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THE PRESIDENCY

DIE PRESIDENSIE

No. 596.

9 June 2000

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9 Junie 2000

It is hereby notified that the Acting President has assented to the following Act which is hereby published for general information:—

Hierby word bekend gemaak dat die Waarnemende President sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 17 of 2000: Nonprofit Organisations Amendment Act, 2000.

No. 17 van 2000: Wysigingswet op Organisasies Sender Wins-oogmerk, 2000.

GENERAL EXPLANATORY NOTE:

- [] Words in bold type in square brackets indicate omissions from existing enactments.
- Words underlined with a solid line indicate insertions in existing enactments.

(English text signed by the Acting President.)
(Assented to 7 June 2000.)

ACT

To amend the Nonprofit Organisations Act, 1997, so as to alter the procedure of preparing and issuing **model documents and codes of good practice; and to effect certain textual alterations; and to provide for matters connected therewith.**

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Amendment of section 6 of Act 71 of 1997

1. Section 6 of the Nonprofit Organisations Act, 1997 (hereinafter referred to as the principal Act), is hereby amended by the deletion of subsection (2). 5

Substitution of section 9 of Act 71 of 1997

2. The following section is hereby substituted for section 9 of the principal Act:

“Panel of Arbitrators and Arbitration Tribunal

9. (1) The Minister must appoint persons so as to maintain a panel of arbitrators consisting of at least seven persons. 10
- (2) (a) *The* Minister must designate one member of the panel of arbitrators to act as chairperson.
- (b) If the chairperson is unable to act in this capacity or the post becomes vacant, the Minister may designate any other member of the panel to act as chairperson. 15
- (3) Whenever the Minister is required to **[nominate]** appoint a person to the panel of arbitrators in terms of subsection (1), the Minister must—
- (a) publish in the *Gazette* and by any other widely circulated means of communication, a notice calling for nominees and stating the criteria for nominations; 20
- (b) consider all nominations submitted in response to the notice;
- (c) compile a short-list of nominees and publish it for comment in the manner contemplated in paragraph (a); and
- (d) consider any comments received in response to the publication of the short-list. 25
- (4) The terms and conditions of appointment of members of the panel of arbitrators must be prescribed by the Minister.

(5) For the purposes of this Act, an Arbitration Tribunal may be composed of not more than three members of the panel of arbitrators appointed by the chairperson.”.

Amendment of section 24 of Act 71 of 1997

3. Section 24 of the principal Act is hereby amended by the substitution in subsection (2) for paragraph (c) of the following paragraph: 5

“(c) all nonprofit organisations which deregistered voluntarily, have been wound up or dissolved during the previous financial year.”.

Amendment of section 25 of Act 71 of 1997

4. Section 25 of the principal Act is hereby amended by the substitution in subsection (1) for paragraph (a) of the following paragraph: 10

“(a) the constitution of a nonprofit organisation whose registration has been cancelled, or that has voluntarily deregistered, has been wound up or dissolved; and”.

Amendment of section 34 of Act 71 of 1997

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5. Section 34 of the principal Act is hereby amended by the substitution in subsection (2)(c) for the following words preceding subparagraph (i) of the following words:

“[If the authorisation or registration of an] An organisation contemplated in paragraph (a) [would expire] must apply to be registered in terms of this Act—”.

Short title

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6. This Act is called the Nonprofit Organisations Amendment Act, 2000.