

Charitable Associations

Business Law Reform
Private Sector Development
Initiative

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Overview

- What are charitable associations?
- Charitable Associations Registry
- Overview of Changes to the Charitable Associations (Incorporation) Act

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Charitable associations generally

- Incorporated committee controlling activities of a charitable association
- Committee can hold assets, incur debts and act in similar ways to a company

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Charitable purposes

- Religious
- Educational
- Cultural
- Scientific
- Sports
- General social welfare
- Other non-profit purpose declared by Minister

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Advantages of incorporating a committee

- Enables better organisation for charitable purposes
- Provides ability to enter into contracts, hire staff etc
- Provides for organisation to exist beyond initial members

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Incorporating a Committee

- Committee must have 6 or more members
- Application in prescribed form
- Registered address
- Objects of association
- Articles / rules / constitution of association
- Statement of assets and liabilities

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Incorporating a Committee ctd

- Online, kiosk or using paper form
- Fee: VT 10,000 – 12,000

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Overview of Changes to Act

- Annual Reports
- Inspection Powers

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Annual Reports

- Within 3 months of the anniversary of the incorporation of the Committee
- Online submission of report or paper form
- Fee: VT 5,000
- Fines for late filing

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Annual Reports ctd

- Operations only in Vanuatu or other places as well
- Activities in one or more of the charitable purposes
- Financial details, including income and expenses
- Other information on request by Registrar

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Annual Reports ^{ctd}

- Registrar provides notice if report not submitted
- If Committee does not provide report after notice period then a receiver is appointed

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Inspection powers

- Require documents or records necessary or relevant to an investigation or audit
- Make copies of or extracts from documents or records
- Require persons to appear before the Registrar and answer certain questions

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