



SC1.32

IMPORTANT –

BEFORE

Birmingham City Council

Police, Factories, etc. (Miscellaneous Provisions) Act 1916

your responsibilities

If applying before 1 November 2022

before 1 November 2022

FOR ALL APPLICATIONS:

must

unprocessed

Electronic submission of applications

GUIDANCE NOTES

1. **Timing**

1 November

8. Animals

9. Private areas

10. Use of Squares

not

11. Subways

12. Carnivals, Processions & Standing displays

13. Selling

14. Expenses and Money for Travel
unless

NO

Please note: not

15. After the collection

28 days

TM

TM

Please note it is an offence to fail to submit the required form of statement in accordance with the regulations.

PROFESSIONAL FUNDRAISERS AND COMMERCIAL PARTICIPATORS

These persons are defined in Section 58(1) of Part 2 of the Charities Act 1992

DIRECT DEBIT FUNDRAISING

If you are not employed by the charity you must send in a letter from them with this application saying that they agree to you collecting on their behalf

... ..

If yes, please state your position/title within the charity

<p>(make sure you have submitted your returns)</p>	<p>... ..</p>

DECLARATION: I declare that the details in this application are true to the best of my knowledge and belief and acknowledge that if there are any omissions or incorrect statements of a serious nature this may result in the application being refused. I further declare that I have read and agree to abide by the Model Street Collection Regulations adopted by Birmingham City Council should my application be granted.

I will send in the Form of Statement, which will be counter-signed by an independent responsible person such as a qualified accountant, within 28 days of the collection.

(The application must be signed with the usual signature of the person who is named in Section 1 of this form)

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MODEL STREET COLLECTION REGULATIONS ADOPTED BY BIRMINGHAM CITY COUNCIL

1. In these Regulations, unless the context otherwise requires:-

"*collection*" means a collection of money or a sale of articles for the benefit of charitable or other purposes and the word "collector" shall be construed accordingly;

"*promoter*" means a person who causes others to act as collectors;

"*the licensing authority*" means the Birmingham City Council;

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12. A collector shall not use any collecting box which does not bear the name of the charity or fund which is to benefit, displayed in a prominent position on the box.
- 13.
- (1) Subject to paragraph (2) below a collecting box shall be opened in the presence of the promoter and another responsible person.
 - (2) Where a collecting box is delivered unopened to a bank, it may be opened by an official of that bank.
 - (3) As soon as a collecting box has been opened, the person opening it shall count the contents and enter the amount (along with the number of the collecting box) on a list to be certified.
- 14.
- (1) No payment shall be made to any collector.
 - (2) No payment shall be made out of the proceeds of a collection, directly or indirectly, to any other person connected with the promotion or conduct of the collection other than payments which have been specifically approved by the Council.
- 15.
- (1) Within one month after the date of the collection the permit holder shall forward to the Council:
 - (a) The completed form of statement (Schedule 1 to these Regulations), showing the amount received and the expenses and any payments incurred in connection with the collection. The form must be certified by the promoter and an independent responsible person such as a qualified accountant.
 - (b) a list of collectors;
 - (c) a list of the amounts contained in each collecting box.
 - (2) The council may, if there are special reasons for doing so, extend, at the request of the promoter, the period of one month referred to in paragraph (1) above.
 - (3) For the purposes of these Regulations "a qualified accountant" means a member of at least one of the following organisations: -
 - the Institute of Chartered Accountants in England and Wales;
 - the Institute of Chartered Accountants of Scotland;
 - the Association of Certified Accountants;
 - the Institute of Chartered Accountants in Ireland.
16. These Regulations shall not apply ±
- (a) in respect of a collection taken at a meeting in the open air; or
 - (b) to the selling of articles in any street or public place when those articles are sold in the ordinary course of trade and without any representation to the effect that the proceeds of sale are to be applied for any charitable or other similar purpose.

Any person who contravenes any of the above Regulations shall be liable on summary conviction to a fine not exceeding level 1 on the standard scale (currently £200).