

Communiqué 5

Working Group on the Non-Profit Organisation Amendment Bill, 2021

3 March 2022

1. On 27 January 2022, our Working Group emailed Chief Director: NPO Information and Registration Management, Mpho Mngxitama, to query the outcome of Cabinet's decision on our request for an extension to the date for submissions on the NPO Amendment Bill.
2. An email was received from Ms. Mngxitama, on the same day, indicating the Department of Social Development had reviewed the legal opinion received in 2021 and was advised by the Chief of Staff that a Cabinet decision was not required and the matter of an extension was an operational matter. She indicated she would provide further information on the views of the Department on the extension within seven days. On 10 February 2022, the Working Group was invited to a meeting with Ms. Mngxitama and members of her Chief Directorate to discuss the extension of the date for submission on the Bill and a proposed workshop on the NPO Amendment Bill.
3. This Communiqué covers the decision of that meeting and follows Communiqué 4 sent on 16 November 2021. For ease of memory, all four communiques are included in Attachment one.
4. What follows below is a brief minute of the meeting held on 10 February 2022.

5. Resolutions of the meeting of 10th February 2022

- a. The DSD will invite the non-profit sector to participate in a workshop on the rationale for the NPO Amendment Bill on Wednesday, 23 of March 2022 at Inyathelo's premises. It will be a hybrid event (both in person and online).
- b. The aim of the workshop will be to review the rationale of the DSD in the drafting of the current NPO Amendment Bill. It will assess the elements of the Bill that are purely administrative and will be legislated and advise on sections of the Bill that will be parked for the policy review process. The Department noted it will be embarking upon a more comprehensive NPO policy review process but indicated that no timeline for this process has been finalised.
- c. There was agreement that an extension to the deadline for submission on the Bill will begin two weeks after the workshop and a period of 30 days will be allocated for further submission of comments on the Bill.
- d. It was decided that a group of representatives chosen by the sector should attend the workshop hosted by DSD and be given the mandate to agree to changes to ensure that consensus can be reached by the end of the workshop.
- e. The DSD noted that the consultation process was important to the Department and wanted to ensure that the sector felt heard.
- f. It was agreed that a document with all responses submitted to the DSD thus far will be drafted and shared with the sector for review.
- g. The department is acutely aware that the policy review process had initially started in 2012 and that since then no changes to the act have been made.