

## **2008 FAIR TRADING REGULATIONS & DOOR STICKERS**

### **HOME Fundraising statement**

The Public Fundraising Regulatory Association has recently received legal advice in relation to door to door fundraising and its applicability to the 2008 Consumer Protection from Unfair Trading Regulations. The effect would be that the recruiting of new donors via direct debit could be defined as trading and possibly captured under these regulations.

The legal advice secured by HOME Fundraising Ltd, with due consideration of the EC guidance does not view fundraising as a commercial practice and therefore does not consider that when there is a simple donation and no associated sale of products that the regulations apply. Furthermore our view is that it would be blurring of important lines that delineate a gift from a purchase if the commercial criteria of these regulations were considered to be applicable.

The House to House Collections Regulations 1947 are widely drawn, clearly applicable to donations and specifically legislate against causing annoyance in or at the door, so there is already ample protection for the public regarding a fundraiser who is a nuisance. It would appear that the 1947 Regulations are not seen to be as specific in provision as the 2008 Regulations if erroneously applied to door stickers. It is the misapplication of the 2008 Regulations as a means of transforming the ambit of stickers to give them a power of sanction against fundraising organisations which is of legal and social concern.

Our experience shows us that typically, the majority of households who display “no doorstep traders” do not apply this rationale to fundraising activity as they are sometimes active donors or volunteers and routinely choose to donate to good causes via the face to face method.

We are concerned that the thinking behind the blanket application of these regulations to face to face, together with a proliferation of “no trading” door stickers would represent a significant risk to the medium. As always we are keen to protect the right for charities to ask for donations and for face to face to remain sustainable taking account of the public interest.

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## About HOME

HOME Companies Ltd comprises multi-award winning and market leading HOME Fundraising and HOME India.

HOME have raised over £300 million over the last 11 years, working with a range of over 40 different charities.

HOME Fundraising is the largest commercial employer of fundraisers in UK and Europe and is the market leader in the UK door-to-door fundraising market with 35% market share.

HOME Fundraising has the most rigorous compliance and validation system, delivering the highest levels of accountability for many of the UK's leading blue chip charities.

HOME Fundraising does not employ subcontractors or operate commission-only payment structures and is ethically opposed to this practice.

HOME Fundraising is setting the standards for the sector and has an industry leading quality control program.

The HOME approach is successful and award-winning – our campaigns have won the Institute of Fundraising 'Best Use of Face to Face' award three times in the last four years, and we were shortlisted for an international award in 2010.

Neil Hope and Dominic Will, the joint Managing Directors of HOME Companies Ltd, have written a book, *You Can't Plant A Tree in Space* due out March 2014 related to leadership principles and setting the conditions for sustainable business.

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