

## Public charitable collection

## Officers acting as

A person who is an employee, officer or trustee of a charity (a "Charity Officer") is required by charity law in certain circumstances.

member of a charity (a "Charity Officer") is required by charity law in certain circumstances.

### 1. The circumstances

The circumstances in which the conditions apply, but only if they are met.

These circumstances include where the following conditions are met.

- (a) The Charity Officer is working as a Charity Officer in a Public Charitable Collection. (A "Collector" is a person who is collecting donations, and a "Public Collection" is a charitable appeal made in any public place or by means of a public appeal to house;
- (b) The Charity Officer is carrying out his/her capacity as a Charity Officer;
- (c) The Charity Officer receives remuneration as a Charity Officer and/or for acting as a Charity Officer;
- (d) The remuneration received is more than £10 per day; or more than £100 per annum; or a lump sum of more than £100.

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(b) The Charity Officer is carrying out his/her capacity as a Charity Officer;  
(c) The Charity Officer receives remuneration as a Charity Officer and/or for acting as a Charity Officer;  
(d) The remuneration received is more than £10 per day; or more than £100 per annum; or if paid in a lump sum of more than £100.

### 2. Personal responsibility of

Where a charity engages a Charity Officer, they are legally required to make a fund-raising statement to use when making the appropriate fund-raising statement. If they fail to do so, they will be committing a criminal offence.

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### 3. The legal requirements.

Charity law requires the appeal form to be similar to those which have to be made by public fundraisers. The fund-raising statement must clearly indicate the institution or institutions for whose benefit the appeal is being made. If the Collector is an officer, employee or trustee of the charity, there is no requirement to state the amount of remuneration received.

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The law does not specify the exact form of words to comply with the above requirement. However, the statement is appropriate for the purpose of the requirement for the statement. Legal advice should be sought in appropriate circumstances.

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### 4. Example statements

The law does not require the statement to be in any particular form. The following are examples of oral and written statements.

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Oral statement: "I am making this appeal for the benefit of <<name of charity>>. I am a paid employee of this charity."

benefit of <<name of charity>>.

Written statement: "This appeal is for the benefit of <<name of charity>>. I am a paid employee of this charity."

of <<name of charity>>. I am

5. **Where the appeal is for the benefit of more than one charity**

**more than one charity**

The above guidance and examples apply to the Charity Officer is only for a single appeal to a fund-raising activity which is for the purposes. However, similar requirements apply in those cases. The following are examples where the Charity Officer is appealing for donations for more than one charity.

fund-raising activity carried out by the charity connected with, as opposed to a fund-raising activity which is for the purposes of charities or is for charitable purposes where they are fund-raising in connection with those purposes which could be used where the appeal is for more than one charity:

Oral statements:

"I am making this appeal for the benefit of charity A>> and <<name of charity B>>. I am a trustee of that charity to act as a trustee of <<divided equally between charity A>> and <<name of charity B>>."

<<name of charity A>> and <<name of charity B>> and I am being paid by the charity from this appeal will be divided <<name of charity B>>."

OR

"I am making this appeal for the benefit of charity A>>, <<name of charity B>> and <<name of charity C>>. <<X %>> of the proceeds of this appeal will be applied for the benefit of <<name of charity A>> and <<Z %>> of the proceeds of the appeal will be applied for the benefit of <<name of charity C>>."

<<name of charity A>>, <<name of charity B>> and <<name of charity C>>. I am a paid employee of <<name of charity A>>. <<X %>> of the proceeds of this appeal will be applied for the benefit of <<name of charity A>> and <<Z %>> of the proceeds of the appeal will be applied for the benefit of <<name of charity C>>."

Written statement: "This appeal is for the benefit of <<name of charity A>>, << name of charity B>>, << name of charity C>>. I am a paid employee of <<name of charity A>>. <<X %>> of the proceeds of this appeal will be applied for the benefit of <<name of charity A>>, <<Y %>> of the proceeds of this appeal will be applied for the benefit of <<name of charity B>> and <<Z %>> of the proceeds of this appeal will be applied for the benefit of << name of charity C>>."

benefit of <<name of charity A>>, << name of charity B>>, << name of charity C>>. I am a paid employee of <<name of charity A>>. <<X %>> of the proceeds of this appeal will be applied for the benefit of <<name of charity A>>, <<Y %>> of the proceeds of this appeal will be applied for the benefit of <<name of charity B>> and <<Z %>> of the proceeds of this appeal will be applied for the benefit of << name of charity C>>."

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