF 1953

[3rd November, 1953]

An Act to provide for the regulation, administration and accounting of collections of charitable donations and for the prevention of frauds.

WHEREAS it is expedient to provide for the regulation, administration and accounting of collections of charitable donations and for the prevention of frauds ;

It is hereby enacted as follows :—

1. Short title, extent and commencement. —(1) This Act may be called the Charitable Funds (Regulation of Collection) Act, 1953.

(2) It extends to the ²[Karachi Division].

(3) It shall come into force at once.

(2) Definitions. In this Act, unless there is anything repugnant in the subject or the context,—

(a) “collect” and “collection” with their grammatical variations and cognate expressions mean and include appealing for, receiving, collecting and attempting to collect, whether directly or indirectly, any donations whether in money or in kind and whether from the public in a

¹For Statement of Objects and Reasons, see Gaz. of P., 1953, Pt. IX, p. 136.

The Act has been applied to Baluchistan with effect on and from the 3rd day of November, 1953, see Gaz. of P., 1955, Pt. I, p. 28; and also extended to the Leased Areas of Baluchistan, see the Leased Areas (Laws) Order, 1950 (G.G.O. 3 of 1950).

The Act has been amended in its application to the Province of West Pakistan by W.P. Act II of 1967.

²Subs. by A.O., 1964, Art. 2 and Sch., for “Federal Territory of Karachi” which had been subs. by the Repealing and Amending Ordinance 1961 (1 of 1961), s. 3 and 2nd Sch., for “Capital of the Federation”.

public manner or from particular individuals or otherwise, for any fund to which this Act applies ; but do not include more advice by any person not himself engaged in making the collection;

- (b)** “private fund” means a fund consisting of donations whether in money or in kind given by way of charity for the benefit of an individual or a family or a group of persons related to each other or connected with each other for some purpose, when the aggregate of the donation collected or to be collected in any year exceeds or is likely to exceed in value two hundred and fifty rupees but neither exceeds nor is likely to exceeds nor is likely to exceed five thousand rupees ;
- (c)** “charitable fund” means any fund consisting of donations whether in money or in kind given by way of charity —
- (i)** for the benefit of an individual or a family or a group of persons related to each other or connected with each other for some purpose, when the aggregate of the donations collected or to be collected in any year exceeds or is likely to exceed in value five thousand rupees ; or
- (ii)** for the benefit of any institution, association, society or undertaking of which the sole or a principal object is the establishment or maintenance or benefit of a mosque, dargah, orphanage, widows’ home, educational institution or other similar establishment, or the relief of poverty, sickness or distress or any other educational, religious, benevolent or philanthropic purpose ;
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- (d) “promoter” of a fund means a person holding himself responsible for the due collection, custody, administration and accounting of the donations which it is intended or proposed to make for a private or a charitable fund;
- (e) “collector” of a fund means a person actually engaged in collecting donations for a private or a charitable fund ;
- (f) “recipient” of a fund means an individual, institution, association, society or undertaking for whose benefit a private or a charitable fund is or is to be collected;
- (g) “declaration” means a declaration duly made as prescribed by the promoter or promoters of a private or a charitable fund and in force under the rules made under this Act, and stating:—
- (i) the names and addresses of the promoters of the fund ;
 - (ii) the value of the donations which it is intended to collect ;
 - (iii) the names and addresses of the collectors of the fund ;
 - (iv) the names and addresses of the recipients of the fund ;
 - (v) the objects and purpose for which the donations are to be utilized;
 - (vi) the names of the banks or the persons in whose custody the collections are to be kept ;
- ¹[(gg) “Commissioner” means the Commissioner of the Karachi Division ;]
- (h) “sanctioning authority” means a person appointed by the

¹ Subs. by A.O., 1964, Art. 2 and sch., for clause (gg) which was ins. by the Repealing and Amending Ordinance, 1961 (1 of 1961), s. 3 and 2nd sch.

¹[Commissioner] to be a sanctioning authority for the purpose of this Act ;

(i) “prescribed” means prescribed by rules made under this Act.

3. Regulation of private and charitable funds. —(1) No person shall make any collection for any private fund or any charitable fund except in accordance with the provisions of this Act.

(2) Nothing in this Act shall apply to any donation made directly to any individual or individuals for the personal benefit of such individual or individuals.

4. Declarations of collections of private funds. —(1) No person shall make any collection for any private fund unless—

(a) before the commencement of the collection a declaration in respect of the private fund has been duly made in the prescribed form and been duly delivered by hand or by registered post, acknowledgement due, to the sanctioning authority, and

(b) his name and address is duly shown as a promoter or collector of the fund in the declaration.

5. Sanctioning of collection of charitable funds. —(1) No person shall make any collection for any charitable fund unless before the commencement of the collection a declaration in respect of the intended collection has been duly made and delivered to the sanctioning authority, and the sanctioning authority has sanctioned the collection in writing.

(2) The sanctioning authority may refuse to sanction the collection if the object of the collection appears to it to be immoral or contrary to public policy, or if the authority is not satisfied with regard to the bona fides of the persons proposing to make the collection, or if the authority is not satisfied with regard to the proper custody of the fund or the due administration of the fund for the purpose for which it is to be collected.

¹ Subs. by A.O., 1964, Art. 2 and Sch. for “Agent” which had been subs. by Ordinance, 1 of 1961, s. 3 and 2nd Sch. for “Chief Commissioner”.