



Charities Act 1992

1992 CHAPTER 41

PART III

PUBLIC CHARITABLE COLLECTIONS

Permits

71 Appeals

- (1) A person who has duly applied to a local authority under section 67 for a permit to conduct a public charitable collection in the authority's area may appeal to a magistrates' court against a decision of the authority to refuse to issue a permit to him.
- (2) A person to whom a permit has been issued under section 68 may appeal to a magistrates' court against—
 - (a) a decision of the local authority under that section or section 70 to attach any condition to the permit; or
 - (b) a decision of the local authority under section 70 to vary any condition so attached or to withdraw the permit.
- (3) An appeal under subsection (1) or (2) shall be by way of complaint for an order, and the Magistrates' Courts Act 1980 shall apply to the proceedings; and references in this section to a magistrates' court are to a magistrates' court acting for the petty sessions area in which is situated the office or principal office of the local authority against whose decision the appeal is brought.
- (4) Any such appeal shall be brought within 14 days of the date of service on the person in question of the relevant notice under section 68(4) or (as the case may be) section 70(4); and for the purposes of this subsection an appeal shall be taken to be brought when the complaint is made.
- (5) An appeal against the decision of a magistrates' court on an appeal under subsection (1) or (2) may be brought to the Crown Court.

Status: This is the original version (as it was originally enacted).

- (6) On an appeal to a magistrates' court or the Crown Court under this section, the court may confirm, vary or reverse the local authority's decision and generally give such directions as it thinks fit, having regard to the provisions of this Part and of regulations under section 73.
- (7) It shall be the duty of the local authority to comply with any directions given by the court under subsection (6); but the authority need not comply with any directions given by a magistrates' court—
- (a) until the time for bringing an appeal under subsection (5) has expired, or
 - (b) if such an appeal is duly brought, until the determination or abandonment of the appeal.