

Non Governmental Organizations Act (Amendments) Regulations

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THE NON GOVERNMENTAL ORGANIZATIONS ACT,
(CAP.56)

REGULATIONS

(Made under section 38)

THE NON GOVERNMENTAL ORGANIZATIONS ACT (AMENDMENTS) REGULATIONS, 2018

Citation

GN. No. 152 of
2004

1. These Regulations may be cited as the Non-Governmental Organizations (Amendments) Regulations, 2018 and shall be read as one with the Non-Governmental Organizations Regulations 2004 herein after referred to as the “principal Regulations”.

Addition of
new Part

2. The principal Regulations are amended by inserting immediately after PART III the following new Part:

“PART IV

FINANCIAL TRANSPARENCY AND
ACCOUNTABILITY

Disclosure to the
fund raising
activities

12. Subject to section 32 of the Act, the Non-Governmental Organizations shall be obliged to disclose to the Public, Registrar, the Council, the Board and other stakeholders within fourteen days from the date of the completion of the fund raising activities:

- (a) sources of fund or resources obtained;
- (b) expenditure of fund or resources obtained;

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- (c) purpose of fund or resources obtained; and
- (d) activities to be carried from fund or resources obtained.

Fund obtains by
Non-
Governmental
Organizations

13. Notwithstanding regulation 12, Non-Governmental Organizations that obtained fund exceeding twenty million shillings shall:

- (a) be obliged to publish bi-annually the fund received and its expenditure in a wide circulated newspapers and other media channels which are easily accessible by the targeted on beneficiaries ;
- (b) cause the contracts or agreements entered with donor or person who grant the said fund to be submitted to the treasury and the Registrar not later than ten days from the date of entering the said contract or agreement for approval; and
- (c) declare to the Registrar of Non-Governmental Organizations any other resource received either in cash or in kind before its expenditure.

Financial
Transparency
and
Accountability

14. Each Non-Governmental Organization shall be obliged to:

- (a) develop and adhere to clear, well defined and written financial regulations that are consistent with sound financial management

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- principles and practice;
- (b) seek to limit resources used towards fundraising and running costs to a reasonable level or standard;
- (c) develop programs that take into account institutional strengthening and sustainability;
- (d) for the purpose of sustainability, undertake financial resources sustainability activities;
- (e) manage resources in a manner that is prudent and provides value for money, including employing or involving competent personnel;
- (f) ensure all financial transactions are transparently and fully documented, and that these documents are preserved for a defined number of years;
- (g) ensure all substantive expenditures are authorized in a process that involves scrutiny by more than one officer, and where the Chief Executive or any other officer does not have unlimited authority;
- (h) ensure procurement is undertaken in a manner that provides quality at least cost, avoids favoritism and corruption, is transparent, documented and otherwise

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- conforms to sound procurement principles;
- (i) maintain a regularly updated assets register in accordance with sound accounting practice;
- (j) maintain and manage bank account;
- (k) develop and adhere to clear policies regarding payments to staff, volunteers to avoid conflict of interest and incentives to distort organizational priorities;
- (l) prepare comprehensive and accurate financial statements in accordance with sound accounting practice;
- (m) ensure that its financial statements are independently audited by registered and competent auditors; and
- (n) exercise zero tolerance on corruption, money laundering and other form of substantive misuse of funds, and take effective actions to hold persons or institutions responsible accountable.

Obligation of
Non-
Governmental
Organization

15.-(1) Each Non-Governmental Organization shall-

- (a) be answerable, responsive and accountable to the people it serves through existing Local Government structure;
- (b) not enter into contracts which undermine sovereignty of the state and rights of the people;

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and

(c) work in accordance with national laws.

(2) Any Non-Governmental Organization which contravenes the provision of this Part commits an offence.

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Amendment of
the Schedule

3. The principal Regulations are amended in the First Schedule adding at the end the following new Table:-

"Statement of the fund/resources raised by Non-Governmental Organizations		
Name of the stakeholder who rendered the Fund	Amount or details of the given Fund	The Purpose for which the Fund was rendered

Dodoma,
12th October, 2018

UMMY A. MWALIMU
*Minster for Health, Community
Development, Gender, Elderly and Children*