

Charities (Fund-Raising Appeals) Regulations 2007

Table of Contents

Enacting Formula

1 Citation and commencement

2 Definitions

3 Application

4 Duty to donors

5 Use of donations

6 Duty to maintain accounting records

7 Fund-raising expenses

8 Requirements relating to financial statements and audits of charities, and fund-raising appeals of \$1 million or more by charities

9 Power of Sector Administrator to inspect records

10 Power of Sector Administrator to give directions in relation to receipts from fund-raising appeal

11 Offences

No. S 176

CHARITIES ACT (CHAPTER 37)

CHARITIES (FUND-RAISING APPEALS) REGULATIONS 2007

In exercise of the powers conferred by section 48 of the Charities Act, the Minister for Community Development, Youth and Sports hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Charities (Fund-Raising Appeals) Regulations 2007 and shall come into operation on 1st May 2007.

Definitions

2.—(1) In these Regulations, unless the context otherwise requires —

“charity” does not include any exempt charity or any charity that is an institution of a public character;

“commercial fund-raiser” means any person who for reward solicits or otherwise procures money or other property for, or purportedly for, the benefit of a charity or any charitable, benevolent or philanthropic purpose;

“fund-raising appeal” has the same meaning as in section 39(1) of the Act;

“institution of a public character” has the same meaning as in section 40A of the Act;

“person” includes any company or association or body of persons, corporate or unincorporate, but excludes any charity within the meaning of the Act;

“Sector Administrator” —

(a) in relation to a charity, whether established before, on or after 1st May 2007, means —

(i) where a Sector Administrator has been appointed under section 40B of the Act to supervise the sector that the charity is in, that Sector Administrator; or

(ii) in any other case, the Commissioner;

(b) in relation to a commercial fund-raiser conducting a fund-raising appeal for, or purportedly for, the benefit of a charity, means —

(i) where a Sector Administrator has been appointed under section 40B of the Act to supervise the sector that the charity is in, that Sector Administrator; or

- (ii) in any other case, the Commissioner;
- (c) in relation to any other commercial fund-raiser or any person conducting a fund-raising appeal, means the Commissioner.

Application

3.—(1) Nothing in these Regulations shall apply to any fund-raising appeal by —

- (a) any institution of a public character;
- (b) any commercial fund-raiser for, or purportedly for, the benefit of any institution of a public character; or
- (c) any exempt charity.

(2) For the avoidance of doubt, a fund-raising appeal by —

- (a) any institution of a public character, including any charity within the meaning of the Act that is also an institution of a public character; or
- (b) any commercial fund-raiser for, or purportedly for, the benefit of any institution of a public character,

shall be governed by the Charities (Institutions of a Public Character) Regulations 2007 (G.N. No. S 89/2007).

Duty to donors

4.—(1) A charity, commercial fund-raiser or person conducting a fund-raising appeal shall ensure that —

- (a) any information provided to donors or to the general public is accurate and not misleading;
- (b) the following information is disclosed to every person from whom a donation is solicited —
 - (i) the name of the charity or the person to which the donation will be given;
 - (ii) the purpose for which the donation will be used; and
 - (iii) whether any commercial fund-raiser has been engaged in soliciting the donation;

(c) any information relating to donors is kept confidential, and no information