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CHAPTER C-4

CHARITIES ACT

PROMOTIONAL AGENCIES REGULATIONS

Made by the Minister of Justice with the approval of the Administrator of the Government in Council under the *Charities Act* R.S.P.E.I. 1988, Cap. C-4

1. (1) In this section “promotional agency” includes all persons, firms and corporations carrying on business or acting as agents or otherwise to promote, further, organize, develop, manage, administer, or otherwise control or assist in the promotion, organization, development or management of any undertaking for a charity.

Control of promotional agencies

(2) Where any charity proposes to carry on any undertaking seeking financial support for a charitable purpose through or with the assistance of a promotional agency, whether on a street or in any other public place, or in any building or office or elsewhere, or by house to house canvass, by telephone, mail or personal solicitation, or by promotion of any entertainment, or by publication or radio or television announcement, or in any other way, it shall first obtain authorization from the Minister.

Authorization from Minister

(3) The Minister shall not grant any authorization for the engagement of a promotional agency unless

Conditions

(a) the terms of any contract or other arrangement negotiated with the promotional agency are disclosed to and approved by the Minister;

(b) the remuneration to be paid to the promotional agency is expressed in the contract or other arrangement either as a fixed sum or as a percentage of the net profit to be realized from the undertaking, after payment of all expenses incidental thereto excepting only that remuneration;

(c) the Minister approved the amount of or the basis for the remuneration;

(d) the promotional agency confirms in writing that, upon completion of the undertaking, it will furnish the Minister with a complete, audited financial statement in respect thereof and with such further statements or information as the Minister may require; and

(e) if so required by the Minister, a surety bond is executed in such amount as the Minister may determine which may be forfeited to the

Minister in the event of failure by the promotional agency to comply with the terms of the authorization granted by the Minister.

Validity

(4) No contract or other arrangement referred to in subsection (3) shall be valid and binding between a charity and a promotional agency unless and until authorization is granted by the Minister. (EC734/77)