



2008 CHAPTER 12

PART 13

FUNDING OF CHARITABLE INSTITUTIONS

CHAPTER 2

CONTROL OF FUND-RAISING FOR CHARITABLE INSTITUTIONS

Supplementary

Regulations about fund-raising

157.—(1) The Department may make such regulations as appear to it to be necessary or desirable for any purposes connected with any of the preceding provisions of this Chapter.

(2) Without prejudice to the generality of subsection (1), any such regulations may—

- (a) prescribe the form and content of—
 - (i) agreements made for the purposes of section 150, and
 - (ii) notices served under section 155(3);
- (b) require professional fund-raisers or commercial participators who are parties to such agreements with charitable institutions to make available to the institutions books, documents or other records (however kept) which relate to the institutions;
- (c) specify the manner in which money or other property acquired by professional fund-raisers or commercial participators for the benefit of, or otherwise falling to be given to or applied by such persons for the benefit of, charitable institutions is to be transmitted to such institutions;

- (d) provide for any provisions of section 153 or 154 having effect in relation to solicitations or representations made in the course of radio or television programmes to have effect, subject to any modifications specified in the regulations, in relation to solicitations or representations made in the course of such programmes—
 - (i) by charitable institutions, or
 - (ii) by companies connected with such institutions,and, in that connection, provide for any other provisions of this Part to have effect for the purposes of the regulations subject to any modifications so specified;
 - (e) make other provision regulating the raising of funds for charitable, benevolent or philanthropic purposes (whether by professional fund-raisers or commercial participators or otherwise).
- (3) In subsection (2)(c) the reference to such money or other property as is there mentioned includes a reference to money or other property which, in the case of a professional fund-raiser or commercial participator—
- (a) has been acquired by the professional fund-raiser or commercial participator otherwise than in accordance with an agreement with a charitable institution, but
 - (b) by reason of any solicitation or representation in consequence of which it has been acquired, is held by the professional fund-raiser or commercial participator on trust for such an institution.
- (4) Regulations under this section may provide that any failure to comply with a specified provision of the regulations is an offence punishable on summary conviction by a fine not exceeding level 2 on the standard scale.