

## **Prohibition Orders and Restriction Orders by the Commissioner of Charities to conduct any fund-raising appeal**

Under section 39B of the Charities Act (Cap. 37), the Commissioner of Charities (COC) can prohibit any fund-raising appeal by any charity or person(s) or restrict the conduct of any fund-raising appeal by any charity or person by imposing conditions; by order published in the *Gazette* if he is satisfied that:

- a) Any fund-raising conducted by the charity or person has not been conducted in good faith for charitable, benevolent or philanthropic purposes;
- b) Any of the persons who have conducted a fund-raising appeal, or any persons associated with any such appeal, are not fit and proper persons to administer, or to be associated with a fund raising appeal for charitable, benevolent or philanthropic purposes;
- c) Any fund-raising appeal has been improperly administered;
- d) In connection with any fund-raising appeal conducted, the provisions of the Charities or regulations or the conditions imposed by the Commissioner were not complied with by any person conducting or participating in the appeal; or
- e) In the public interest, the fund-raising appeal should not be conducted.

There is **no expiry** to the prohibition orders issued by the COC.

Any person who conducts any fund-raising appeal in contravention of any order made by the COC shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not more than 12 months or to both.