



15 Salisbury and Kruis Street. Marshalltown. Johannesburg. 2107 Tel: 087 160 0352

3. We hereby lodge our objection to the unreasonably brief time frame given by Parliament for public comments on the Bill. The prescribed period (from 27 September 2022 until 12h00 noon on 10 October 2022 - a mere 9, 5 days) is totally inadequate for this purpose, given the significant amendments proposed by the Bill, including a jail sentence for non-compliance.

 4. It is insufficient to say that because a second public participation process will occur in front of Parliament's second house, the National Council of Provinces ("NCOP"), the above process followed by the Committee was reasonable and allowed effective public participation as required by law.

 5. We specifically oppose:
 - 5.1. Clause 10 of the Bill that proposes making registration as a Nonprofit Organisation ("NPO") compulsory; and
 - 5.2. Clause 14 of the Bill (read with section 30 of the NPO Act, 1997), which will make failure to comply with these provisions is a criminal offence with a sanction of an unspecified fine and/or jail sentence.

 6. We call for:
 - 6.1. NPO registration remain voluntary, given the duplication of registration / reporting / compliance duties considering most NPOs already being registered with other state institutions¹ and already having to comply with various tax reporting requirements imposed by SARS.
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6.2. Section 30 of the NPO Act be amended to remove the threat of imprisonment and/or a limitless fine.

Yours faithfully,

Bishop November Mbele
Secretary General

¹ E.g. as nonprofit companies with the Companies and Intellectual Property Commission ("CIPC"), trusts with the Master's Office and with SARS for trusts, NPCs and voluntary associations.