



2008 CHAPTER 12

PART 13

FUNDING OF CHARITABLE INSTITUTIONS

CHAPTER 2

CONTROL OF FUND-RAISING FOR CHARITABLE INSTITUTIONS

*Control of fund-raising*

**Other persons making appeals required to indicate institutions benefiting and arrangements for remuneration**

**152.**—(1) Subsections (1) and (2) of section 151 apply to a person acting for reward as a collector in respect of a public charitable collection as they apply to a professional fund-raiser.

(2) But those subsections do not so apply to a person excluded by virtue of—

- (a) subsection (3), or
- (b) section 153(1) (exclusion of lower-paid collectors).

(3) Those subsections do not so apply to a person if—

- (a) section 151(1) or (2) applies apart from subsection (1) (by virtue of the exception in section 159(2)(c) for persons treated as promoters), or
- (b) subsection (4) or (5) applies,

in relation to that person acting for reward as a collector in respect of the collection mentioned in subsection (1) above.

(4) Where a person within subsection (6) solicits money or other property for the benefit of one or more particular charitable institutions, the solicitation shall be accompanied by a statement clearly indicating—

- (a) the name or names of the institution or institutions for whose benefit the solicitation is being made;
- (b) if there is more than one such institution, the proportions in which the institutions are respectively to benefit;
- (c) the fact that the person is an officer, employee or trustee of the institution or company mentioned in subsection (6); and
- (d) the fact that the person is receiving remuneration as an officer, employee or trustee or (as the case may be) for acting as a collector.

(5) Where a person within subsection (6) solicits money or other property for charitable, benevolent or philanthropic purposes of any description (rather than for the benefit of one or more particular charitable institutions), the solicitation shall be accompanied by a statement clearly indicating—

- (a) the fact that the person is soliciting money or other property for those purposes and not for the benefit of any particular charitable institution or institutions;
- (b) the method by which it is to be determined how the proceeds of the appeal are to be distributed between different charitable institutions;
- (c) the fact that the person is an officer, employee or trustee of the institution or company mentioned in subsection (6); and
- (d) the fact that the person is receiving remuneration as an officer, employee or trustee or (as the case may be) for acting as a collector.

(6) A person is within this subsection if—

- (a) the person is an officer or employee of a charitable institution or a company connected with any such institution, or a trustee of any such institution,
- (b) the person is acting as a collector in that capacity, and
- (c) the person receives remuneration either in a capacity as officer, employee or trustee or for acting as a collector.

(7) But a person is not within subsection (6) if that person is excluded by virtue of section 153(4).

(8) Where any requirement of—

- (a) subsection (1) or (2) of section 151, as it applies by virtue of subsection (1) above, or
- (b) subsection (4) or (5) above,

is not complied with in relation to any solicitation, the collector concerned is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

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

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(9) Section 151(9) and (10) apply in relation to an offence under subsection (8) above as they apply in relation to an offence under section 151(8).

(10) In this section “the appeal”, in relation to any solicitation by a collector, means the campaign or other fund-raising venture in the course of which the solicitation is made.