House to House Charitable Collections Act (Northern Ireland) 1952 [F1]

1952 CHAPTER 6

An Act to provide for the regulation of house to house collections for charitable purposes; and for matters connected therewith. [6th May 1952]

F1 Functions transf. by SR 1999/481
F2 Act repealed (prosp.) by Charities Act (Northern Ireland) 2008 (c. 12), ss. 184, 185, **Sch. 9**

1 Charitable collections from house to house to be licensed.

(1) Subject to the provisions of this Act, no collection for a charitable purpose shall be made unless the requirements of this Act as to a licence for the promotion of such collection are satisfied.

(2) If a person promotes a collection for a charitable purpose, and a collection for that purpose is made in any locality pursuant to such promotion, then, unless there is in force, throughout the period during which the collection is made in that locality, a licence authorising him, or authorising another person under whose authority he acts, to promote a collection therein for that purpose, he shall be guilty of an offence.

(3) If a person acts as a collector in any locality for the purposes of a collection for a charitable purpose, then, unless there is in force, at all times when he so acts, a licence authorising a promoter under whose authority he acts, or authorising the collector himself, to promote a collection therein for that purpose, he shall be guilty of an offence.

(4) If the county inspector[F3] of police for the area comprising a locality in which a collection for a charitable purpose is being or is proposed to be made is satisfied that that purpose is local in character and that the collection is likely to be completed within a short period of time, he may grant to the person who appears to him to be principally concerned in the promotion of the collection a certificate in the prescribed form, and, where a certificate is so granted, the provisions of this Act, except the provisions of sections five and six thereof and the provisions of section seven thereof in so far as they relate to those sections, shall not apply, in relation to a collection made for that purpose

Changes to legislation: *There are currently no known outstanding effects for the House to House Charitable Collections Act (Northern Ireland) 1952. (See end of Document for details)*

within such locality and within such period as may be specified in the certificate, to the person to whom the certificate is granted or to any person authorised by him to promote the collection or to act as a collector for the purposes thereof.

F3 Now chief superintendent, SRO (NI) 1970/111

2 Licences.

(1) Where a person who is promoting, or proposes to promote, a collection in any locality for a charitable purpose makes to the county inspector[F4] of police for the area comprising that locality an application in the prescribed manner specifying the purpose of the collection and the locality within which the collection is to be made, and furnishes such county inspector[F4] with the prescribed information, the county inspector[F4] shall, subject to the following provisions of this section, grant to him a licence authorising him to promote a collection within that locality for that purpose.

(2) A licence shall be granted for such period, not being longer than twelve months, as may be specified in the application, and shall, unless it is previously revoked, remain in force for the period so specified:

Provided that, if it appears to a county inspector[F4] of police to be expedient to provide for the simultaneous expiration of licences to be granted by him in respect of collections which in his opinion are likely to be proposed to be made annually or continuously over a long period, he may, on the grant of such a licence, grant it for a period shorter or longer than that specified in the application therefor, or for a period longer than twelve months (but not exceeding eighteen months), as may be requisite for that purpose.

(3) A county inspector[F4] of police may refuse to grant a licence, or, where a licence has been granted, may revoke it, if it appears to him that—

(a) the total amount likely to be applied for charitable purposes as the result of the collection (including any amount already so applied) is inadequate in proportion to the value of the proceeds likely to be received (including any proceeds already received);

(b) remuneration which is excessive in relation to the total amount aforesaid is likely to be, or has been, retained or received out of the proceeds of the collection by any person;

(c) the grant of a licence would be likely to facilitate the commission of an offence under paragraph (*f*) of section four of the Vagrancy Act, 1824 , or that an offence under that section has been committed in connection with the collection;

(d) the applicant or the holder of the licence is not a fit and proper person to hold a licence by reason of the fact that he has been convicted in the United Kingdom or in the Republic of Ireland of any of the offences specified in the Schedule to this Act, or has been convicted in any part of Her Majesty's dominions of any offence conviction for which necessarily involved a finding that he acted fraudulently or dishonestly, or of an offence of a kind the commission of which would be likely to be facilitated by the grant of a licence;

(e) the applicant or the holder of the licence, in promoting a collection in respect of which a licence has been granted to him, has failed to exercise due diligence to secure that persons authorised by him to act as collectors for the purposes of the collection were fit and proper persons, to secure compliance on the part of

persons so authorised with the provisions of regulations made under this Act, or to prevent prescribed badges or prescribed certificates of authority being obtained by persons other than persons so authorised; or

(f) the applicant or holder of the licence has refused or neglected to furnish to the county inspector[F4] of police such information as the inspector may have reasonably required for the purpose of informing himself as to any of the matters specified in the foregoing paragraphs.

(4) When a county inspector[F4] of police refuses to grant a licence or revokes a licence which has been granted, he shall forthwith give written notice to the applicant or holder of the licence stating upon which one or more of the grounds set out in sub-section (3) of this section the licence has been refused or revoked and informing the applicant or holder of the right of appeal given by this section, and the applicant or holder of the licence may thereupon appeal to the Minister of Home Affairs[F5] (in this Act referred to as "the Minister") against the refusal or revocation of the licence as the case may be and the decision of the Minister shall be final.

(5) The time within which any such appeal may be brought shall be fourteen days from the date on which notice is given under sub-section (4) of this section.

(6) If the Minister decides that the appeal shall be allowed, the county inspector[F4] of police shall forthwith issue a licence or cancel the revocation as the case may be in accordance with the decision of the Minister.

F4 Now chief superintendent, SRO (NI) 1970/111
F5 Now Head of D/Fin., SRO (NI) 1973/504

3 Exemptions in the case of certain collections.

(1) Where the Minister is satisfied that a person pursues a charitable purpose throughout the whole of Northern Ireland and is desirous of promoting collections for that purpose, the Minister may by order direct that he shall be exempt from the provisons of sub-section (2) of section one of this Act as respects all collections for that purpose, and whilst an order so made is in force, the provisions of this Act shall have effect in relation to the person exempted, to a promoter of a collection for that purpose who acts under the authority of the person exempted, and to a person who so acts as a collector for the purposes of any such collection, as if a licence authorising the person exempted to promote the collection had been in force.

(2) Any order made under this section may be revoked or varied by a subsequent order made by the Minister.

4 Regulations.

(1) The Ministry of Home Affairs[F6] may make regulations for prescribing anything which by this Act is required to be prescribed, and for regulating the manner in which collections, in respect of which licences have been granted or orders have been made under the last foregoing section, may be carried out and the conduct of promoters and collectors in relation to such collections.

(2) Without prejudice to the generality of the powers conferred by the foregoing sub-section, regulations made thereunder may make provision for all or any of the following matters, that is to say:—

(a) for requiring and regulating the use by collectors, of prescribed badges and prescribed certificates of authority, and the issue, custody, production and return thereof, and, in particular, for requiring collectors on demand by a police constable or by any occupant of a house visited to produce their certificates of authority;

(b) in the case of collections in respect of which licences have been granted, for requiring that the prescribed certificates of authority of the collectors shall be authenticated in a manner approved by the county inspector[F7] of police for the area in respect of which the licence was granted, and that their prescribed badges shall have inserted therein or annexed thereto in a manner and form so approved a general indication of the purpose of the collection;

(c) for prohibiting persons below a prescribed age from acting, and others from causing them to act, as collectors;

(d) for preventing annoyance to the occupants of houses visited by collectors;

(e) for requiring the prescribed information with respect to the expenses, proceeds and application of the proceeds of collections to be furnished, in the case of collections in respect of which licences have been granted, by the person to whom the licence was granted to the county inspector[F7] of police by whom it was granted, and, in the case of collections in respect of which an order has been made, by the person thereby exempted from the provisions of sub-section (2) of section one of this Act to the Ministry of Home Affairs[F6], and for requiring the information furnished to be vouched and authenticated in such manner as may be prescribed.

(3) Any person who contravenes or fails to comply with the provisions of a regulation made under this Act shall be guilty of an offence.

(4) Any regulations made under this Act shall be laid before Parliament as soon as may be after they are made, and if either House of Parliament, within the statutory period next after any such regulations have been laid before it, resolves that the regulations be annulled, the regulations shall thereupon become void, without prejudice, however, to anything previously done thereunder or to the making of new regulations.

F6 Now D/Fin., SRO (NI) 1973/504
F7 Now chief superintendent, SRO (NI) 1970/111

5 Unauthorised use of badges, &c.

If any person, in connection with any appeal made by him to the public in association with a representation that the appeal is for a charitable purpose, displays or uses—

(a) a prescribed badge or a prescribed certificate of authority, not being a badge or certificate for the time being held by him for the purposes of the appeal pursuant to regulations made under this Act, or

(b) any badge or device, or any certificate or other document, so nearly resembling a prescribed badge or, as the case may be, a prescribed certificate of authority as to be calculated to deceive,

he shall be guilty of an offence.