



2008 CHAPTER 12

PART 13

FUNDING OF CHARITABLE INSTITUTIONS

CHAPTER 1

PUBLIC CHARITABLE COLLECTIONS

Public collections certificates

Determination of applications and issue of certificates

138.—(1) On receiving an application for a public collections certificate made in accordance with section 137, the Commission may make such inquiries (whether under section 140 or otherwise) as it thinks fit.

(2) The Commission shall, after making any such inquiries, determine the application by either—

- (a) issuing a public collections certificate in respect of the collections, or
- (b) refusing the application on one or more of the grounds specified in section 139(1).

(3) A public collections certificate—

- (a) shall specify such matters as may be prescribed, and
- (b) shall (subject to section 142) be in force for—
 - (i) the period specified in the application in accordance with section 137(3)(b), or
 - (ii) such shorter period as the Commission thinks fit.

(4) The Commission may, at the time of issuing a public collections certificate, attach to the certificate such conditions as it thinks fit.

(5) Conditions attached under subsection (4) may include conditions prescribed for the purposes of that subsection.

(6) The Commission shall secure that the terms of any conditions attached under subsection (4) are consistent with the provisions of any regulations under section 148 (whether or not prescribing conditions for the purposes of that subsection).

(7) Where the Commission—

(a) refuses to issue a certificate, or

(b) attaches any condition to it,

it shall serve on the applicant written notice of its decision and the reasons for its decision.

(8) That notice shall also state the right of appeal conferred by Schedule 3 and the time within which such an appeal must be brought.