

THE NONGOVERNMENTAL ORGANISATIONS
REGISTRATION ACT.

Statutory Instrument 113-1.

The Nongovernmental Organisations Registration Regulations. Arrangement of Regulations.

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THE NONGOVERNMENTAL ORGANISATIONS
REGISTRATION ACT.

Statutory Instrument 113-1.

The Nongovernmental Organisations Registration Regulations.
(Under section 13 of the Act.)

1. Citation.

These Regulations may be cited as the Nongovernmental Organisations Registration Regulations.

2. Interpretation.

In these Regulations, unless the context otherwise requires-

- (a) "Act" means the Nongovernmental Organisations Registration Act;
- (b) "foreign organisation" means an organisation which is not a Ugandan organisation;
- (c) "Ugandan organisation" means an organisation which is wholly-owned and controlled by Ugandans.

Affiliated organisations to register.

An organisation which is affiliated to another organisation which is registered under the Act shall not operate in Uganda unless it has itself been registered under the Act.

4. Form of application.

An application for registration under the Act shall be in Form A as specified in the Schedule to these Regulations.

5. Documents to accompany application, etc.

- (1) The application shall be accompanied by-

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- (a) in the case of every organisation, a written work plan for the consideration and approval of the Ministry responsible for planning and economic development;
- (b) a written recommendation by two sureties acceptable to the board;
 - (i) a written recommendation by two sureties acceptable to the board;
 - (ii) a written recommendation of the chairperson of the local government executive committee I endorsed by the chairpersons of the local government executive committees II and III and the district administrator of the area where the organisation intends to operate;
 - (iii) the constitution of the organisation; and
- (c) in the case of a foreign organisation, a recommendation by the diplomatic mission in Uganda of the country from which the organisation originates or by a duly authorised Government office in that country.

(2) In the case of a Ugandan organisation the application shall be signed by at least two promoters.

(3) In the case of a foreign organisation, the constitution of the organisation accompanying the application under section 3(2)(c) of the Act shall be authenticated by a certificate of the diplomatic mission in Uganda of the country of origin of the organisation or by a duly authorised government office in that country.

6. Form of certificate of registration.

A certificate of registration shall be in Form B as specified in the Schedule, to these Regulations.

7. Period of validity of certificate.

A certificate of registration shall be issued-

- (a) in the first instance, for a period of twelve months from the date of issue of the certificate;
- (b) in the case of the first renewal of the certificate, for a period thirty-six months from the date of the renewal; and
- (c) in the case of a subsequent renewal, for a period of sixty months

8. Notification of refusal to register.

Where the board rejects an application for registration made by an organisation, the board shall immediately notify its decision to the organisation in Form C as specified in the Schedule to these Regulations.

9. Prescribed fee for registration.

The prescribed registration fee for the purposes of section 3(2) (a) of the Act is-

- (a) in the case of a Ugandan organisation, fifteen thousand shillings; and
- (b) in the case of a foreign organisation, seventy-five United States dollars or its equivalent in convertible currency.

10. Notification of revocation.

Where the board has revoked a certificate of registration of an organisation under section 10 of the Act, the board shall immediately notify the organisation of the revocation in Form D as specified in the Schedule to these Regulations.

11. Exemptions from provisions of Act.

^x Where the Minister exempts an organisation from any provision of the Act under section 3(3) of the Act, he or she shall issue to the organisation a certificate of exemption in Form E as specified in the Schedule to these Regulations.

12. Special obligations of organisations.

An organisation shall, in carrying out its operations, comply with the following-

- (a) it shall not make any direct contact with the people in any part of the rural area of Uganda unless it has given seven days' notice in writing of its intention so to do to the local government executive committee and the district administrator of the area;
- (b) it shall in carrying out its operation cooperate with local government councils and executive committees in the area;

- (c) it shall not engage in any act which is prejudicial to the security of Uganda or any part of it;
- (d) it shall restrict its operations to the area of Uganda in respect of which it is registered to carry out its operations;
- (e) it shall hold itself responsible for all acts of its members and employees;
- (f) it shall obtain the approval of the board for any goods for which it seeks exemptions; and
- (g) it shall not engage in any act which is prejudicial to the national interest of Uganda.

13. Staffing of organisation.

An organisation shall comply with the following in respect of staffing

- (a) it shall at the time of applying for registration submit to the board a chart showing its organisational structure and staffing which shall specify-
 - (i) its foreign workforce requirements;
 - (ii) its requirements of Ugandan counterparts of the foreign employees; and
 - (iii) the period planned by the organisation for the replacement of its foreign employees with qualified Ugandans;
- (b) it shall comply with any written law in Uganda relating to labour;
- (c) it shall not employ a person who is not a-citizen of Uganda unless that person has, before proceeding to Uganda for the purposes of the employment by the organisation, submitted to the Ugandan diplomatic mission in his or her country of origin for transmission to the Government of Uganda for consideration of his or her suitability for the employment-
 - (i) certified details of his or her certificates, credentials and recommendations of his or her academic and professional qualifications and proven work experience; and
 - (ii) a certificate of clearance on criminal record from his or her country of origin; and
- (d) it shall ensure that any remuneration, including salaries, allowances, fringe benefits and other terms and conditions of service, of the Ugandan employees of the organisation is reasonably comparable to that for the time being prevailing in the employment market in Uganda or reasonably comparable to that of their foreign counterparts.

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F:

14. Business operations of organisation.

(1) An organisation or a member or employee of the organisation shall not use the organisation directly or indirectly to engage in any gainful activities for the economic interest of the organisation or of any of its members or employees.

(2) Where an organisation receives monies in convertible currency in its possession, it shall open and operate an external bank account with the Bank of Uganda in which the currency shall be deposited and through which the transactions shall be conducted.

(3) Where an organisation sells any goods or services to the public or to any other organisation, the prices of these goods and services shall be in conformity with the prices, if any, prescribed by the Government for those goods and services or, where no such prices have been prescribed, in conformity with the open market prices in respect of those goods and services for the time being obtaining in Uganda.

(4) Any sum of money received from the sale by the organisation of any goods or services in excess of the administrative costs incurred in the sale of the goods or services shall be reinvested in the project in respect of which the money was received, in consultation with the district development committee in the area in which the project is situated.

15. Annual returns, estimates and furnishing of information.

An organisation shall-

- (a) submit to the board each year a return in Form F as specified in the Schedule to these Regulations;
- (b) furnish to the district development committee of each area in which it operates estimates of its income and expenditure for consideration and approval; and
- (c) submit to the board or any other authority such other information that the board may, from time to time, consider to be in the public interest.

Forms

Republic of Uganda

Form A.

Application for Registration.

The Nongovernmental Organisations Registration Act.

1. Name of the organisation _____

2. Country of origin _____
3. Name of each organisation or group established outside or inside Uganda, if any, with which the organisation is affiliated or connected

4. Objects of the organisation _____

5. Class or classes of persons to whom membership of the organisation is open

6. Present number of members _____

7. Titles of officers of the organisation _____

8. Names, occupations and addresses of the present or proposed officers of the organisation

9. Sponsors or sources of finding _____

10 Property (if any) owned by the organisation and the manner in which that property is held, acquired or vested _____

11. Bankers of the organisation _____

12. Any privileges, immunities and exemptions requested by the organisation from the Government _____

Signatures of Promoters: _____

Form B.
Certificate of Registration.
The Nongovernmental Organisations Registration Act.

I certify that _____

has this _____ day of _____, 20____ been duly registered under the Nongovernmental Organisations Registration Act. This certificate is subject to the following conditions/directions-

Issued in Kampala, this _____ day of _____, 20____

Secretary, National Board for Nongovernmental Organisations

Form C.
Notification of Refusal to Register an Organisation.
The Nongovernmental Organisations Registration Act.

To: _____

I, _____, secretary of the National Board for Nongovernmental Organisations, give you notice that, in accordance with section 8(a) of the Nongovernmental Organisations Registration Act, the board has rejected your application for registration under the Act on the following grounds-

Dated at _____, this _____ day of _____, 20 _____

Secretary, National Board for Nongovernmental Organisations

Republic of Uganda

Form D.

Notification of Revocation of Registration.

The Nongovernmental Organisations Registration Act.

To: _____

I, _____, secretary of the National Board for Nongovernmental Organisations, give you notice that in accordance with section 10 of the Nongovernmental Organisations Registration Act, the board has revoked your registration under the Act on the ground that

Dated at _____, this _____ day of _____, 20

Secretary, National Board for Nongovernmental Organisations

Form E.

Certificate of Exemption from Provision of this Act.
The Nongovernmental Organisations Registration Act.

In exercise of the powers conferred on the Minister responsible for internal affairs by section 3(3) of the Nongovernmental Organisations Registration Act, the _____

is exempted from the following provision(s) of the Act

Minister responsible for _____

reg. 15.

Republic of Uganda

Form F.

Annual Return of the _____

for the Year Ending _____, 20 _____

The Nongovernmental Organisations Registration Act.

1. Date of the annual general meeting in the year ending on _____, 20, _____
2. Number of members of the organisation as at _____, 20_____

3. Full names, occupations and addresses of the officers as at _____, 20 _____

4. If there has been any change since the date of application for registration or the date of the last annual return, whichever is later, then specify the change in the appropriate paragraph as follows-
 - (a) the name of the organisation
 - (b) the objects or constitution or rules of the organisation

 - (c) any organisation or group established outside Uganda of which the organisation is a branch or to which it is affiliated or with which it is connected
 - (d) the class or classes of persons to whom its membership is open_;

the titles of its officers

 - (e) land and premises which the organisation owns and acquired
(indicate how acquired, size and location)

Dated this _____, day of _____, 20 _____

Officers