



# LAWS OF MALAYSIA

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REPRINT

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**Act 200**

## **HOUSE TO HOUSE AND STREET COLLECTIONS ACT 1947**

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**HOUSE TO HOUSE AND STREET COLLECTIONS  
ACT 1947**

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**LAWS OF MALAYSIA****Act 200****HOUSE TO HOUSE AND STREET COLLECTIONS  
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**LAWS OF MALAYSIA****Act 200****HOUSE TO HOUSE AND STREET COLLECTIONS  
ACT 1947**

An Act to regulate house to house and street collections.

[19 May 1947]

**Short title and application**

1. (1) This Act may be cited as the House to House and Street Collections Act 1947.

(2) This Act shall apply to Peninsular Malaysia only.

**Interpretation**

2. (1) In this Act, unless the subject or context otherwise requires—

“collection” means an appeal to the public or any class of the public, made by means of visits from house to house or of soliciting in streets or other public places, or by both such means, to give, whether for consideration or not, money or other property not being money or property due or about to fall due from the donors under or by virtue of any written law, contract or other legal obligation; and “collector” means, in relation to a collection, a person who makes such an appeal by either of the said means;

“house” includes a place of business;

“Inspector-General” means the Inspector-General of Police as defined by section 2 of the Police Act 1967 [Act 344];

“licence” means a licence under this Act;

“prescribed” means prescribed by regulations made under this Act;

“proceeds” means, in relation to a collection, all money and all other property given, whether for consideration or not, in response to the appeal made;

“promoter” means, in relation to a collection, a person who causes others to act, whether for remuneration or otherwise, as collectors for the purposes of a collection; and “promote” and “promotion” have corresponding meanings;

“the authority” means in relation to a collection to be made—

- (a) wholly within one State, the Chief Minister thereof; and
- (b) in any other case, the Minister;

“the licensing officer” means in relation to a collection to be made—

- (a) in any particular area within Peninsular Malaysia the Chief Police Officer in charge of the police in that area; and
- (b) throughout Peninsular Malaysia or in any area of which the police in one part thereof are in the charge of a Chief Police Officer in charge of the police in any other part of such area, the Inspector-General;

\*“Peninsular Malaysia” has the meaning assigned thereto in section 3 of the Interpretation Acts 1948 and 1967 [*Act 388*] and includes the Federal Territory.

(2) For the purposes of this Act, a collection shall be deemed to be made for a particular purpose where the appeal is made in association with a representation that the money or other property appealed for, or part thereof, will be applied for that purpose.

### **House to house and street collections to be licensed**

**3.** (1) Subject to the provisions of this Act, no collection shall be made unless the requirements of this Act as to a licence for the promotion thereof are satisfied.

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\*NOTE— All references to “West Malaysia” shall be construed as references to “Peninsular Malaysia”— see Interpretation (Amendment) Act 1997 [*Act A996*], subsection 5(2).

(2) If any person promotes a collection, and a collection is made in any locality pursuant to his promotion, then, unless there is in force, throughout the period during which the collection is made in that locality, a licence authorizing him, or authorizing another under whose authority he acts, to promote that collection in that locality, he shall be guilty of an offence and liable to a fine not exceeding five thousand ringgit or to imprisonment for a term which may extend to two years or to both such fine and imprisonment.

(3) If any person acts as a collector in any locality for the purposes of a collection, then, unless there is in force at all times when he so acts, a licence authorizing a promoter under whose authority he acts, or authorizing the collector himself, to promote that collection in that locality, he shall be guilty of an offence.

### **Licences**

4. (1) Any person who desires to promote a collection shall apply in the prescribed manner to the licensing officer specifying the purpose for which and the area within which the collection is to be made.

(2) Save in any case in which it appears to the licensing officer that the application should be refused on any of the grounds specified in subsection (4) the licensing officer shall submit the application to the authority who will signify to the licensing officer whether or not the application is to be refused on the grounds of public policy or because the collection is contrary to the public interest.

(3) Subject to the following provisions of this section the licensing officer shall grant to the applicant a licence authorizing him to promote a collection but subject to such conditions as the licensing officer may think fit to impose.

(4) The licensing officer may in his absolute discretion refuse to grant a licence or may at any time revoke a licence granted if it appears to him—

- (a) that the total amount likely to be applied for the purpose of the collection from the proceeds thereof (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) that remuneration which is excessive in relation to the total amount aforesaid is likely to be, or has been, retained or received out of the proceeds of the collection by any person;
- (c) that the grant of a licence would be likely to facilitate the commission of an offence under any written law, or that any such offence has been committed in connection with the collection, and in particular, that any force, threat or compulsion is likely to be, or has been, used in order to obtain any contribution for the purpose of the collection;
- (d) that the applicant for or the holder of a licence is not a fit and proper person to hold a licence by reason of the fact that he has been convicted, whether in the Federation or elsewhere, of any offence conviction for which necessarily involved or implied a finding that he had acted fraudulently or dishonestly, or of any offence of a kind the commission of which would be likely to be facilitated by the grant of a licence;
- (e) that the applicant for or the holder of a licence, in promoting a collection in respect of which a licence has been granted to him, has failed to exercise due diligence to secure that persons authorized by him to act as collectors for the purposes of the collection were fit and proper persons, to secure compliance, on the part of persons so authorized, with the provisions of this Act or of any regulations made thereunder, or to prevent prescribed badges or prescribed certificates of authority being obtained by persons not so authorized;
- (f) that the collection is in aid of, or that the promoter or any of the collectors are members of an illegal society, or that the purpose of the collection is illegal or fictitious;
- (g) that the applicant for or the holder of a licence has furnished false information to the licensing authority, or has refused or neglected to furnish to the licensing authority such information as he may reasonably require for the purpose of informing himself as to any of the matters specified in the foregoing paragraphs.

(5) Where under subsection (2) the authority has signified to the licensing officer that the collection is objectionable on the grounds of public policy, or that the refusal of a licence is otherwise desirable in the public interest, the licensing officer shall refuse the licence.

(6) If at any time it appears to the authority that the revocation of a licence previously granted is desirable in the public interest the authority may direct the licensing officer to revoke such licence and the licensing officer shall forthwith revoke the same accordingly.

(7) Subject to the provisions of this section, a licence granted under the provisions of this section shall remain in force for such period as is expressed therein not exceeding one month, and may be renewed from time to time.

(8) Every application for a licence shall specify an address within the Federation for service on the applicant of any notice or other communication required to be served on him.

(9) Where the licensing officer refuses to grant a licence or revokes a licence which has been granted he shall forthwith give written notice to the applicant or the holder of the licence stating upon which one or more of the grounds set out in subsection (4) or (5) or (6) the licence has been refused or revoked and informing him of the right of appeal given by this section, and the applicant or the holder of the licence may thereupon appeal to the authority against the refusal or revocation, as the case may be, and the decision of the authority shall be final:

Provided that where the grant of a licence is refused or a licence is revoked in accordance with subsection (5) or (6) such appeal shall be to the Ruler in Council or the Yang di-Pertua Negeri in Council, as the case may be, of the State where the authority is the Chief Minister and to the Yang di-Pertuan Agong where the authority is the Minister.

(10) It shall not be necessary in any notice given under subsection (9) for the licensing officer to state any reasons or to disclose the nature or source of the information on which any refusal or revocation was based.

(11) The time within which any such appeal may be brought shall be fourteen days from the date on which notice is given under subsection (9).

(12) In the event of an appeal under subsection (9) being allowed, the licensing officer shall be notified in writing and shall forthwith issue a licence or cancel the revocation, as the case may be.

## Regulations

**5.** (1) The Minister may make regulations for prescribing anything which by this Act is required to be prescribed and for regulating the manner in which licensed collections may be carried out and the conduct of promoters and collectors in relation to such collections, and generally to give effect to the provisions of this Act.

(2) Without prejudice to the generality of the powers conferred by the foregoing subsection, regulations made thereunder may provide for all or any of the matters following, that is to say—

- (a) for requiring and regulating the use by collectors of prescribed badges and prescribed certificates of authority, and the issue, custody, production, display and return thereof, and, in particular for requiring collectors on demand by a police officer or by any occupant of a house visited or person solicited to produce their certificates of authority;
- (b) for the authentication of prescribed certificates of authority and for the clear indication in prescribed badges of the purpose of the collection;
- (c) for prohibiting persons below a prescribed age from acting, and others from causing or allowing them to act, as collectors;
- (d) for preventing annoyance to the occupants of houses visited or to any other members of the public;
- (e) for requiring the prescribed information with respect to the purpose, expenses, proceeds and application of the proceeds of collections to be furnished by the licensee to the authority who issued the licence and for requiring such information to be vouched and authenticated in such manner as may be prescribed;
- (f) for prescribing penalties for contravention of, or failure to comply with, any such regulation.

(3) Any person who contravenes or fails to comply with the provisions of any regulation made under this Act shall be guilty of an offence against this Act.

**Unauthorized use of badges, etc.**

6. (1) Any person who, in connection with any appeal to the public or any class of the public for subscriptions or contributions of money or other property—

(a) displays or uses a prescribed badge or a prescribed certificate of authority other than a badge or certificate which he is authorized, under or by virtue of any regulations, made under this Act, so to display or use, or

(b) displays or uses any badge, device, emblem, certificate or other document intended, calculated or likely to cause any person to believe that the person displaying or using the same is an authorized collector for the purposes of a licensed collection when such is not the case,

shall be guilty of an offence.

(2) Any person who, in furnishing any information for the purposes of this Act or of any regulations made thereunder, knowingly or recklessly makes any statement which is false in any material particular, shall be guilty of an offence.

**Collector to give name, etc., to police on demand**

7. Any police officer may require any person whom he believes to be acting as a collector for the purposes of a collection to declare to him immediately his name and address and, if any person fails to comply with a requirement duly made to him under this section, he shall be guilty of an offence and liable to a fine not exceeding one hundred ringgit.

**Penalties**

8. (1) Any person guilty of an offence against this Act for which no special penalty is provided by this Act or by any regulations made thereunder shall be liable to a fine not exceeding one thousand ringgit or to imprisonment for a term which may extend to six months or to both such fine and imprisonment.

(2) Where any offence against this Act is committed by any corporation, society, association or body of persons, every person charged with, or concerned or acting in, the control or

management of the affairs or activities of such corporation, society, association or body of persons shall be deemed to be guilty of that offence and liable to be punished accordingly unless it is proved by any such person that, through no neglect or omission on his part, he was not aware that the offence was being or was about to be committed or that he took all reasonable steps to prevent its commission.

### **Jurisdiction**

**9.** (1) Notwithstanding any provision to the contrary contained in any law for the time being in force, a Sessions Court or a Court of a Magistrate shall have jurisdiction to try any offence against this Act and to award any punishment specified or prescribed therefor.

(2) At the conclusion of any trial in a Sessions Court or Court of a Magistrate in respect of an alleged offence against this Act, when such trial results in a conviction, the Court may make an order for the return to its owner, if known, or for the forfeiture or confiscation of any money or other property produced before it or in its custody or the custody of the police or of any public servant which, in the opinion of the Court, was obtained by or in consequence of the commission of an offence against this Act.

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## LAWS OF MALAYSIA

### Act 200

## HOUSE TO HOUSE AND STREET COLLECTIONS ACT 1947

### LIST OF AMENDMENTS

Amending law	Short title	In force from
Ord. 35/1947	House to House and Street Collections (Amendment) Ordinance 1947	18-09-1947
Ord. 48/1956	House to House and Street Collections (Amendment) Ordinance 1956	20-12-1956
L.N. 332/1958	Federal Constitution (Modification of Laws) (Ordinances and Proclamation) Order 1958	13-11-1958
Act A46	House to House and Street Collections (Amendment) Act 1971	30-04-1971
Act A192	House to House and Street Collections (Amendment) Act 1973	30-03-1973
Act 160	Malaysian Currency (Ringgit) Act 1975	29-08-1975
P.U. (A) 209/1980	Revision of Laws (House to House and Street Collections Act 1947) Order 1980	15-02-1978
P.U. (A) 426/2002	Revision of Laws (Rectification of House to House and Street Collections Act 1947) Order 2002	25-10-2002

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## LIST OF SECTIONS AMENDED

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2	Ord. 35/1947	18-09-1947
	Act A46	30-04-1971
	Act A192	30-03-1973
4	Ord. 48/1956	20-12-1956

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