

SOLICITATION OF CONTRIBUTIONS FROM CUSTOMERS BY
EMPLOYEES OF A BANKING CORPORATION

Introduction

1. At the urging of the Attorney-General, this regulation, is intended to clarify the procedure whereby employees of banking corporations (including managers) may solicit contributions from customers for public purposes.

Soliciting a contribution from a customer

2. An employee of a banking corporation who wishes to solicit a contribution from a customer, or from someone who seeks to become a customer, for a public purpose, within the framework of the employee's public activities, must avoid a situation in which it appears to the customer that if he contributes he will receive preferential treatment from the banking corporation or the employee, and that if he refuse to contribute, his relations with the banking corporation or the employee will be harmed.

Restricting employees' activities in soliciting contributions

3. In order to regulate the activity of banking corporations' employees as regards to soliciting contributions, and to avert clashes between their position in the banking corporation and their public activity, the management of a banking corporation is required to establish rules for its employees which shall include *inter alia* the following restrictions on their activity in soliciting contributions:
 - (a) A banking corporation, including its branches, is not prohibited from organizing or participating in the solicitation of contributions from its customers by its employees if this is done in writing and using a uniform formula for all customers, by means of a public notice, or by a request on the banking corporation's statements, etc. However, the banking corporation shall prevent personal solicitation, verbally or in writing, directed at specific customers.

- (b) An employee of a banking corporation is entitled to solicit contributions for charitable or other public purposes provided the activity is directed towards the general public and is not restricted to the customers of the banking corporation.
- (c) An employee of a banking corporation shall not solicit contributions from a customer for a body or purpose in which he or his family has a financial or other material interest.
- (d) An employee of a banking corporation who seeks to solicit a contribution from a customer of the banking corporation must avoid giving the impression that the solicitation is connected with his job in the banking corporation, or that there is a connection between the contribution and the customer's relations with the banking corporation, or that the customer's decision whether to contribute could affect the services extended to him by the banking corporation.
- (e) An employee of a banking corporation shall not solicit contributions from a customer of the banking corporation on the bank's premises or in working hours. However, contributions may be solicited from all customers in general and under the conditions described in section (a) above on the bank's premises and in working hours.
- (f) An employee of a banking corporation who wishes to solicit contributions, shall inform the management of the banking corporation of this fact and specify the purpose or body for which the contributions are to be solicited. It will not be necessary for him to inform the management of the results of his efforts.
- (g) The money collected shall not be given to the employee himself but shall be given directly by the contributor to the body for which it is intended, or deposited directly by him in that body's account.

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