



Charities Act 1992

1992 CHAPTER 41

PART II

CONTROL OF FUND-RAISING FOR CHARITABLE INSTITUTIONS

Supplementary

64 Regulations about fund-raising.

- (1) The [^{F1}Secretary of State] may make such regulations as appear to him to be necessary or desirable for any purposes connected with any of the preceding provisions of this Part.
- (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 59, and
 - (ii) notices served under section 62(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 60 or 61 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,

Changes to legislation: There are currently no known outstanding effects for the Charities Act 1992, Section 64. (See end of Document for details)

- 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 him 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 him 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 shall be an offence punishable on summary conviction by a fine not exceeding the second level on the standard scale.

Textual Amendments

- F1** Words in s. 64(1) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 8(3)(d)** (with art. 12)

Commencement Information

- II** Pt. II (ss. 58-64) wholly in force at 1.3.1995; Pt. II not in force at Royal Assent see s. 79(2); Pt. II in force for certain purposes at 28.11.1994 and wholly in force at 1.3.1995 by [S.I. 1999/3023](#), **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Charities Act 1992, Section 64.