

HOUSE TO HOUSE COLLECTIONS ACT 1939

A licensing authority may refuse to grant a licence, or, where a licence has been granted, may revoke it, if it appears to the authority that:

- a. the total amount likely to be applied for charitable purposes as a result of the collection (including any amount already so applied) is inadequate in proportion to the value of the proceeds likely to be received (including any proceeds already received).
- b. remuneration that is excessive in relation to the total amounts raised is likely to be, or has been, retained or received out of the proceeds of the collection by any person.
- c. the grant of the licence would lead to an offence being committed under Section 3 of the Vagrancy Act 1824, or an offence under that section has been committed in connection with the collection.
- d. the applicant or holder of the licence is not a fit and proper person to hold a licence as he/she has been convicted in the UK or any of the offences specified in the Schedule to the Act, or has been convicted outside of the UK of any offence involving fraud or dishonesty, or any offence of a kind the commission of which would be likely to be facilitated by the grant of a licence.
- e. the applicant or the holder of the licence, in promoting a collection in respect of which a licence has been granted fails:
 - i. to exercise due diligence to ensure that persons authorised to act as collectors for the purpose of the collection were fit and proper persons;
 - ii. to secure compliance on the part of the persons so authorised with the provisions of the Regulations made under the Act;
 - iii. to prevent prescribed badges or prescribed certificates of authority being obtained by persons other than persons so authorised.
- f. the applicant or holder of the licence has refused or neglected to provide the licensing authority with such information as they may have reasonably been required to provide for the purpose of informing the licensing authority as to any of the matters specified in the foregoing paragraphs.

When a licensing authority refuses to grant a licence or revokes a licence which has been granted, it shall forthwith give written notice to the applicant or holder of the licence stating one or more of the grounds why the licence had been refused or revoked and inform the applicant or holder of the licence of the right to appeal.

The applicant or holder of the licence may appeal to the Secretary of State against the refusal or revocation of the licence, as the case may be, and the decision of the Secretary of State shall be final.

The time within which any such appeal may be brought shall be fourteen days from the date on which notice is given for the refusal or revocation of a licence.

If the Secretary of State decides that the appeal shall be allowed, the licensing authority shall forthwith issue a licence or cancel the revocation, as the case may be, in accordance with the decision of the Secretary of State.