



# Charities and Trustee Investment (Scotland) Act 2005

2005 asp 10

## PART 2

### FUNDRAISING FOR BENEVOLENT BODIES

#### *Public benevolent collections*

#### **84 Meaning of “public benevolent collection”**

- (1) This section applies for the interpretation of sections 85 to 92.
- (2) “Public benevolent collection” means a collection from the public of money or promises of money (whether or not given by them for a consideration by way of goods or services) for the benefit of benevolent bodies or for charitable, benevolent or philanthropic purposes taken—
  - (a) in a public place, or
  - (b) by means of visits to two or more houses or business premises.
- (3) “Public place”, in relation to a public benevolent collection, means—
  - (a) any road (within the meaning of the Roads (Scotland) Act 1984 (c. 54)), and
  - (b) any other place to which, at any time when the collection is taken, members of the public have access as of right or by virtue of express or implied permission and which—
    - (i) is not within a building, or
    - (ii) if within a building, is a public area within any station, airport or shopping precinct or is any other similar public area.
- (4) But subsection (3)(b) does not apply to any place to which members of the public have access—
  - (a) only on payment or by ticket,
  - (b) only by virtue of permission given for the purpose of the collection in question.
- (5) In relation to a public benevolent collection—

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*Status: This is the original version (as it was originally enacted).*

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“business premises” means any premises used for business or other commercial purposes,

“house” includes any part of a building constituting a separate dwelling.