EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport.)

The Horse Breeding Act, 1918, provided for the licensing of stallions which were travelled or exhibited for service away from their owners' premises. Part II of the Animals Act, 1948, which comes into operation on the 1st January, 1949, amends the 1918 Act and requires a licence or permit to be obtained for all stallions (with certain exceptions) and not merely for those which are travelled or exhibited for service. These Rules, which apply to Great Britain, revoke the existing Rules in England and Wales and Scotland, and substitute provisions applicable to the larger class of stallions affected by the amending Act. They define that class by reference to age, and in the case of ponies, by reference to breed, and prescribe the manner of, and time for, making application for licences and permits and the form.

HOUSE TO HOUSE COLLECTIONS, SCOTLAND

The House to House Collections (Scotland) Regulations, 1948

1948 No. 2281 (S. 181)

Made - - - -	*9th October,* 1948
Laid before Parliament	*12th October,* 1948
Coming into Operation	*1st November,* 1948

In pursuance of the powers conferred upon me by section 4 of the House to House Collections Act, 1939, I hereby make the following regulations.

2 & 3 Geo. 6. c. 44.

Title

1.—(1) These regulations may be cited as the House to House Collections (Scotland) Regulations, 1948, and shall come into operation on the first day of November, 1948.

(2) The House to House Collections (Scotland) Regulations, 1939(**a**), as amended by the House to House Collections (Scotland) (Amendment) Regulations, 1940(**b**), are hereby revoked.

Interpretation.

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

" the Act " means the House to House Collections 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 subsection (2) of section 1 of the Act as respects that collection;

" collecting book " means a book issued for the purpose of recording the receipt of contributions;

" collecting box " means a box or other receptacle for monetary contributions, securely closed and sealed in such a way that it cannot be opened without breaking the seal;

" licence " means a licence granted under section 2 of the Act;

" licensing authority " means the authority empowered to grant a licence;

(**a**) S.R. & O. 1939 (No. 1798) I, p. 263.
(**b**) S.R. & O. 1940 (No. 342) I, p. 123.

" licensing area " means the area in respect of which a licensing authority is empowered to grant a licence;

" order " means an order made by the Secretary of State under section 3 of the Act;

" prescribed badge " means a badge in the form set out in the Fourth Schedule to these regulations;

" prescribed certificate of authority " means a certificate in the form set out in the Third Schedule to these regulations;

" receipt book " means a book of detachable forms of receipt consecutively numbered with counterfoils or duplicates correspondingly numbered;

" street collection " means a collection or sale permitted under regulations made under section 1 of the Street Collections Regulation (Scotland) Act, 1915, or under byelaws made under section 5 (3) of the Police, Factories, etc. (Miscellaneous Provisions) Act, 1916, as read with section 301 of the Local Government (Scotland) Act, 1947. 5 & 6 Geo. 5. c. 88. 6 & 7 Geo. 5. c. 31. 10 & 11 Geo. 6. c. 43.

(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 Interpretation Act, 1889, applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament. 52 & 53 Vict. c. 63.

Local collections of a transitory nature.

3.—(1) Every certificate granted under subsection (4) of section 1 of the Act shall be in the form set out in the First Schedule to these regulations, and sections 5 and 6 and subsections (4) and (5) of section 8 of the Act shall be set forth on the back of every such certificate.

(2) Where such a certificate is granted as aforesaid, the provisions of these regulations shall not apply in relation to a collection made for the purpose specified on the certificate, within the locality and within the period so specified, to the person to whom the certificate is granted or to any person authorised by him to act as a collector for the purposes of that collection.

Applications for licences and orders.

4.—(1) An application for a licence shall be in the form set out in the Second Schedule to these regulations, and shall give the particulars there specified.

(2) An application for a licence or for an order shall be made not later than the first day of the month preceding that in which it is proposed to commence the collection:

Provided that the licensing authority or, as the case may be, the Secretary of State, may grant the application notwithstanding that it was not made within the time required by this paragraph if satisfied that there are special reasons for so doing.

Responsibility of promoters as respects 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.

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

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—

(*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, a collecting box or receipt book or collecting book, marked with a general indication of the purpose of the collection and a distinguishing number **which indication and number shall, in the case of a receipt book, also be marked on every receipt contained therein in addition to the consecutive number of the receipt.**

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

(*a*) that no prescribed certificate of authority, prescribed badge, collecting box, receipt book or collecting 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, receipt book or collecting book the distinguishing number thereof; and

(*b*) that every prescribed certificate of authority, prescribed badge, collecting box, receipt book or collecting 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 His Majesty's Stationery 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 thereon or annexed thereto, in a manner approved—

(i) in a burgh, not being a county of a city, by the chief magistrate of the burgh; and

(ii) in any other area by the chief officer of police for the area in respect of which the licence was granted.

Duties of collectors in relation to certificates and badges.

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 carry the badge with him and produce it to any person from whom he solicits a contribution 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.

Age limit.

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

Importuning.

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.

Collection of money.

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.

(2) Where a collector is collecting money by other means than a collecting box, he shall, upon receiving a contribution from any person, forthwith either

(*a*) 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, or

(*b*) enter, or cause to be entered, in ink or in indelible pencil in a collecting book, the date, the name and address of the contributor and the amount contributed.

Duty of collectors to return boxes and books.

11. Every collector to whom a collecting box or receipt book or collecting book has been issued, shall—

(*a*) when the collecting box is full or the receipt book or collecting book is exhausted;

(*b*) upon the demand of a promoter of the collection;

(*c*) when he does not desire to act as a collector; or

(*d*) upon the completion of the collection,

return to a promoter of the collection that collecting box with the seal unbroken or that receipt book or collecting book with a sum equal to the total amount of the contributions (if any) entered therein.

Examination of boxes and books.

12.—(1) Subject as provided in paragraph (2) of this regulation, a 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.

(2) Where a collecting box is delivered unopened to a bank, it may be examined and opened by an official of the bank in the absence of a promoter of the collection.

(3) 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.

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

Provision for envelope collections.

13.—(1) Where the chief promoter of a collection **to whom an order has been granted informs the Secretary of State that he desires to promote an envelope collection, and the Secretary of State is of opinion that the collection is for a charitable purpose of major importance and is suitably administered, the Secretary of State may, if he thinks fit, give permission for the promotion of an envelope collection.**

(2) Where an envelope collection is made in accordance with this regulation—

(*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*) these regulations shall have effect subject to the following modifications—

(i) sub-paragraph (*c*) of paragraph (1) of Regulation 6 shall not apply;

(ii) Regulation 10 shall not apply;

(iii) Regulations 11 and 12 shall have effect as if each envelope in which a contribution is received were a collecting box;

(iv) in Regulation 11 for the words " with the seal unbroken " there shall be substituted the word " unopened ";

(v) in Regulation 12 for the words " As soon as a collecting box has been opened " there shall be substituted the words " As soon as the envelope 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 which are subsequently called for.

Promoter 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 licensing authority by which the licence was granted within one month of the expiry of the licence:

Provided that if licences are granted to the same person for collections to be made for the same purpose in more than one licensing area, a combined account of the collections made in all or any of those licensing areas may by agreement between the chief promoter and the respective licensing authorities be made only to such of the respective licensing authorities as may be so agreed.

(2) The chief promoter of a collection in respect of which an order has been made shall furnish an account annually to the Secretary of State 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 licensing authority or the Secretary of State may extend the period within which an account is required to be furnished to the authority or to him, as the case may be, if satisfied that there are special reasons for so doing.

(4) **The chief promoter of a collection which is made in connection in whole or in part with a street collection of which an account is required to be furnished to a licensing authority by regulations made under Section 1 of the Street Collections Regulation (Scotland) Act, 1915, or by byelaws made under Section 5 (3) of the Police, Factories, etc. (Miscellaneous Provisions) Act, 1916, as read with Section 301 of the Local Government (Scotland) Act, 1947, may, if the said licensing authority agrees, combine the accounts of the house to house collection, in so far as it is made in connection with the street collection, with the accounts of the street collection, and the amount so included in the combined account shall not be required to form part of the account required to be furnished under paragraph (1) or, as the case may be, paragraph (2) of this Regulation, so however that in the case of an account furnished under the said paragraph (2) the account shall give, in addition to an account in respect of moneys received from house to**

house collections not made in connection with a street collection, a statement showing the total proceeds of all combined collections, the total expenses and the balance applied to charitable purposes.

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 Fifth Schedule to these regulations and, where property has been collected and sold, shall be furnished in the form set out in the Sixth 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 or used, shall be furnished in the form set out in the Seventh 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.—(1) Every account furnished under Regulation 15 (*a*) of these regulations 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 or collecting book used for the purposes of the collection and by the lists referred to in Regulations 6 and 12.

(2) **Paragraph (1) of this regulation shall not apply to an account certified by an auditor who is a member of an association or society of accountants incorporated at the date of these regulations or is on other grounds accepted as competent by the authority to which the account is submitted; but where in such a case the vouchers, receipt books and lists mentioned in the said paragraph (1) are not submitted with an account, the chief promoter shall ensure that they are available for three months after the account is submitted and shall, if the authority to which the account was submitted so requires at any time within that period, submit them to that authority.**

Disposal of disused certificates of authority, etc.

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.

Arthur Woodburn,
One of His Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.

9th October, 1948.

Regulation 3.

FIRST SCHEDULE

Form of Certificate of Exemption of a Local Collection of a Transitory Nature

In pursuance of section 1 (4) of the House to House Collections 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 $\frac{\text{him}}{\text{them}}$ to act as a collector for the purposes of the collection.

Date..... (*Signed*).....

Particulars of Collection

Name(s) of promoter(s).

Address(es) 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.

Regulation 4.

SECOND SCHEDULE

Form of Application for Licence

To the Licensing Authority for (*here insert name of licensing area*).

In pursuance of section 2 as applied by paragraph (a) of section 10 of the House to House Collections Act, 1939, I hereby apply for a licence authorising me to promote the collection of which particulars are given below.

Date..... (*Signed*).....

Particulars of Collection

1. Surname of applicant. (in block letters).

   Other names.

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 licensing area is it proposed that the collection should extend?

---

* Sections 5, 6, 8 (4) and 8 (5) of the Act are to be set forth on the back of the certificate.

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? Is it proposed to sell such property or to give it away, or to use it?

8. Approximately how many persons is it proposed to authorise to act as collectors **in the area of the licensing authority to which the application is addressed?**

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?

10. Is application being made for licences for collections for the same purpose in other licensing areas?
    If so, to what licensing authorities?
    And, approximately, how many persons in all is it proposed to authorise to act as collectors?

11. Has the applicant, or to the knowledge of the applicant, anyone associated with the promotion of the collection, been refused a licence or order under the Act, or had a licence or order revoked? If so, give particulars.

12. **Is it proposed to promote this collection in conjunction with a street collection? If so, is it desired that the accounts of this collection should be combined wholly or in part with the account of the street collection?**

13. **If the collection is for a War Charity, state if such charity has been registered or exempted from registration under the War Charities Act, 1940, and give name of registration authority and date of registration or exemption.**

Regulations 2 and 6.

THIRD SCHEDULE

FORM OF PRESCRIBED CERTIFICATE OF AUTHORITY

5″

HOUSE TO HOUSE COLLECTIONS ACT

COLLECTOR'S CERTIFICATE OF AUTHORITY

(*Here insert name of collector in block letters*)

of (*here insert address of collector*)

is hereby authorised to collect for

(*here insert the purpose of the collection*)

in (*here insert the area within which the collector is authorised to collect, being an area within which the collection has been authorised*)

*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*).

Signature of collector—	*Signed*—

4½″

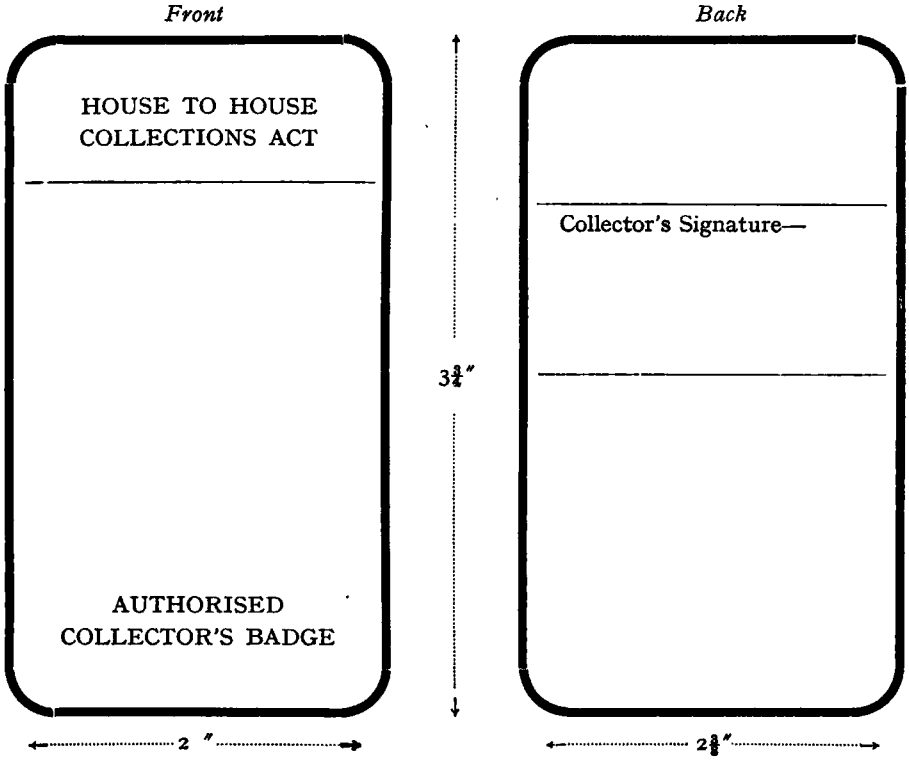
* This entry may be omitted in the case of a collection in respect of which an order has been made.

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

FOURTH SCHEDULE

Regulations 2 and 6.

FORM OF PRESCRIBED BADGE



Regulation 15.

FIFTH SCHEDULE

Form of Account of Expenses, Proceeds and Application of Proceeds of Collection of Money

(*a*) Surname of chief promoter.
(in block letters).
(*b*) Other names
(in block letters).
Address of chief promoter.
Purpose of collection.
Area to which account relates.
Period to which account relates.

All amounts to be entered *gross*

Proceeds of Collection	£ s. d.	Expenses and Application of Proceeds	£ s. d.
From collectors, as in lists of collectors and amounts attached thereto.		Printing and stationery	
		Postage	
		Advertising	
Bank Interest		Collecting boxes... ...	
Other Items (if any) :—		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.

Date..... (*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.

Date..... (*Signed*).....

Qualifications.....

SIXTH SCHEDULE

Regulation 15.

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

(*a*) Surname of chief promoter (in block letters).
(*b*) Other names (in block letters).
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	£ s. d.	EXPENSES AND APPLICATION OF MONETARY RECEIPTS	£ s. d.	£ s. d.
Amount obtained during period of account by sales of property collected. Bank Interest ... ... Other items (if any) :—		Items of expense incurred during period of account, *other than* expenses incurred for the purpose of converting property collected into cash, viz. :—		£
		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 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.

Date..... (*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.

Date..... (*Signed*).....

Regulation 15.

SEVENTH SCHEDULE

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

(*a*) Surname of chief promoter
(in block letters).
(*b*) Other names
(in block letters).
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 or used for charitable purposes as follows:—

(*Here insert particulars of disposal of property collected.*)

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

....

....

Date.....

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

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

Date.....

EXPLANATORY NOTE

(*This Note is not part of the regulations but is intended to indicate their general purport.*)

These regulations consolidate with amendments the provisions of the House to House Collections (Scotland) Regulations, 1939 (S.R. & O. 1939 No. 1798) and the House to House Collections (Scotland) Regulations, 1940 (S.R. & O. 1940 No. 342).

The principal amendments which are shown in heavy type are:—

(1) The permission of the Secretary of State is now required before charities can promote envelope collections.

(2) The forms of receipt in the Receipt Book must in future bear both a consecutive number and the distinguishing number of the book.

(3) Where a house to house collection is made in connection with a street collection the accounts of the two collections may, if the licensing authority consents, now be submitted to the authority in combined form.

(4) Vouchers not required to accompany accounts submitted in accordance with the regulations must be retained by the promoter for three months after the accounts have been submitted to the authority, and the authority may require the vouchers to be submitted to them within that period.

HOUSING, SCOTLAND

The Housing (Declaration of Unfitness) (Scotland) Regulations, 1948

1948 No. 2225 (S. 173)

Made - - - -	30*th September*, 1948
Laid before Parliament	4*th October*, 1948
Coming into Operation	5*th October*, 1948

In exercise of the powers conferred on me by section 44 of the Housing (Scotland) Act, 1930(a), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

1. These regulations may be cited as the Housing (Declaration of Unfitness) (Scotland) Regulations, 1948, and shall come into operation on the fifth day of October, 1948.

(a) 20 & 21 Geo. 5. c. 40.