

Charities (Fund-raising Appeals for Foreign Charitable Purposes) Regulations

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CHARITIES ACT
(CHAPTER 37, SECTION 48)

CHARITIES (FUND-RAISING APPEALS FOR FOREIGN
CHARITABLE PURPOSES) REGULATIONS

Rg 2

G.N. No. S 482/1994

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(1st April 1995)

[1st January 1995]

PART I

PRELIMINARY

Citation

1. These Regulations may be cited as the Charities (Fund-raising Appeals for Foreign Charitable Purposes) Regulations.

Definitions

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

“approved auditor” means an auditor approved by the Commissioner;

“designated person”, in relation to an organisation, means the designated person named by the organisation under regulation 3(2)(d) as the designated person for the purposes of these Regulations;

“foreign charitable purpose” means any charitable, benevolent or philanthropic purpose connected wholly or partly with persons, events or objects outside Singapore;

“organisation” means a group, whether incorporated or not, of persons who —

(a) conduct their activities under a common name; and

(b) maintain a list of members;

“permit” means a permit to conduct or participate in a fund-raising appeal granted under regulation 4(1)(a);

“permit holder” means a person who has been granted a permit.

PART II

FUND-RAISING APPEALS FOR FOREIGN CHARITABLE PURPOSES

Permit to conduct fund-raising appeal

3.—(1) Any person who wishes to conduct or participate in any fund-raising appeal for any foreign charitable purpose may, not less than 30 days before the date on which the fund-raising appeal is to be held or to commence, apply to the Commissioner for a permit to conduct or participate in the fund-raising appeal.

(2) A person making an application under paragraph (1) shall state —

- (a) the name of that person;
- (b) where that person is a natural person, that person's residential or principal business address in Singapore;
- (c) where that person is an incorporated organisation, the address in Singapore of its registered office or principal place of business;
- (d) where that person is an unincorporated organisation, the name and address of a natural person in Singapore appointed for the purposes of these Regulations as the designated person of the organisation;
- (e) the charity or charitable, benevolent or philanthropic purpose for which the fund-raising appeal is to be conducted;
- (f) the date on which the fund-raising appeal will be held or commence and the date on which the fund-raising appeal will end;
- (g) whether any person is to derive any money or gain or reward from the fund-raising appeal;
- (h) the form of the fund-raising appeal;
- (i) the area in which the fund-raising appeal is to be conducted;
- (j) the name of the approved auditor who will audit the accounts of the fund-raising appeal; and
- (k) such other particulars as the Commissioner may require.

Grant of permit to conduct fund-raising appeal

4.—(1) Subject to paragraph (2), the Commissioner may, on receiving an application under regulation 3 —

- (a) grant a permit, conditionally or otherwise, to conduct or participate in the fund-raising appeal for a foreign charitable purpose specified in the application; or
- (b) refuse to grant a permit to conduct or participate in the fund-raising appeal on any ground specified in paragraph (3).

(2) No permit to conduct or participate in any fund-raising appeal for any foreign charitable purpose shall be granted under this regulation unless the applicant undertakes to apply within Singapore not less than 80% of the net proceeds received in response to the fund-raising appeal, unless the Commissioner in his discretion otherwise allows.

(3) The Commissioner may, without prejudice to paragraph (2), refuse to grant a permit to conduct or participate in a fund-raising appeal for a foreign charitable purpose if he is of the opinion that —

- (a) in relation to the gross proceeds likely to be received in response to the fund-raising appeal, an excessive proportion of the proceeds likely to be received is to be used for administrative expenses or as remuneration to persons conducting or participating in the fund-raising appeal or both;
- (b) the applicant is not a fit and proper person to conduct the fund-raising appeal by reason of the fact that he or, in the case of an organisation, any officer or member thereof, has been convicted, whether in Singapore or elsewhere, of any offence conviction for which necessarily implied a finding that he had acted fraudulently or dishonestly, or of any offence of a kind the commission of which would be likely to be facilitated by the grant of a permit;
- (c) granting a permit to conduct the fund-raising appeal would be likely to facilitate the commission of an offence under any written law, or that any force, threat or compulsion is likely to be used in order to obtain any money, gain or reward in connection with the fund-raising appeal;
- (d) the fund-raising appeal is in aid of a charitable purpose or institution that is illegal, fictitious or objectionable on grounds of public policy;
- (e) the applicant or, in the case of an organisation, any officer or member thereof, is a member of an unlawful society;
- (f) it would be undesirable to grant a permit regarding the fund-raising appeal; or
- (g) the applicant has furnished false information to the Commissioner in his