

https://dspace.org/

# Reflecting on the sustainability of South African non-governmental organisations : perceptions and attitudes on their management, operations and monitoring.

**Phofi, Caroline**

**2010-08-17**
http://hdl.handle.net/10539/8463

Downloaded from a DSpace repository. https://dspace.org/

Nonprofit Organisations
Act, 1997
Section 13

# APPLICATION FOR REGISTRATION BY A NONPROFIT ORGANISATION

## READ THIS FIRST

### WHAT IS THE PURPOSE OF THIS FORM?

This form is an application by a Nonprofit Organisation for registration. Registration is voluntary. If the Nonprofit Organisation complies with the requirements for registration then the Director for Nonprofit Organisations will enter its name in a register and send it a certificate of registration.

### WHICH ORGANISATIONS MAY APPLY FOR REGISTRATION?

Organisations such as trusts, companies or other associations established for a public purpose whose income and property are not distributable to its members or office-bearers except as reasonable compensation for services rendered.

### WHO FILLS IN THIS FORM?

The office-bearer responsible for managing the nonprofit organisation.

### WHERE DOES THIS FORM GO?

To : Directorate for Nonprofit Organisations
Private Bag x901
PRETORIA
0001

OR

Human Science Research Council
Fifth Floor (South)
134 Pretorius Str
PRETORIA
0001

### OTHER REQUIREMENTS?

Two copies of the nonprofit organisations' constitution must accompany this form.

## 1. ORGANISATIONAL DETAILS

Name of the organisation

_____

Physical address

_____

_____

_____

_____Code _____

Postal address

_____

_____

_____Code _____

_____

Tel ( )_____

Fax ( ) _____

E-mail _____

Date of financial year-end _____

**2. PARTICULARS OF OFFICE-BEARERS** (If you have more office-bearers than is provided for on this page, please include the particulars of these office-bearers on a separate page and attach it to this application)

Name(s) _____

Surname _____

Address Business _____

_____

Residential _____

_____

ID Number _____

Contact details (W) ( ) _____ Fax ( ) _____

(H) ( ) _____ E-mail _____

Capacity in Organisation _____

Name(s) _____

Surname _____

Address Business _____

_____

Residential _____

_____

ID Number _____

Contact details (W) ( ) _____ Fax ( ) _____

(H) ( ) _____ E-mail _____

Capacity in Organisation _____

---

Name(s) _____

Surname _____

Address Business _____

_____

Residential _____

_____

ID Number _____

Contact details (W) ( ) _____ Fax ( ) _____

(H) ( ) _____ E-mail _____

Capacity in Organisation _____

Name(s) _____

Surname _____

Address Business _____

_____

Residential _____

_____

ID Number _____

Contact details (W) ( ) _____ Fax ( ) _____

(H) ( ) _____ E-mail _____

Capacity in Organisation _____

---

Name(s) _____

Surname _____

Address Business _____

_____

Residential _____

_____

ID Number _____

Contact details (W) ( ) _____ Fax ( ) _____

(H) ( ) _____ E-mail _____

Capacity in Organisation _____

Name(s) _____

Surname _____

Address Business _____

_____

Residential _____

_____

ID Number _____

Contact details (W) ( ) _____ Fax ( ) _____

(H) ( ) _____ E-mail _____

Capacity in Organisation _____

**3. REQUIREMENTS FOR REGISTRATION OF THE ORGANISATION'S CONSTITUTION**

(1) **Compulsory requirements for registration in terms of section 12(2)**

(a) Each requirement from (a) – (o) must be reflected in the constitution. If the requirements are not satisfied the director will not register the nonprofit organisation.

(b) Indicate in column 2 where in your organisation's constitution the requirements listed in column 1 are provided for.

| Column 1<br>REQUIREMENTS FOR REGISTRATION | Column 2<br>Applicable reference in constitution |
|---|---|
| (a) Organisation's name(s) | |
| (b) Organisation's main and ancillary objectives | |
| (c) Organisation's income and property are not distributable to its members or office-bearers, except as reasonable compensation for services rendered | |
| (d) Provision for the organisation to be a body corporate and have an identity and existence distinct from its members or office-bearers | |
| (e) Provision for the organisation's continued existence notwithstanding changes in the composition of its membership or office-bearers | |
| (f) Members or office-bearers have no rights in the property or other assets of the organisation solely by virtue of their being members or office-bearers | |
| (g) Powers of the organisation | |
| (h) Organisational structures and mechanisms for its governance | |
| (i) Rules for convening and conducting meetings, including quorums required for and the minutes to kept of those meetings | |
| (j) Manner in which decisions are to be made | |
| (k) Provision made for the organisation's financial transactions to be conducted by means of a banking account | |
| (l) Date for the end of the organisation's financial year | |
| (m) Procedure for changing the constitution | |
| (n) Procedure by which the organisation may be wound up or dissolved and | |
| (o) Provision that, when the organisation is wound up or dissolved, any assets remaining after all its liabilities have been met, must be transferred to another non-profit organisation having similar objectives | |

(2) **Optional provisions in terms of section 12(3)**

(a) These provisions are optional (i.e. not compulsory) but desirable, as they strengthen the governance procedures in the constitution.

(b) Indicate in column 2 where in your organisation's constitution the provisions listed in column 1 are located.

| Column 1<br>**OPTIONAL PROVISIONS FOR REGISTRATION** | Column 2<br>**Applicable reference in constitution** |
|---|---|
| (a) Qualifications for and admission to membership of the organisation | |
| (b) Circumstances in which a member will no longer be entitled to the benefits of membership | |
| (c) Provisions for termination of membership | |
| (d) Provision for appeals against loss of the benefits of membership or against termination of membership, the procedure for such appeals and the body to which such appeals may be made | |

| Column 1 | Column 2 |
|---|---|
| OPTIONAL PROVISIONS FOR REGISTRATION | APPLICABLE REFERENCE IN CONSTITUTION |
| (e) Provisions for membership fees and matters determining membership fees and other payments by members | |
| (f) Provision that members or office-bearers do not become liable for any of the obligations and liabilities of the organisation solely by virtue of their status as members or office-bearers of the organisation | |
| (g) Provision for the appointment of office-bearers and tabulation of their respective functions | |
| (h) Procedure for nominating, electing or appointing office-bearers | |
| (i) Circumstances and manner in which office-bearers may be removed from office, provision for appeals against such removal, procedures for such appeals the body to which such appeals can be made | |
| (j) Provision that office-bearers are not personally liable for any loss suffered by any person as a result of an act or omission which occurs in good faith while the office-bearer is performing functions for or on behalf of the organisation | |
| (k) Provisions for making investments | |
| (l) Purposes for which the funds of the organisation may be used | |
| (m) Provision for acquiring and controlling assets | |

**4. ADDITIONAL INFORMATION REQUIRED**

The completion of this part of the application form is not compulsory. The Directorate for Nonprofit Organisations seeks this information for administrative, background and research purposes. Your application will not be prejudiced if this part of the application form is not completed.

Date when organisation was established_____
Organisation's area of operation
Geographical _____
Sector _____

Is the organisation affiliated to any other body or structure? (If yes, please specify the name and contact details of this body or structure).

_____
_____
_____

**5. DECLARATION BY PERSON SUBMITTING THIS APPLICATION**

I, the undersigned, declare that I am duly authorised by my organisation to complete and submit this application and that the information contained in this form is to the best of my knowledge correct.

Name(s) _____
Signature _____
Capacity _____
Date _____

**6. DUTIES OF REGISTERED NONPROFIT ORGANISATIONS**

Once your organisation has been registered it must:

(a) Reflect its registered status or registration number on all its documents – section 16(3).
(b) Keep accounting records – section 17(1)(a).
(c) Draw up financial statements – section 17(1)(b).
(d) Arrange for an accounting officer to prepare a written report – section 17(2).
(e) Preserve its books of account, supporting vouchers, membership records and financial records and documents – section 17(3).
(f) Submit to the Director of Nonprofit Organisations:
    (i) A narrative report – section 18(1)(a).
    (ii) Details of any changes of its office-bearers - section 18(1)(b).
    (iii) Details of any changes of its address at which it will receive documents – section 18(1)(c).
    (iv) Details of any changes in its constitution or its name – section19.