

I assent,
ALFRED SAVAGE,
 Governor,
 5th August, 1954.

ORDINANCE No. 31 OF 1954.

AN ORDINANCE to regulate and control the collection of money or the sale of articles for charitable or other purposes from house to house and in public places.

[7th August, 1954.]

Enacted by the Legislature of British Guiana:—

A.D. 1954

Short
 title.

1. This Ordinance may be cited as the House to House and Public Collections (Control) Ordinance, 1954.

Interpre-
 tation.

2. In this Ordinance—

“charitable purpose” means any charitable, religious or philanthropic purpose;

“collection” means the collection of money or the sale of any articles from house to house or in any public place;

“collector” means in relation to a collection, a person who makes, assists or takes part in the collection;

“Commissioner” means the Commissioner of Police;

“house” includes a place of business;

“public place” means any highway, public park or garden and sea beach, and any public bridge, road, lane, footway, square, court, alley or passage, whether a thoroughfare or not; and includes any open space to which, for the time being, the public have or are permitted to have access, whether on payment or otherwise.

Collections
 other than
 collections
 for charit-
 able pur-
 poses pro-
 hibited.

3. (1) Subject to the provisions of this Ordinance, no collection shall be made for any purpose other than for a charitable purpose.

(2) Any person who contravenes the provisions of subsection (1) of this section shall be guilty of an offence, and shall, on conviction thereof, be liable to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months.

Permission
 to make
 collection
 for charit-
 able pur-
 pose.

4. (1) Any person who desires to make any collection for a charitable purpose shall make application in writing to the Commissioner not later than thirty days before the date upon which he desires to make such collection for a permit so to do.

(2) The Commissioner shall consider every such application, and may in his discretion grant or refuse the application.

Schedule.

(3) Where any application is granted, the Commissioner shall issue a permit in the form prescribed in the Schedule to this Ordinance subject to such conditions as he may deem fit.

HOUSE TO HOUSE AND PUBLIC COLLECTIONS (CONTROL)

(4) Any person aggrieved by the refusal of the Commissioner to issue a permit or by any conditions attached thereto may appeal to the Governor in Council whose decision shall be final.

5. (1) No collection for a charitable purpose shall be made unless the requirements of this Ordinance as to a permit for the promotion thereof are satisfied.

Offence if collection for a charitable purpose made without a permit.

(2) If a person makes a collection for a charitable purpose then unless there is in force throughout the period during which the collection is made a permit authorising him or authorising another under whose authority he acts, to make a collection for that purpose, he shall be guilty of an offence, and shall, on summary conviction thereof, be liable to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months.

(3) If a person assists or takes part in any collection for a charitable purpose then, unless there is in force, at all times when he so acts, a permit authorising a collector under whose authority he acts, or authorising the collector himself, to make such a collection, he shall be guilty of an offence, and shall on summary conviction thereof, be liable to a fine not exceeding twenty-five dollars or to imprisonment for a term not exceeding one month, or in the case of a second or subsequent conviction to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding three months.

6. (1) No person shall assist or take part in any collection for a charitable purpose without the written authority of the person, society, committee or other body of persons to whom a permit has been granted. Such written authority shall indicate the area allotted to the holder thereof, and every person acting as a collector shall remain within his allotted area. Every person so authorised shall produce such written authority forthwith for inspection by any member of the Police Force on demand.

Assistant collectors to be duly authorised.

(2) Every person who assists or takes part in any collection for a charitable purpose without the written authority of the person, society, committee or other body of persons to whom a permit has been granted, shall be guilty of an offence, and shall, on summary conviction thereof, be liable to a fine not exceeding two hundred and fifty dollars or to imprisonment for a term not exceeding three months.

7. (1) No collection for a charitable purpose shall be made in any part of the carriage-way of any public place, and no person shall, for the purpose of making a collection, do any act which may cause the person in charge of a vehicle in motion to stop such vehicle.

Traffic not to be obstructed.

(2) No collection for a charitable purpose shall be made in any public place to the obstruction of any person and no collector shall importune any person in a manner calculated to cause annoyance to such person.

Public not to be importuned.

(3) Any person who contravenes any of the provisions of subsection (1) or of subsection (2) of this section shall be guilty of an offence, and shall, on summary conviction thereof, be liable to a fine not exceeding fifty dollars or to imprisonment for a term not exceeding two months.

Collecting
boxes.

8. (1) Every person who makes a collection for a charitable purpose shall carry a collecting box or similar receptacle in which he shall deposit immediately all moneys received by him. All such boxes shall be numbered consecutively and every collector shall deliver his boxes or receptacles with the seals unbroken to the person responsible for the proper application of the moneys received.

(2) No person shall carry or use for the purposes of a collection for a charitable purpose any collecting box, receptacle or tray unless such box, receptacle or tray is duly numbered and bears in large and legible letters the name of the fund for which the collection is being made.

(3) Any person who contravenes any of the provisions of subsection (1) or of subsection (2) of this section shall be guilty of an offence, and shall, on summary conviction thereof, be liable to a fine not exceeding two hundred and fifty dollars or to imprisonment for a term not exceeding three months.

Collectors
not to
receive re-
muner-
ation.

9. (1) No payment or reward shall be made or given either directly or indirectly to any person making any collection for a charitable purpose or concerned with the promotion or conduct of any collection for a charitable purpose or for any purposes connected therewith.

(2) Any person who contravenes any of the provisions of subsection (1) of this section shall be guilty of an offence, and shall, on summary conviction thereof, be liable to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding three months.

Accounts.

10. (1) Within one month after the date of any collection for a charitable purpose the person, society, committee or other body of persons responsible therefor shall forward to the Commissioner a statement in such form as shall be approved by the Commissioner certified by the auditor of the society or by some independent responsible person, approved by the Commissioner, with vouchers showing in detail the amount collected and the expenses incurred in connection with such collection, and shall, if required by the Commissioner, satisfy him as to the due and proper application of the proceeds of the collection. The person, society, committee or other body shall also, within the same period, at his or their own expense and after audit, publish in such newspaper or newspapers as the Commissioner may direct a short statement showing, the name of the person, or society or other body responsible for the collection, the name of the charity or fund which is to benefit, the date of the collection, the amount collected, the amount of the expenses and the amount distributed to the charity or fund.

(2) Any person, society, committee or other body of persons responsible for any collection failing within the time stated in subsection (1) of this section to forward to the Commissioner the statement and vouchers referred to in that subsection certified as therein required or to publish the short statement referred to in that subsection, shall be guilty of an offence, and shall, on summary conviction thereof be liable to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months.

HOUSE TO HOUSE AND PUBLIC COLLECTIONS (CONTROL)

11. This Ordinance shall not apply —

Non-appli-
cation of
provisions
of Ordin-
ance.

- (a) to the sale of any articles by way of trade from house to house or in any public place where no representation is made that any part of the proceeds of sale will be devoted to any other purpose; or
- (b) to any sweepstake organised and controlled by any horse racing club or association at, and on the day of, any race meeting held in the Colony under the auspices of that club or association; or
- (c) to any lottery or sweepstake organised and conducted by the Demerara Turf Club, Limited, in connection with any race meeting held under the auspices of that Club or under the auspices of any racing club or association affiliated thereto or in connection with any race run in England under Jockey Club Rules or National Hunt Rules.

SCHEDULE

Section 4(3).

PERMIT

Under

THE HOUSE TO HOUSE AND PUBLIC COLLECTIONS (CONTROL) ORDINANCE, 1954.

No. 31 of 1954.

Permission is hereby given to.....of.....
.....to sell and to
collect money in the following public places in.....

and/or from house to house in the following public places in.....

This permit holds good for the following date or dates.....
and for the following hours on the date or dates given above
(hours)

This permit is granted subject to the following conditions:—

- (a) There shall not be any interference with the traffic or annoyance to members of the public.