

04 July, 2018

To: All Member Organisations

Dear Sir/ Madam,

**Organisation of Flag Days/ Public Collection by NGOs**

We have recently been informed by the Office of the Commissioner of Police (by way of a letter dated 17 May 2018) that, as per the advice of the Solicitor General, "all public collections made by NGOs within the aegis of MACOSS need to apply for a permit before undertaking any public collection pursuant to Section 3 of the Public Collection Act, and, to report to the Commissioner of Police on the outcome of any public collection pursuant to Section 6 of the Public Collection Act".

On 29 May 2018, a meeting was held between Mr. T. Seerungen, Deputy Commissioner of Police, and representatives of MACOSS, to discuss about these new requirements. The parties agreed with the enforcement of "The Public Collections Act 1965", above all, in relation to the need for NGOs to report to the Commissioner of Police on the outcome of any public collection.

NGOs had thereafter been informed to apply for a permit to the Commissioner of Police before undertaking any public collection. However, it seems that this process is creating a lot of problems for NGOs willing to collect funds to help people in need. NGOs have informed us of the following issues:

1. The process of applying and getting a permit from the Police Department is taking a lot of time (about three weeks) and hence has impacted on the collection dates. Various arrangements have already been made by NGOs and rescheduling the public collection is having serious repercussions on the Flag Day/ public collection process
2. NGOs have already prepared collection boxes with key details such as the collection dates. Changing the dates would imply changing the labels and adding cost to already resource-constrained NGOs
3. NGOs used to call upon a large number of volunteers to help in their annual public collections. The Police Department has the intention to limit the number of volunteers to a few. We believe that this decision would critically affect the collection capacity of the NGO.

In view of the above, in particular given the undue stress caused by introducing the obligation of an NGO to submit an application to the Commissioner of Police for a permit to raise funds by public collection, MACOSS has taken the following actions:

1. **MACOSS has** requested for a moratorium from the Police Department before fully implementing this measure
2. **MACOSS has** requested the Ministry of Social Security and the Ministry of Social Integration to intervene with the Police Department so that a moratorium could be given to NGOs
3. **MACOSS has** made an appeal to the Acting President of the Republic to make an order under Section 7 of the Public Collections Act so that Sections 3 and 6 shall not apply to MACOSS and its Member Organisations. Kindly note that the Public Collections Act provides for the following: "*7. Exemptions - Where the President is satisfied that any person pursues educational, religious or charitable purposes in Mauritius and is desirous of promoting public collections, he may, by Order, direct that sections 3 and 6 shall not apply to him.*"

Besides, the Chairperson and Office Bearers of MACOSS will be shortly having meetings with the abovementioned key stakeholders to provide more information on the problem confronted by NGOs in conducting Flag Days/ Public Collections and to identify both short-term and long-term solutions.

Pending the grant of a moratorium by the Police Department and/or the making of an order under Section 7 of the Public Collections Act, you are kindly requested to comply with the instructions of the Commissioner of Police, that is, "*all public collections made by NGOs within the aegis of MACOSS need to apply for a permit before undertaking any public collection pursuant to Section 3 of the Public Collection Act, and, to report to the Commissioner of Police on the outcome of any public collection pursuant to Section 6 of the Public Collection Act*".

Should you require additional information and support, we would be pleased to assist you.

Yours faithfully,

Niven MUNEESSAMY  
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