



The Charitable Collections (Regulation) Act, 1939.

REGULATIONS

His Excellency the Lieutenant Governor has made Regulations, a copy of which is appended, dated the 20th February, 1940, under Section 6 of the Charitable Collections (Regulation) Act, 1939, entitled "The Charitable Collections Regulations, 1940".

The Regulations were approved by Tynwald on the 20th February, 1940.

By Order,

B. E. SARGEAUNT,
Government Secretary.

Government Office,
Isle of Man.
20th February, 1940.

PRICE: 5d.

ISLE OF MAN
TO WIT.

By His Excellency Vice Admiral the Right Honourable The Earl
Granville, C.B., D.S.O., Lieutenant Governor of the said Isle,
&c., &c.

The Charitable Collections (Regulation) Act, 1939.

The Charitable Collections Regulations, 1940.

I. THE SAID LIEUTENANT GOVERNOR, in pursuance of the powers conferred upon me by Section 6 of the Charitable Collections (Regulation) Act, 1939, DO HEREBY make the following Regulations:—

Title. 1.—These regulations may be cited as the Charitable Collections Regulations, 1940.

**Interpre-
tation.** 2.—(1) In these regulations, unless the context otherwise requires:—

“the Act” means the Charitable Collections (Regulation) Act, 1939;

“chief promoter,” in relation to a collection, means a person to whom a licence has been granted authorising him to promote that collection, or in respect of whom an order has been made directing that he shall be exempt from the provisions of section 3 of the Act as respects that collection;

“collecting box” means a box or other receptacle for monetary contributions, securely closed and sealed in such a way as to prevent the same being opened without such seal being broken;

“licence” means a licence granted by the Chief Constable under section 4 of the Act;

“order” means an order made by the Governor under section 5 of the Act;

“prescribed badge” means a badge in the form set out in the Fifth Schedule to these regulations;

“prescribed certificate of authority” means a certificate given in the form and manner set out in the Fourth Schedule to these regulations;

“receipt book” means a book of detachable forms of receipt consecutively numbered with counterfoils or duplicates correspondingly numbered.

(2) A mark shall for the purposes of these regulations be deemed to have been made on a collecting box, if it is made on a wrapper securely gummed to the collecting box.

(3) The Act for shortening the language of Acts of Tynwald passed in 1865, applies to the interpretation of these regulations as it applies to the interpretation of an Act of Tynwald.

**Minor
Collections.**

3.—Every certificate granted under subsection (4) of section 3 of the Act shall be in the form set out in the First Schedule to these regulations, and sections 7 and 8 and subsections (4) and (5) of section 10 of the Act shall be set forth on the back of every such certificate. Where such certificate is granted, the provisions of these regulations shall not apply to a collection made in conformity with such certificate.

**Applications
for licences
and orders.**

4.—Applications for licences shall be made to the Chief Constable, and applications for orders shall be made to the Governor, in the forms and giving the particulars respectively set out in the Second and Third Schedules to these regulations, not later than the first day of the month preceding that in which it is proposed to commence the collections.

Provided that the Chief Constable or the Governor, as the case may be, may reduce the period of notice if satisfied that there are special reasons for so doing.

**Responsibility
of promoters
as respects
Character and
behaviour of
collectors.**

5.—Every promoter of a collection shall exercise all due diligence:—

(a) to secure that persons authorised to act as collectors for the purposes of the collection are fit and proper persons; and

(b) to secure compliance on the part of persons so authorised with the provisions of these regulations.

6.—(1) No promoter of a collection shall permit any person to act as a collector, unless he has issued or caused to be issued to that person:—

Certificates of authority, badges, collecting boxes and receipt books.

- (a) a prescribed certificate of authority duly completed (except as regards the signature of the collector) and authenticated by or on behalf of the chief promoter of the collection;
- (b) a prescribed badge having inserted therein or annexed thereto a general indication of the purpose of the collection; and
- (c) if money is to be collected:—
 - (i) a collecting box marked, or
 - (ii) a receipt book marked on every receipt— with a general indication of the purpose of the collection and a distinguishing number.

(2) Every promoter of a collection shall exercise all due diligence to secure—

- (a) that no prescribed certificate of authority, prescribed badge, collecting box or receipt book is issued, unless the name and address of the collector to whom it is issued have been entered on a list showing in respect of any collecting box or receipt book the distinguishing number thereof; and
- (b) that every prescribed certificate of authority, prescribed badge, collecting box or receipt book issued by him or on his behalf is returned when the collection is completed or when for any other reason a collector ceases to act as such.

(3) In the case of a collection in respect of which a licence has been granted—

- (a) every prescribed certificate of authority shall be given on a form obtained from Government Office and every prescribed badge shall be so obtained; and
- (b) every prescribed certificate of authority shall be authenticated, and the general indication on every prescribed badge of the purpose of the collection shall be inserted therein or annexed thereto, in a manner approved by the Chief Constable.

7.—Every collector shall—

- (a) sign his name on the prescribed certificate of authority issued to him and produce it on the demand of any police constable or of any occupant of a house visited by him for the purpose of collection;
- (b) sign his name on the prescribed badge issued to him and wear the badge prominently whenever he is engaged in collecting; and
- (c) keep such certificate and badge in his possession and return them to a promoter of the collection on replacement thereof or when the collection is completed, or at any other time on the demand of a promoter of the collection.

Duties of collectors in relation to certificates and badges.

8.—No person under the age of 16 years shall act or be authorised to act as a collector of money.

Age limit.

9.—No collector shall importune any person to the annoyance of such person, or remain in or at the door of any house if requested to leave by any occupant thereof.

Importuning.

10.—(1) Where a collector is collecting money by means of a collecting box, he shall not receive any contribution save by permitting the person from whom it is received to place it in a collecting box issued to him by a promoter of the collection.

Collection of money.

(2) Where a collector is collecting money by other means than a collecting box, he shall, upon receiving a contribution from any person, forthwith and in the presence of such person enter in a form of receipt in a receipt book issued to him by a promoter of the collection and on the corresponding counterfoil or duplicate the date, the name of the contributor and the amount contributed, and shall sign the form of receipt, the entries and signature being in ink or indelible pencil, and shall hand the form of receipt to the person from whom he received the contribution.

11.—Every collector, to whom a collecting box or receipt book has been issued, shall return to a promoter of the collection such collecting box with the seal unbroken or such receipt book with a sum equal to the total amount of the contributions (if any) entered therein—

Duty of collector to return boxes and books.

- (a) when the collecting box is full or the receipt book is exhausted;
- (b) upon the demand of a promoter of the collection;
- (c) when he ceases to act as a collector; or
- (d) upon the completion of the collection.

Examination
of boxes and
books.

12.—(1) Every collecting box when returned shall be examined by, and if it contains money be opened in the presence of, a promoter of the collection and another responsible person; as soon as a collecting box has been opened, the contents shall be counted and the amount shall be entered with the distinguishing number of the collecting box on a list, which shall be certified by the persons making the examination.

Provided that, if collecting boxes are delivered unopened to a bank, they may be examined and opened and the list of the amounts found therein may be certified by an official of the bank in the absence of a promoter of the collection.

(2) Every receipt book when returned and all sums received therewith shall be examined by a promoter of the collection and another responsible person; the amount of the contributions entered in the receipt book shall be checked with the money and entered with the distinguishing number of the receipt book on a list, which shall be certified by the persons making the examination.

Temporary
provision
for envelope
collections.

13.—(1) Where the chief promoter of a collection states when he applies for a licence or order that he desires to promote an envelope collection and satisfies the Governor or the Chief Constable, as the case may be, that he promoted an envelope collection for the same charitable purpose in the period of twelve months ending on the 31st July, 1939, then, so long as this regulation is in force, Regulations 6 (1) (c) and 10 shall not apply to any envelope collection promoted under a licence or order granted upon the said application.

(2) Where such a collection is made—

(a) every envelope used shall have a gummed flap by means of which it can be securely closed;

(b) no collector shall receive a contribution except in an envelope which has been so closed; and

(c) Regulations 11 and 12, in so far as they relate to the return and examination of collecting boxes, shall apply, so far as may be, as if each envelope in which a contribution is received were a collecting box, subject to the following modifications:—

In Regulation 11 the word “unopened” shall be substituted for the words “with the seal unbroken”; and in Regulation 12 the words “as soon as the envelopes have been opened” shall be substituted for the words “as soon as a collecting box has been opened,” and the words “with the distinguishing number of the collecting box” shall be omitted.

(3) In this regulation, “envelope collection” means a collection made by persons going from house to house leaving envelopes, in which money may be placed, and subsequently collecting them.

Promoters
to furnish
accounts

14.—(1) The chief promoter of a collection in respect of which a licence has been granted shall furnish an account of the collection to the Chief Constable within one month of the expiry of the licence.

(2) The chief promoter of a collection in respect of which an order has been made shall furnish an account annually to the Governor so long as the order remains in force, and if the order is revoked a final account shall be furnished within three months of the date of the revocation of the order.

(3) The Governor or the Chief Constable, as the case may be, may extend the period within which an account is required to be furnished to him if satisfied that there are special reasons for so doing.

Form and
certification
of accounts.

15.—The account required by the preceding regulation—

(a) where money has been collected, shall be furnished in the form set out in the Sixth Schedule to these regulations and, where property has been collected and sold, shall be furnished in the form and manner set out in the Seventh Schedule to these regulations, and in either case shall be certified by the chief promoter of the collection and by an independent responsible person as auditor; and

(b) where property (other than money) has been collected and given away, shall be furnished in the form set out in the Eighth Schedule to these Regulations and shall be certified by the chief promoter and by every person responsible for the disposal of the property collected.

Vouching
of accounts.

16.—Every account furnished under Regulation 15 (a) shall be accompanied by vouchers for each item of the expenses and application of the proceeds and, in the case of a collection of money, by every receipt book used for the purposes of the collection and by the lists referred to in Regulations 6 and 12.

Provided that this regulation shall not apply to an account certified by an auditor who is a member of one or more of the following bodies (namely)—

- The Institute of Chartered Accountants in England and Wales;
- The Society of Incorporated Accountants and Auditors;
- The Society of Accountants in Edinburgh;
- The Institute of Accountants and Actuaries in Glasgow;
- The Society of Accountants in Aberdeen;
- The London Association of Certified Accountants Limited;
- The Corporation of Accountants Limited.

17.—The chief promoter of a collection shall exercise all due diligence to secure that all forms of prescribed certificates of authority and prescribed badges obtained by him for the purposes of the collection are destroyed when no longer required in connection with that collection or in connection with a further collection which he has been authorised to promote for the same purpose.

Disposal of disused certificates of authority, etc.

Given under my hand this 20th day of February, 1940.
 GRANVILLE,
 Lieutenant-Governor.

FIRST SCHEDULE.

**FORM OF CERTIFICATE OF EXEMPTION
 OF A LOCAL COLLECTION OF A TRANSITORY NATURE.**

In pursuance of Section 3 (4) of the Charitable Collections Regulation Act, 1939, I hereby certify that I am satisfied that the collection, of which particulars are given below, is for a charitable purpose which is local in character, and is likely to be completed within a short period of time.

Accordingly the provisions of that Act (other than those set forth overleaf*) will not apply, in relation to a collection made for the purpose and within the locality and period indicated below, to the promoter(s) named below or to any person authorised by him to act as a collector for the purposes of the collection.

(Signed).....
 Chief Constable.

PARTICULARS OF COLLECTION.

- Name(s) of promoter(s)
- Purpose of collection.
- Locality to which collection is to be confined.
- Date of commencement of collection.
- Date beyond which collection must not continue.

* Sections 7, 8, 10 (4) and 10 (5) of the Act are to be set forth on the back of the certificate.

SECOND SCHEDULE.

FORM OF APPLICATION FOR LICENCE.

To the Chief Constable.

In pursuance of Section 4 of the Charitable Collections Regulation Act, 1939, I hereby apply for a licence authorising me to promote the collection of which particulars are given below.

(Signed).....

PARTICULARS OF COLLECTION.

1. Name of applicant.
2. Address of applicant.
3. Particulars of charitable purposes to which proceeds of collection are to be applied. (Full particulars should be given and, where possible, the most recent account of any charity which is to benefit should be enclosed.)

4. Over what parts of the Isle of Man is it proposed that the collection should extend?
5. During what period of the year is it proposed that the collection should be made?
6. Is it proposed to collect money?
7. Is it proposed to collect other property? If so, of what nature? and is it proposed to sell such property or to give it away?
8. Approximately how many persons is it proposed to authorise to act as collectors?
9. Is it proposed that remuneration should be paid out of the proceeds of the collection—
 - (a) to collectors?
 - (b) to other persons?
 If so, at what rates and to what classes of persons?

THIRD SCHEDULE

FORM OF APPLICATION FOR ORDER.

To the Lieutenant Governor of the Isle of Man.

In pursuance of Section 5 of the Charitable Collections Regulation Act, 1939, I hereby apply for an order exempting me from the provisions of subsection (2) of section 3 of the Act in respect of all collections promoted by me for the charitable purpose and in the localities hereinafter described.

(Signature)

(Address)

PARTICULARS OF COLLECTIONS.

1. Particulars of charitable purpose to which proceeds of collection are to be applied.
2. Area throughout which that purpose is pursued by the applicant.
3. Localities in which collections are proposed to be made.
4. Is it proposed to collect money?
5. Is it proposed to collect other property? If so, of what nature? and is it proposed to sell such property or to give it away?
6. Is it proposed that remuneration should be paid out of the proceeds of the collection—
 - (a) to collectors?
 - (b) to other persons?
 If so, at what rates and to what classes of persons?

FOURTH SCHEDULE.

FORM OF PRESCRIBED CERTIFICATE OF AUTHORITY.

<p>CHARITABLE COLLECTIONS REGULATION ACT, 1939.</p> <hr/> <p>COLLECTOR'S CERTIFICATE OF AUTHORITY.</p> <hr/> <p><i>(Here insert the name of collector in block letters)</i></p> <p>of <i>(here insert address of collector)</i></p> <p>is hereby authorised to collect for</p> <p><i>(here insert the purpose of the collection)</i></p> <p>in <i>(here insert the area within which the collector is authorised to collect, being an area within which the collection has been authorised)</i></p> <p><i>*during the period (here insert the period during which the collector is authorised to collect, being a period during which the collection has been authorised)</i></p>	
<p>Signature of collector—</p>	<p>Signed—</p>

4 1/2"

* This entry may be omitted in the case of a collection in respect of which an order has been made.

Regulation 7 is to be set forth on the back of the certificate.

FIFTH SCHEDULE.

FORM OF PRESCRIBED BADGE.

Front.

Back

<p>CHARITABLE COLLECTIONS</p> <p>REGULATION ACT, 1939.</p> <hr/> <p>AUTHORISED</p> <p>COLLECTOR'S BADGE.</p>	<p>Collector's Signature—</p>
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3 3/4"

2 3/8"

2 3/8"

SIXTH SCHEDULE.

FORM OF ACCOUNT OF EXPENSES, PROCEEDS AND APPLICATION OF
PROCEEDS OF COLLECTION OF MONEY.

Name of chief promoter.
Address of chief promoter
Purpose of collection.
Area to which account relates.
Period to which account relates.

PROCEEDS OF COLLECTION.		EXPENSES AND APPLICATION OF PROCEEDS.	
	£ s. d		£ s. d
From collectors as in lists of collectors and amounts attached thereto.		Printing and stationery	
Bank Interest		Postage	
Other items (if any):—		Advertising	
.....		Collecting boxes ...	
.....		Other items (if any):—	
.....		
		
		Disposal of Balance (insert particulars):—	
		
		
		
Total		Total	

CERTIFICATE OF CHIEF PROMOTER.

I certify that to the best of my knowledge and belief the above is a true account of the expenses, proceeds and application of the proceeds of the collection to which it relates

(Signed).....

CERTIFICATE OF AUDITOR.

I certify that I have obtained all the information and explanations required by me as auditor and that the above is in my opinion a true account of the expenses, proceeds and application of the proceeds of the collection to which it relates.

(Signed).....

SEVENTH SCHEDULE.

FORM OF ACCOUNT OF EXPENSES, PROCEEDS AND APPLICATION OF PROCEEDS OF COLLECTION OF PROPERTY SOLD OR COLLECTED FOR SALE

Name of chief promoter.
 Address of chief promoter.
 Purpose of collection.
 Area to which account relates.
 Period to which account relates.

CASH ACCOUNT.

All amounts to be entered gross.

MONETARY RECEIPTS.		EXPENSES AND APPLICATION OF MONETARY RECEIPTS	
	£ s. d.		£ s. d.
Amount obtained during period of account by sales of property collected.		Items of expense incurred during period of account other than expenses incurred for the purpose of converting property collected into cash, viz:—	
Bank Interest	
Other items (if any):—		
.....		
.....		
.....		
		Items of expense incurred during period of account for the purpose of converting property collected into cash, viz:—	
		
		
		
		
		Disposal of Balance (insert particulars):—	
		
		
Total		Total	

VALUATION OF PROPERTY COLLECTED.

Estimated value of property collected during the period of account.

If the estimated value is not equal to the difference between the "amount obtained by sales of property collected" and the total of the "items of expense incurred during period of account for the purpose of converting property collected into cash", as stated in the cash account, an explanation should be given.

CERTIFICATE OF CHIEF PROMOTER.

I certify that to the best of my knowledge and belief the above is a true account of the expenses, and the value and application of the proceeds, of the collection to which it relates, and that none of the property to which it relates has been disposed of otherwise than by sale, unless found useless and destroyed or otherwise disposed of as rubbish.

(Signed).....

CERTIFICATE OF AUDITOR.

I certify that I have obtained all the information and explanations required by me as auditor and that the above is in my opinion a true account of the monetary receipts and expenses and application of the monetary receipts of the collection to which it relates.

(Signed).....

EIGHTH SCHEDULE.

FORM OF ACCOUNT OF COLLECTION OF PROPERTY (OTHER THAN MONEY)
GIVEN AWAY OR COLLECTED FOR GIVING AWAY.

Name of chief promoter.
Address of chief promoter. .
Purpose of collection.
Area to which account relates.
Period to which account relates.

I certify that to the best of my knowledge and belief all property collected in the collection of which particulars are given above (unless found useless and destroyed or otherwise disposed of as rubbish) has been given away for charitable purposes as follows:—

(Here insert particulars of disposal of property collected.)

(Signed) Chief promoter.
.....
.....

I further certify that the above certificate has been signed by every person responsible for the disposal of the property collected.

(Signed) Chief promoter.