



## **RHEOLIADAU A WNAETHPWYD GAN GYNGOR BWRDEISTREF SIROL CONWY MEWN PERTHYNAS A CHASGLIADAU STRYD**

Yn unol ag Adran 5, Deddf Heddlu, Ffatrioedd ac ati (Darpariaethau Amrywiol) 1916 fel y'i diwygiwyd gan Adran 251 ac Atodlen 29 Deddf Llywodraeth Leol 1972, mae Cyngor Bwrdeistref Sirol Conwy drwy hyn yn gwneud y Rheoliadau a ganlyn mewn perthynas â'r llefydd lle gellir caniatu i bersonau gasglu arian neu werthu nwyddau er budd amcanion elusennol neu amcanion eraill ar unrhyw stryd neu le cyhoeddus o fewn Bwrdeistref Sirol Conwy, a'r amodau y caniateir hynny danynt:

1. Yn y Rheoliadau hyn, oni fod angen ystyr gwahanol yn ôl y cyd-destun -

mae "casgliad" yn golygu casgliad o arian neu werthu nwyddau er budd elusennol neu ddibenion eraill a dehonglir y gair "casglwr" yn unol â hynny;

mae "hyrwyddwr" yn golygu person sy'n peri i eraill weithredu fel casglwyr;

mae'r "Cyngor" yn golygu Cyngor Bwrdeistref Sirol Conwy;

mae "hawlen" yn golygu hawlen ar gyfer casgliad;

mae "cyfrannwr" yn golygu person sy'n cyfrannu at gasgliad ac yn cynnwys person sy'n prynu nwyddau a werthir er budd elusennol neu ddibenion eraill;

mae "blwch casglu" yn golygu blwch neu lestr arall i derbyn arian oddi wrth gyfranwyr.

2. Ni chynhelir unrhyw gasgliad, ar wahân i gasgliad a gynhelir mewn cyfarfod awyr agored, mewn unrhyw stryd neu le cyhoeddus oddi fewn i Fwrdeistref Sirol Conwy oni bo'r hyrwyddwr wedi cael hawlen oddi wrth y Cyngor.

3. Rhaid gwneud cais ysgrifenedig am hawlen ddim llai na mis cyn y dyddiad y bwriedir cynnal y casgliad;

## **REGULATIONS MADE BY CONWY COUNTY BOROUGH COUNCIL WITH REGARD TO STREET COLLECTIONS**

In pursuance of Section 5 of the Police, Factories etc., (Miscellaneous Provisions) Act, 1916, as amended by Section 251 and Schedule 29 to the Local Government Act 1972, Conwy County Borough Council hereby makes the following Regulations with respect to the places where and the conditions under which persons may be permitted in any street or public place within the County Borough of Conwy to collect money or sell articles for the benefit of charitable or other purposes:

1. In these Regulations, unless the context otherwise requires -

"collection" means a collection of money or a sale of articles for the benefit of charitable or other purposes and the word "collector" shall be construed accordingly;

"promoter" means a person who causes others to act as collectors;

"the Council" means the Conwy County Borough Council;

"permit" means a permit for a collection;

"contributor" means a person who contributes to a collection and includes a purchaser of articles for sale for the benefit of charitable or other purposes;

"collecting box" means a box or other receptacle for the reception of money from contributors.

2. No collection, other than a collection taken at a meeting in the open air, shall be made in any street or public place within the County Borough of Conwy unless a promoter shall have obtained from the Council a permit

3. Application for a permit shall be made in writing not later than one month before the date on which it is proposed to make the collection;

Ar yr amod y gall y Cyngor leihau'r cyfnod o fis os yw'n fodlon fod yna resymau arbennig dros wneud hynny.

4. Ni chynhelir unrhyw gasgliad ac eithrio ar y dydd a rhwng yr oriau a nodwyd yn yr hawlen.

5. Gall y Cyngor, wrth ganiatau hawlen, gyfyngu'r casgliad i'r cyfryw strydoedd neu fannau cyhoeddus, neu rannau ohonynt, a dybir yn briodol ganddo.

6. (i) Ni chaiff unrhyw berson gynorthwyo neu gymryd rhan mewn casgliad heb awdurdod ysgrifenedig yr hyrwyddwr.

(ii) Rhaid i unrhyw berson a awdurdodwyd dan baragraff (i) uchod ddangos y cyfryw awdurdod ysgrifenedig ar unwaith os gofynnir iddo wneud hynny gan swyddog awdurdodedig o'r Cyngor neu unrhyw gwnstabl.

7. Ni chynhelir unrhyw gasgliad mewn unrhyw ran o gerbydlon unrhyw stryd sydd â throedffordd;

Ar yr amod y gall y Cyngor, os yw o'r farn fod hynny'n briodol, ganiatau cynnal casgliad ar y cyfryw gerbydlon lle awdurdodwyd cynnal y cyfryw gasgliad mewn perthynas â gorymdaith.

8. Ni chynhelir unrhyw gasgliad mewn modd sy'n debyg o beri anhwylustod neu flinder i unrhyw berson.

9. Ni chaiff unrhyw gasglwr erfyn ar unrhyw berson mewn modd a fuasai'n achosi blinder i'r cyfryw berson.

10. Wrth gasglu,

(a) rhaid i'r casglwr aros yn ei unfan; a

(b) ni chaiff casglwr neu ddau gasglwr gyda'i gilydd fod yn nes na 25 metr i gasglwr arall;

Ar yr amod y gall y Cyngor, os yw o'r farn fod hynny'n briodol, roi heibio gofynion y Rheoliad hwn yng nghyswllt casgliad yr awdurdodwyd ei gynnal mewn perthynas â gorymdaith.

11. Ni chaiff hyrwyddwr, casglwr na pherson sy'n ymwneud fel arall â chasgliad ganiatau i berson dan un ar bymtheg mlwydd oed weithredu fel casglwr.

Provided that the Council may reduce the period of one month if satisfied that there are special reasons for so doing.

4. No collection shall be made except upon the day and between the hours stated in the permit.

5. The Council may, in granting a permit, limit the collection to such streets or public places or such parts thereof as it thinks fit.

6. (i) No person may assist or take part in any collection without the written authority of a promoter

(ii) Any person authorised under paragraph (i) above shall produce such written authority forthwith for inspection on being requested to do so by a duly authorised officer of the Council or any constable.

7. No collection shall be made in any part of the carriageway of any street which has a footway;

Provided that the Council may, if it thinks fit, allow a collection to take place on the said carriageway where such collection has been authorised to be held in connection with a procession.

8. No collection shall be made in a manner likely to inconvenience or annoy any person.

9. No collector shall importune any person to the annoyance of such person.

10. While collecting -

(a) a collector shall remain stationary; and

(b) a collector or two collectors together shall not be nearer to another collector than 25 metres;

Provided that the Council may, if it thinks fit, waive the requirements of this Regulation in respect of a collection which has been authorised to be held in connection with a procession.

11. No promoter, collector or person who is otherwise connected with a collection shall permit a person under the age of sixteen years to act as a collector.

12. (i) Rhaid i bob casglwr gario blwch casglu;

(ii) Rhaid i'r holl flychau casglu gael eu rhifo mewn trefn a'u cau a'u selio'n ddiogel yn y fath fodd fel na ellir eu hagor heb dorri'r sêl;

(iii) Rhaid i'r casglwr roi'r holl arian a dderbynnir mewn blwch casglu ar unwaith;

(iv) Rhaid i bob casglwr drosglwydo pob blwch casglu yn ei feddiant i'r hyrwyddwr, heb eu hagor.

13. Ni chaniateir i gasglwr gario neu ddefnyddio unrhyw flwch, llestr neu hambwrdd casglu nad yw'n dwyn arno'n amlwg enw'r elusen neu'r gronfa sydd i elwa, nac unrhyw flwch casglu sydd heb ei rifo'n briodol.

14. (i) Yn amodol ar baragraff (ii) isod, rhaid agor blychau casglu ym mhresenoldeb hyrwyddwr a pherson arall cyfrifol;

(ii) Lle trosglwyddir blwch casglu, heb ei agor, i fanc, gellir ei agor gan swyddog o'r banc;

(iii) Cyn gynted ag yr agorir blwch casglu, rhaid i'r person sy'n ei agor gyfrif y cynnwys a nodi'r swm ynghyd â rhif y blwch casglu ar restr, a bydd y person hwnnw yn tystio i'r rhestr.

15. (i) Ni wneir taliad i unrhyw gasglwr;

(ii) Ni wneir taliad allan o enillion casgliad, un ai yn uniongyrchol neu'n anuniongyrchol i unrhyw berson arall sy'n ymwneud â hyrwyddo neu gynnal y cyfryw gasgliad am, neu mewn perthynas â, gwasanaethu sy'n gysylltiedig â'r casgliad, ac eithrio'r cyfryw daliadau a gymeradwywyd gan y Cyngor.

12. (i) Every collector shall carry a collecting box;

(ii) All collecting boxes shall be numbered consecutively and shall be securely closed and sealed in such a way as to prevent them being opened without the seal being broken;

(iii) All money received by a collector from contributors shall immediately be placed in a collecting box;

(iv) Every collector shall deliver, unopened, all collecting boxes in his possession to a promoter.

13. A collector shall not carry or use any collecting box, receptacle or tray which does not bear displayed prominently thereon the name of the charity or fund which is to benefit nor any collecting box which is not duly numbered.

14. (i) Subject to paragraph (ii) below a collecting box shall be opened in the presence of a promoter and another responsible person;

(ii) Where a collecting box is delivered, unopened, to a bank, it may be opened by an official of the bank;

(iii) As soon as a collecting box has been opened, the person opening it shall count the contents and shall enter the amount with the number of the collecting box on a list which shall be certified by that person.

15. (i) No payment shall be made to any collector;

(ii) No payment shall be made out of the proceeds of a collection, either directly or indirectly, to any other person connected with the promotion or conduct of such collection for, or in respect of, services connected therewith, except such payments as may have been approved by the Council.

16. (i) **O fewn mis i ddyddiad unrhyw gasgliad**, bydd i'r person y caniatawyd yr hawlen iddo anfon at y Cyngor:-

(a) ddatganiad ar ffurf yr Atodlen at y Rheoliadau hyn, neu ar ffurf cyffelyb, yn dangos maint y casgliad a'r treuliau a'r taliadau a wynebwyd mewn perthynas â'r cyfryw gasgliad, y tystiwyd iddo gan y person hwnnw ac un ai gyfrifydd cymwysiedig neu berson cyfrifol annibynnol sy'n dderbyniol i'r Cyngor;

(b) restr o'r casglwyr;

(c) restr o'r symiau a gasglwyd ym mhob blwch casglu;

ac, os gofynnir am hynny gan y Cyngor, bydd iddo fodloni'r Cyngor o ran y priod ddefnydd a wnaethpwyd o enillion y casgliad.

(ii) Bydd i'r person hwn hefyd, oddi mewn i'r un cyfnod, ar draul y person hwnnw ac ar ôl i un ai gyfrifydd cymwysiedig neu berson cyfrifol annibynnol sy'n dderbyniol i'r Cyngor dystio i'r datganiad dan baragraff (i) (a) uchod, gyhoeddi yn y cyfryw bapur neu bapurau newydd a ddynodir gan y Cyngor ddatganiad yn dangos enw'r person y caniatawyd yr hawlen iddo, yr ardal y perthyn yr hawlen iddi, enw'r elusen neu'r gronfa sydd i elwa, dyddiad y casgliad, swm y casgliad a swm y treuliau a'r taliadau a wynebwyd mewn perthynas â'r cyfryw gasgliad.

(iii) Gall y Cyngor, os yw'n fodlon fod yna resymau arbennig dros wneud hynny, ymestyn y cyfnod un mis y cyfeiriwyd ato ym mharagraff (i) uchod.

(iv) At bwrpas y Rheoliad hwn, mae "cyfrifydd cymwysiedig" yn golygu aelod o un neu fwy o'r cyrff a ganlyn:

Sefydliad y Cyfrifwyr Siartredig yn Lloegr a Chymru;

Sefydliad Cyfrifwyr Siartredig yr Alban;

Cymdeithas y Cyfrifwyr Cydnabyddedig;

Sefydliad y Cyfrifwyr Siartredig yn Iwerddon.

17. Ni fydd y Rheoliadau hyn yn gymwys.

(a) mewn perthynas â chasgliad a gynhelir mewn cyfarfod awyr agored; neu

16. (i) **Within one month after the date of any collection** the person to whom a permit has been granted shall forward to the Council:-

(a) a statement in the form set out in the Schedule to these Regulations, or in a form to the like effect, showing the amount received and the expenses and payments incurred in connection with such a collection, and certified by that person and either a qualified accountant or an independent responsible person acceptable to the Council;

(b) a list of the collectors;

(c) a list of the amounts contained in each collecting box;

and shall, if required by the Council, satisfy it as to the proper application of the proceeds of the collection;

(ii) The said person shall also, within the same period, at the expense of that person and after a certificate under paragraph (i)(a) above has been given, publish in such newspaper or newspapers as the Council may direct a statement showing the name of the person to whom the permit has been granted, the area to which the permit relates, the name of the charity or fund to benefit, the date of the collection, the amount collected and the amount of the expenses and payments incurred in connection with such collection.

(iii) The Council may, if satisfied there are special reasons for so doing extend the period of one month referred to in paragraph (i) above.

(iv) For the purposes of this Regulation "a qualified accountant" means a member of one or more of the following bodies:

The Institute of Chartered Accountants in England and Wales;

The Institute of Chartered Accountants of Scotland;

The Association of Certified Accountants;

The Institute of Chartered Accountants in Ireland.

17. These Regulations shall not apply,

(a) in respect of a collection taken at a meeting in the open air; or

(b) mewn perthynas â gwerthu nwyddau mewn unrhyw stryd neu fan cyhoeddus pryd y gwerthir y nwyddau yng nghwrs arferol masnach.

**OL-NODIAD (Nid yw hwn yn rhan o'r Rheoliadau)**

**Bydd unrhyw berson sy'n gweithredu'n groes i'r Rheoliadau uchod yn agored ar gollfarn ddi-annod i ddirwy o ddim mwy na Lefel 1 ar y Rhaddfa Safonol (£200). (Adrannau 38 a 46 Deddf Cyfiawnder i Droseddwy'r 1982).**

Daw'r Rheoliadau hyn i rym wedi diwedd cyfnod o un mis yn dechrau gyda'r dyddiad y'u cadarnheir gan yr Ysgrifennydd Gwladol, a thrwy hyn diddymir, o'r dyddiad y daw'r Rheoliadau hyn i rym, yr holl Rheoliadau eraill sy'n ymwneud â chasgliadau stryd sydd mewn grym yn ardal Bwrdeistref Sirol Conwy.

(b) to the selling of articles in any street or public place when the articles are sold in the ordinary course of trade.

**FOOTNOTE (This is not part of the Regulations)**

**Any person who acts in contravention of any of the foregoing Regulations shall be liable on summary conviction to a fine not exceeding Level 1 on the Standard Scale (£200). (Sections 38 and 46 of the Criminal Justice Act, 1982).**

These Regulations shall come into operation upon the expiration of the period of one month beginning with the date on which they are confirmed by the Secretary of State and all other street collection Regulations having effect in the County Borough of Conwy area are hereby repealed with effect from the date on which these Regulations come into force.