



2008 CHAPTER 12

PART 13

FUNDING OF CHARITABLE INSTITUTIONS

CHAPTER 1

PUBLIC CHARITABLE COLLECTIONS

Permits

Refusal of permits

145.—(1) The only ground on which the Commission may refuse an application for a permit to conduct a public charitable collection is that it appears to the Commission that the collection would cause undue inconvenience to members of the public or the occupants of houses or business premises (or both) by reason of—

- (a) the day or the week or date on or in which,
- (b) the time at which,
- (c) the frequency with which, or
- (d) the locality or localities in which,

it is proposed to be conducted.

(2) In making a decision under subsection (1), the Commission may have regard to the fact (where it is the case) that the collection is proposed to be conducted—

- (a) wholly or partly in a locality in which another public charitable collection is already authorised to be conducted under this Chapter, and

(b) on a day on which that other collection is already so authorised, or on the day falling immediately before, or immediately after, any such day.

(3) The Commission shall not, however, have regard to the matters mentioned in subsection (2) if it appears to the Commission—

(a) that the proposed collection would be a collection in a public place and would be conducted only in one location, which is on land to which members of the public would have access only—

(i) by virtue of the express or implied permission of the occupier of the land, or

(ii) by virtue of any statutory provision, and

(b) that the occupier of the land consents to that collection being conducted there;

and for this purpose “the occupier”, in relation to unoccupied land, means the person entitled to occupy it.

(4) In subsection (3) a reference to a collection in a public place authorised under this Chapter is a reference to a collection in a public place that—

(a) is conducted in accordance with section 134, or

(b) is an exempt collection by virtue of section 136.