

## ABOUT NPO LEGAL ISSUES:

This is an electronic newsletter published by:  
**RICARDO WYNGAARD ATTORNEYS** which is aimed at updating the non-profit sector on relevant legal issues.

## IN THIS EDITION:

### ‘PART 3: NPO COMPLIANCE-RELATED DEVELOPMENTS’

By: Ricardo Wyngaard

**RICARDO WYNGAARD ATTORNEYS** is a law practice that specialises in rendering advice and assistance on non-profit law and governance.

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**ONLINE-RESOURCES:  
NPO COMPLIANCE  
QUESTIONNAIRE**

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## RECENT NPO COMPLIANCE-RELATED DEVELOPMENTS (Part III)

By Ricardo Wyngaard

On 23 June 2023 the Minister of Social Development (the Minister) published a notice in terms of **section 12(1)(c)** to determine the period within which application must be made by specified organisations to register in terms of the Nonprofit Organisations Act.

As reported under volume 62 of NPO Legal Issues, certain organisations must pursuant to **section 12(1)(b)** of the NPO Act become registered if it:

- (i) makes donations to individuals or organisations outside of South Africa; or
- (ii) provides humanitarian, charitable, religious, educational or cultural services outside South Africa.

Section 12(1)(c) of the NPO Act provides that a nonprofit organisation referred to in **section 12(1)(b)** that is operating but is not registered in terms of the NPO Act on the date of commencement of this provision (being 1 April 2023), must apply to register within the period determined by the Minister by notice in the Gazette.

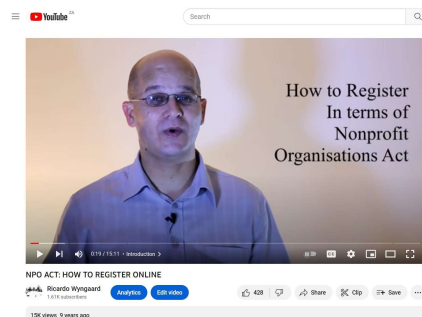
The Minister has now determined the period as: **1 June 2023 to 31 May 2024**.

Such NPOs should, amongst other:

1. If not already registered in terms of the NPO Act, determine if they will be required to do so;
2. If required to be registered:
  - a. Consider whether the NPO’s founding document requires amendment; and
  - b. Submit an application to register (Check out: NPO Registration Online).

Check out some of our helpful resource videos:

The full version of our video **Tutorial on Amendments to the NPO Act** can now be accessed at our: [ONLINE STORE](#)



**Important Note:** The information contained in this newsletter is general in nature and should not be interpreted or relied upon as legal advice. The information may not be applicable to specific circumstances. Professional assistance should be obtained before acting on any of the information provided in this newsletter.



## LIST OF RESOURCES AVAILABLE AT THE NPO LAWYER

### SAMPLE DOCUMENTS

1. NPO Compliance Questionnaire (over 200 questions)
2. Sample Voluntary Association with Members
3. Sample Voluntary Association with Non-Voting Members
4. Sample Agreement: Independent Contractor
5. Sample Governance Manual for Smaller NPOs
6. Sample Human Resources Manual for Smaller NPOs
7. A Basic Financial Management and Procurement Policy for Smaller NPOs.
8. Sample Board Charter for NPOs registered in terms of the NPO Act
9. **NEW!** Sample NPO PAIA Manual

### PRACTICAL GUIDES

10. A Practical Guide to NPOs and Protection of Personal Information
11. A Practical Guide to Risk Management
12. A Practical Legal Guide to South African Volunteers
13. A Practical Guide to Board Induction
14. A Practical Guide to Choosing NPO Legal Entities

### VIDEO TUTORIALS

15. Mini-Course Fundraising and the Law (2 hours 30 minutes)
16. NPO Board Recruitment (35 minutes)
17. Online Course POPIA and Consent Part 1 - Theory (1 hours 11 minutes)
18. Online Course POPIA and Consent Part 2 – Practical (28 minutes)
19. **NEW!** Mini-Course Amendments to the NPO Act (38 minutes)