

Guidance notes



House to house collection permits

Updated January 2024

House to House Collections are licensed in accordance with the House to House Collections Act 1939 and the House to House Collections Regulations 1947.

It is an offence to promote or make a house to house collection for a charitable purpose without the promoter first obtaining a licence from the Local Authority in the area that the collection is to take place.

Exemptions

Although generally speaking you need a licence to obtain money and/or property by way of public appeal, there are certain exemptions from the Act or other activities that mean you do not need a house to house collections licence from us. They are:

Local collections over a short period of time

The Police may grant a certificate to any person principally concerned in a collection of a local nature which exempts that person from requiring a licence. It is important to note that the collection 'purpose' must be local, i.e. relevant to North Devon. You should, if you think this applies to you, go to your local Police station and request to make an application under section 1(4) of the House to House Collections Act 1939.

If granted a certificate by the Police any collectors must not use badges, documents or certificates calculated to deceive the public.

National collections throughout England

The Minister for the Cabinet Office may exempt a person/organisation from the requirement to hold a licence if satisfied that you 'pursue a charitable purpose throughout the whole of England or a substantial part thereof'.

Some of the larger well-known charities such as Christian Aid, and Help the Aged have such an exemption, but by and large most of the smaller, and particularly local, groups and organisations need a permit before they can collect money (or articles which they intend to sell later), from door to door.

Guidance suggests that exemptions are generally available to organisations which have obtained house to house collection licences in at least 70-100 local authority licensing areas for the two preceding years.

To ascertain whether a charity is the holder of a national exemption order please refer to the [Cabinet Office website](#) (under the Charity Law and Regulation section or search for 'House to House Collections').

Only holders of exemption orders may promote envelope collections after obtaining permission from the Minister of the Cabinet Office. No other person or promoter may promote an envelope collection under a licence issued by North Devon Council.

Collecting in a street or public place in North Devon

You would need a separate street collection permit from us to collect in this way. You must not therefore collect money on route from house to house or pub to pub (i.e. in the street).

Selling of goods from door to door in North Devon

You must not make appeals to the public whatsoever that any of the proceeds will be used for a charitable purpose (no matter how small an amount) as you would then need a licence from us. You should check with the Police if you need a Pedlar's Certificate.

Static collection tins

Leaving a static collecting tin or receptacle in a house or place of business will not require a licence.

Definitions

'Charitable Purposes' means any charitable, benevolent or philanthropic purpose, whether or not the purpose is charitable within the meaning of any rule of law.

'Collection' means an appeal to the public, made by means of visits from house-to-house, to give, whether for consideration or not, money or other property; and 'Collector' means a person who makes the appeal in the course of such visits.

'House' includes a place of business.

'Proceeds' means, in relation to a collection, all money and all other property given, whether for consideration or not, in response to the appeal.

'Promoter' means a person who causes others to act as collectors for the purposes of the collection.

Applicant

North Devon Council will need to determine whether an applicant is a fit and proper person to hold a licence. In making this decision, the Council will have regard to whether applicants have been convicted of the following:

- any offence for which conviction involves acting fraudulently or dishonestly, or an offence of a kind the commission of which would be likely to be facilitated by the grant of a licence
- offences under sections 47 -56 of the Offences against the Person Act 1861
- robbery, burglary, or blackmail under the Theft Act 1968
- offences in Scotland involving personal violence or lewd, indecent, or libidinous conduct, or dishonest appropriation of property
- offences under the Street Collections Regulation (Scotland) Act 1915
- offences under section five of the Police, Factories etc (Miscellaneous Provisions) Act 1916

How do I apply for a licence?

To apply for a House to House Collection Licence applicants must correctly complete an application form and return it to the Licensing Team at the Council with any relevant literature.

The application for a licence must be made no later than the first day of the month preceding that in which the collection is purposed to take place.

How long will it take to gain a licence?

North Devon Council will endeavour to determine your application within 28 days from the date on which it receives your full application. Where there are grounds which could lead to the refusal of your application this period is likely to be extended to allow for Licensing Committee to determine your application. We will write to you if this is the case.

Please contact us within 28 days if we have yet to contact you, in order to ensure your application was correctly made and received.

If there are no grounds which are likely to lead to the refusal of your application and we have yet to process your licence within 28 days, you will be permitted to carry on your activities as if you were licensed.

When can I hold a collection and how long can I hold it for?

Whereas street collection permits are normally issued to cover a period of one or two days, a house to house permit can be granted for up to a year.

There are no restrictions on the allocation of dates for house to house collections. Many collections are carried out by regional or national charitable organisations who often book their collections well in advance.

On successful completion of the application North Devon Council will grant a licence for the period specified on the application, providing that the period does not exceed one year.

Refusal or revocation of a licence

North Devon Council may refuse to grant a licence or if it has already been granted, revoke the licence, if it appears to the authority:

- that the applicant or the holder of the licence is not a fit and proper person to hold a licence (see the section entitled Applicant above)
- that the licence holder has failed to exercise due diligence to secure that the persons authorised by him/her to act as collectors were fit and proper persons and that they complied with the regulations
- that the total amount likely to be used for charitable purposes as a result of the collection is inadequate in proportion to the amount likely to be received
- that money from the collection has been or is likely to be retained or received by any person which is excessive in relation to the amount collected
- that the grant of a licence could lead to an offence being committed under the Vagrancy Act 1824 or an offence has already been committed in connection with a collection

Where North Devon Council refuse to grant or revoke a licence they will give written notice to the applicant or licence holder stating upon which of the above grounds this has been taken.

Responsibility of promoters and collectors

The following section aims to summarise the main requirements of the [House to House Collections Regulations 1947](#) and does not constitute the law, please refer to the Regulations for the full text.

Fit and proper persons acting as collectors

Every promoter of a collection shall exercise all due-diligence to secure that persons

authorised to act as collectors for the purposes of the collections are fit and proper persons, and to ensure compliance on part of persons so authorised with the provisions of the House to House Collections Regulations 1947.

Age limit

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

Certificates of authority, badges, collecting boxes and receipt books

The promoter of the collection must ensure that all collectors are issued with:

- a prescribed certificate of authority, which has been signed by or on behalf of the chief promoter of the collection
- a prescribed badge, indicating the purpose of the collection
- if money is to be collected, a collecting box or receipt book clearly marked
- with the purpose of the collection and a distinguishing number.

In addition promoters/collectors must comply with the following:

- the promoter must keep a list of the names and addresses of each collector and identify the distinguishing number of each box/receipt book given to each collector
- the collector shall sign their certificate of authority/badge and produce same to any Police Officer of householder for inspection.
- the collector shall wear the badge when collecting
- the collector shall return the certificate and badge to the promoter on demand
- the collector must not annoy or importune a householder and must leave if requested
- the collector must ensure that all money received is deposited in the collecting box
- if collecting with a receipt book, the collector must complete a receipt detailing monies received, sign same and give to the householder
- the collector shall return on demand to the promoter any collecting box (with the seal unbroken) and/or receipt books
- the promoter must ensure that collecting boxes, when returned, are opened in his presence
- 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

Fee

There is no charge for a house to house collection licence. However, once a licence has been issued, you will need to apply to [The TSO Shop](#) for copies of the certificate of authority and badges which you will need to supply to all your collectors.

The Stationery Office will require your original licence and covering letter with details of the quantity of badges required.

Returns

The chief promoter of the collection shall provide to North Devon Council, within one month of the expiry of the licence an appropriate return. The following forms are available on the council's website.

Powers

A police constable may require any person whom he believes to be acting as a collector for the purposes of a collection for a charitable purpose to declare to him immediately his name and address and to sign his name. If any person fails to comply with this requirement he shall be guilty of an offence.

Offences

Any person guilty of an offence of promoting a charitable collection without a licence shall be liable, on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding level 3 on the standard scale (currently £1000), or to both.

Any person guilty of an offence of acting as a collector for an unlicensed charitable collection shall be liable, on summary conviction, in the case of a first conviction, to a fine not exceeding £25, or in the case of a second or subsequent conviction, to imprisonment for a term not exceeding three months or to a fine not exceeding £50, or to both.

Any person guilty of an offence of failing to comply with the provisions of the House to House Collections Regulations 1947 shall be liable on summary conviction, to a fine not exceeding level 1 on the standard scale (currently £200).

If any person, in connection with any for a charitable purpose, displays or uses a prescribed badge or certificate of authority, not being a badge or certificate held by him for the purposes of the appeal or any badge or device, or any certificate or other document, so nearly resembling a prescribed badge or a prescribed certificate of authority as to be calculated to deceive she/he shall be guilty of an offence, liable, on

summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding level 3 on the standard scale (currently £1000), or to both.

Any person guilty of an offence of failing to declare to a police constable his name and address and to sign his name shall be liable, on summary conviction, to a fine not exceeding level 1 on the standard scale (currently £200).

If any person in furnishing any information knowingly or recklessly makes a statement false, he shall be guilty of an offence, and shall be liable, on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding level 3 on the standard scale (currently £1000), or to both.

Where an offence under the House to House Collections Act 1939 committed by a corporation is proved to have been committed with the consent or connivance of, or to be attributable to any culpable neglect of duty on the part of, any director, manager, secretary, or other officer of the corporation, he/she, as well as the corporation, shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Appeals

Any applicant who is refused a licence or wishes to appeal against the conditions can appeal to the Minister of the Cabinet Office. Appeals must be lodged within 14 days of the date of the decision.

If the Minister for the Cabinet Office decides that the appeal is allowed North Devon Council will issue the licence forthwith or cancel the revocation.

Further information

[House to House Collections Act 1939](#)

[House to House Collections Regulations 1947](#)

Trade associations

[Institute of Fundraising](#)

[Charity Commission](#)