



Charities Act 1992

1992 CHAPTER 41

PART II

CONTROL OF FUND-RAISING FOR CHARITABLE INSTITUTIONS

Control of fund-raising

[^{F1}60A Other persons making appeals required to indicate institutions benefiting and arrangements for remuneration

- (1) Subsections (1) and (2) of section 60 apply to a person acting for reward as a collector in respect of a public charitable collection as they apply to a professional fund-raiser.
- (2) But those subsections do not so apply to a person excluded by virtue of—
 - (a) subsection (3) below, or
 - (b) section 60B(1) (exclusion of lower-paid collectors).
- (3) Those subsections do not so apply to a person if—
 - (a) section 60(1) or (2) applies apart from subsection (1) (by virtue of the exception in section 58(2)(c) for persons treated as promoters), or
 - (b) subsection (4) or (5) applies,in relation to his acting for reward as a collector in respect of the collection mentioned in subsection (1) above.
- (4) Where a person within subsection (6) solicits money or other property for the benefit of one or more particular charitable institutions, the solicitation shall be accompanied by a statement clearly indicating—
 - (a) the name or names of the institution or institutions for whose benefit the solicitation is being made;
 - (b) if there is more than one such institution, the proportions in which the institutions are respectively to benefit;
 - (c) the fact that he is an officer, employee or trustee of the institution or company mentioned in subsection (6); and

*Changes to legislation: There are currently no known outstanding effects
 for the Charities Act 1992, Section 60A. (See end of Document for details)*

- (d) the fact that he is receiving remuneration as an officer, employee or trustee or (as the case may be) for acting as a collector.
- (5) Where a person within subsection (6) solicits money or other property for charitable, benevolent or philanthropic purposes of any description (rather than for the benefit of one or more particular charitable institutions), the solicitation shall be accompanied by a statement clearly indicating—
- (a) the fact that he is soliciting money or other property for those purposes and not for the benefit of any particular charitable institution or institutions;
 - (b) the method by which it is to be determined how the proceeds of the appeal are to be distributed between different charitable institutions;
 - (c) the fact that he is an officer, employee or trustee of the institution or company mentioned in subsection (6); and
 - (d) the fact that he is receiving remuneration as an officer, employee or trustee or (as the case may be) for acting as a collector.
- (6) A person is within this subsection if—
- (a) he is an officer or employee of a charitable institution or a company connected with any such institution, or a trustee of any such institution,
 - (b) he is acting as a collector in that capacity, and
 - (c) he receives remuneration either in his capacity as officer, employee or trustee or for acting as a collector.
- (7) But a person is not within subsection (6) if he is excluded by virtue of section 60B(4).
- (8) Where any requirement of—
- (a) subsection (1) or (2) of section 60, as it applies by virtue of subsection (1) above, or
 - (b) subsection (4) or (5) above,
- is not complied with in relation to any solicitation, the collector concerned shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (9) Section 60(8) and (9) apply in relation to an offence under subsection (8) above as they apply in relation to an offence under section 60(7).
- (10) In this section—
- “the appeal”, in relation to any solicitation by a collector, means the campaign or other fund-raising venture in the course of which the solicitation is made;
- “collector” has the meaning given by section 47(1) of the Charities Act 2006;
- “public charitable collection” has the meaning given by section 45 of that Act.]

Textual Amendments

- F1** Ss. 60A, 60B inserted (27.2.2007 for the insertion of s. 60B(6) for specified purposes, 1.4.2008 for the insertion of ss. 60A(4)-(7)(9), 60A(8)(10) for specified purposes, 60B(4)(5)) by [Charities Act 2006](#) (c. 50), **ss. 68, 79(2)**; S.I. 2007/309, art. 2, Sch.; S.I. 2007/3286, art. 3, Sch. 2 (with art. 4)

Changes to legislation:

There are currently no known outstanding effects for the Charities Act 1992, Section 60A.