
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 121

**The Charities and Benevolent
Fundraising (Scotland) Regulations 2009**

Further information regarding remuneration

4.—(1) A professional fundraiser soliciting money or promises of money—

- (a) for the benefit of a benevolent body; or
- (b) for charitable, benevolent or philanthropic purposes,

must include in the statement referred to in regulation 3(1) an indication of the manner of determining the professional fundraiser's remuneration and the notifiable amount of the remuneration.

(2) Where the solicitation is made—

- (a) orally in person, the professional fundraiser must inform the person making the payment that they have this information available in writing with them should the person wish to see it and immediately provide the information if requested; or
- (b) orally but not in person, the professional fundraiser must inform the person making the payment that this information is available in writing and send that person a copy as soon as reasonably possible if requested.

(3) A commercial participator making representations in relation to benevolent contributions which are to be given to or applied—

- (a) for the benefit of a benevolent body; or
- (b) for charitable, benevolent or philanthropic purposes,

must include in the statement referred to in regulation 3(1) an indication of the method by which the commercial participator's remuneration is to be determined and the notifiable amount of whichever of the following sums is applicable in the circumstances—

- (i) the sum representing so much of the consideration given for the goods or services sold or supplied by the commercial participator;
- (ii) the sum representing so much of any other proceeds of a promotional venture undertaken by the commercial participator; or
- (iii) the sum of the donations by the commercial participator in connection with the sale or supply of such goods or services.

(4) Where the representation is made—

- (a) orally in person, the commercial participator must inform the person making the payment that they have this information available in writing with them should the person wish to see it and immediately provide the information if requested; or
- (b) orally but not in person, the commercial participator must inform the person making the payment that this information is available in writing and send that person a copy as soon as reasonably possible, if requested.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(5) In paragraphs (1) and (3) the “notifiable amount” of any remuneration or other sum is the actual amount of the remuneration or sum if known when the statement is made, or in any other case, the estimated amount of the remuneration or sum.