



2008 CHAPTER 12

PART 13

FUNDING OF CHARITABLE INSTITUTIONS

CHAPTER 1

PUBLIC CHARITABLE COLLECTIONS

Preliminary

Regulation of public charitable collections

131.—(1) This Chapter regulates public charitable collections, which are of the following two types—

- (a) collections in a public place; and
- (b) door to door collections.

(2) For the purposes of this Part—

- (a) “public charitable collection” means (subject to section 132) a charitable appeal which is made—
 - (i) in any public place, or
 - (ii) by means of visits to houses or business premises (or both);
- (b) “charitable appeal” means an appeal to members of the public which is—
 - (i) an appeal to them to give money or other property, or
 - (ii) an appeal falling within subsection (4),

(or both) and which is made in association with a representation that the whole or any part of its proceeds is to be applied for charitable, benevolent or philanthropic purposes;

- (c) a “collection in a public place” is a public charitable collection that is made in a public place, as mentioned in paragraph (a)(i);
 - (d) a “door to door collection” is a public charitable collection that is made by means of visits to houses or business premises (or both), as mentioned in paragraph (a)(ii).
- (3) For the purposes of subsection (2)(b)—
- (a) the reference to the giving of money is to doing so by whatever means; and
 - (b) it does not matter whether the giving of money or other property is for consideration or otherwise.
- (4) An appeal falls within this subsection if it consists in or includes—
- (a) the making of an offer to sell goods or to supply services, or
 - (b) the exposing of goods for sale,
- to members of the public.
- (5) In this section—
- “business premises” means any premises used for business or other commercial purposes;
 - “house” includes any part of a building constituting a separate dwelling;
 - “public place” means—
- (a) any road within the meaning of the [Road Traffic \(Northern Ireland\) Order 1995 \(NI 18\)](#), and
 - (b) (subject to subsection (6)) any other place to which, at any time when the appeal is made, members of the public have or are permitted to have access and which either—
 - (i) is not within a building, or
 - (ii) if within a building, is a public area within any station, airport or shopping precinct or any other similar public area.
- (6) In subsection (5), paragraph (b) of the definition of “public place” does not include—
- (a) any place to which members of the public are permitted to have access only if any payment or ticket required as a condition of access has been made or purchased; or
 - (b) any place to which members of the public are permitted to have access only by virtue of permission given for the purposes of the appeal in question.