

GOVERNMENT NOTICE NO. 71

NON-GOVERNMENTAL ORGANIZATIONS ACT
(CAP. 5:05)

NON-GOVERNMENTAL ORGANIZATIONS (REPORTING) REGULATIONS, 2024

IN EXERCISE of the powers conferred by section 35 (1)(a) of the Non-Governmental Organizations Act, I, JEAN MUONAOUZA SENDEZA, Minister of Gender, Community Development and Social Welfare, in consultation with the NGO Regulatory Authority, make the following Regulations—

Citation 1. These Regulations may be cited as the Non-Governmental Organizations (Reporting) Regulations, 2024.

Reporting requirements 2.—(1) Where the Authority approves an application for registration, the Authority shall, within fourteen days, inform the applicant, in writing, of the approval and the reporting requirements under this Act.

 (2) A registered NGO shall submit an annual report, duly approved by its Board of trustees, to the Authority before the expiry of six months, from the last date of the applicant’s financial year.

 (3) The annual report shall specify the information provided under section 22 of the Act and shall be in Form 1 prescribed in the *Schedule*.

 (4) A report prescribed under these Regulations shall not be accepted by the Authority unless the report—

 (a) has been duly signed by the head of the organization and the head of its secretariat;

 (b) is delivered in hard copy format in duplicate to the Authority or is submitted to the Authority through the management information system of the Authority; and

 (c) contains a statement that the leadership of the organization takes responsibility for the content of the report.

 (5) The Authority shall prescribe in Form 2 in the *Schedule*, a simplified and standard format for the filing of an annual return whose audited financial statement are not ready for submission to the Authority.

 (6) The Authority may not renew the registration of an NGO that has not submitted the annual report within the time prescribed under subregulation (2).

Receipt of the report 3.—(1) The Authority shall, upon receipt of a report, acknowledge receipt of the report in writing.

 (2) The Authority shall, within three weeks of receiving and verify the report, issue a preliminary response regarding the report submitted by the NGO and may—

 (a) seek further and better particulars;

- (b) impose a penalty for failure to comply; and
- (c) indicate its intention to accept or reject the report.

4.—(1) Where an NGO submit a reply to any matter raised by the Authority under regulation 5, the Authority shall issue a final response to the report submitted by the NGO.

Procedure
after
submission
of report

(2) The Authority may share the initial report, its response, the reply and final response with any person that it deems necessary to inform for statistical and policy making purposes.

(3) The Authority shall compile and consolidate the reports from the NGOs and shall submit the consolidated information to the Minister responsible for NGO coordination who shall, within three months, submit to the National Assembly.

(4) The Authority may from time to time in collaboration with the Minister responsible for national statistics and the Minister responsible for economic planning and development use the data from the NGOs in assessing and documenting the contribution of the NGO Sector to national development.

(5) The Authority shall file the annual reports in the Public Documentation Centre and NGO Information management system for public access.

5.—(1) An NGO shall not make any false statement in any report which the NGO submits to the Authority.

False
statements

(2) The Registrar shall, upon becoming aware of the allegation regarding the falsity of the details specified in a report of an NGO, report the matter to the Authority.

(3) The Authority, upon receiving the report referred to in subregulation (2), shall—

- (a) institute an inquiry to confirm the falsity of the report;
- (b) where the falsity is confirmed, institute disciplinary action against the NGO, in accordance with section 23 of the Act; and
- (c) report the NGO to relevant authorities.

(4) An NGO which makes a false statement in any report to the Authority prescribed under these Regulations, commits an offence shall upon conviction, be liable to a fine as prescribed in section 34 of the Act.

6.—(1) An NGO that intends to cease or ceases its operations in Malawi shall in writing inform the Authority of its decision and shall submit to the Authority, the following information—

Ceasing
operations

- (a) the resolution of the Board of Trustees on the permanent closure of its operations;
- (b) a report on the interventions undertaken during the year; and
- (c) a *schedule* of the distribution of Assets.

(2) The Authority shall, upon receipt of the information in subregulation (1), issue a certificate of closure to the NGO.

- Offence and penalties

7. A person who contravenes the provisions of these Regulations, commits an offence and shall, upon conviction, be liable to a fine of K1,000,000.
- Failure to submit report

8. The Authority may not renew the registration of an NGO that has not submitted the annual report within the time prescribed under regulation 4 for three consecutive years.

SCHEDULE

(reg. 2 (3) & (5))

FORM 1

NGO ANNUAL RETURN FORM

NON-GOVERNMENTAL ORGANIZATIONS ACT, CAP 5.05 OF LAWS OF MALAWI

THIS FORM SHOULD BE FILLED COVERING YOUR AUDITED FINANCIAL YEAR ENDED AND ANNUAL TECHNICAL REPORT OF

TAB ONE: ORGANIZATION DETAILS

Name of Organization

Abbreviation (*Optional*)

Organization Type

Registration Type (*For local NGOs*)

Charities Number (*For International NGOs*).....

Postal Address

District (*list of all districts to be provided*)

Physical Address

Telephone Numbers

Official Email Address

Organization Objectives (*if changed updated*)

1.....

2.....

Staff Capacity	1. Expatriates		Males	0
			Females	0
	2. Malawians		Males	0
			Females	0
	3. Interns		Males	0
			Females	0
	4. Volunteers	Local	Males	0
			Females	0
		International	Males	
			Females	

TAB FOUR: SOURCE(S) OF FUNDING

	Source of Funding	Funder /Name of Donor (list to be provided)	If other Specify	Details and Contact Person	Funding Currency	Amount Received during the year
1.	1. International Government Agencies					
	2. Affiliated NGOs					
	3. UN Agencies					
	4. Malawi Government MDAs					
	5. Self-Generated					
	6. NGO Partnership					
	7. Private/Individual Donors					
	8. Other					
2.						

Total Amount Received In Kind (optional)	Currency:	Amount:
Annual Income (Calculated field will add income received except those received in kind, invoice will be generated based on this amount)	MWK	

TAB FIVE: ACCOUNTING

Financial Year :..... Start Month:..... End Month:

ANNUAL EXPENDITURE

Total Programs Expenditure (system aggregated) K :.....

Total Spent on Salaries & Wages (Excl. PAYE) K :.....

Total PAYE remitted to MRA K :.....

Administrative Costs (other than salaries & wages) K :.....

Total Expenditure (calculated field) K :.....

AUDITOR’S DETAILS

Name

Address

Email

Phone

BANK DETAILS

Name

Branch

TAB SIX: CHALLENGES

Has your organization faced any challenges during this reporting year? (yes/No)

	<i>Key operational challenges faced</i>	<i>How the issues were addressed</i>
1.		
2.		

Do or did any of these issues require the attention or action of the Authority? (Yes/No)

	<i>Key issues requiring NGORA's attention</i>	<i>Proposed actions for NGORA</i>
1.		
2.		

TAB SEVEN: DOCUMENTS

KEY DOCUMENTS TO BE UPLOADED

1. Proof of Payment of annual license fees
2. Annual Technical Report
3. Annual Audited Financial Statement
4. Additional Documents (Optional)

By signing this form I the chairperson of the Board of Trustees confirm and certify that—

1. the information given is true and correct to the best of my knowledge;

2. providing untrue information may lead to cancellation of the registration certificate;

Submission:Submission be done together with the annual technical report and audited financial statement through my NGO (www.myngo.mw). Submission will be filled with NGO Regulatory Authority within six months after the end of NGO's financial year.

FOR OFFICIAL USE

(ORGANIZATION LETTER HEAD)		
SUMMARY OF (NGO NAME)		
FINANCIAL REPORT FOR THE YEAR ENDED 20....		
	K	T
Total Revenue	
Total expenses	
Surplus for the Year	
NOTES:		
Revenue—		
(a) Foreign currency received		
(b) Grants in kind received		
(c) Other income		
Expenditure—		
(a) Total salaries and Wages		
(b) Other operating costs		
Approval of the financial information		

.....
Board Chairperson

.....
Director

Made this 3rd day of December, 2024

J. M. SENDEZA
Minister of Gender, Community
Development and Social Welfare

(FILE NO: ADM/MoU/7)

GOVERNMENT NOTICE No. 72

NATIONAL COUNCIL FOR HIGHER EDUCATION ACT
(CAP. 30:12)

NOTICE OF CHANGE OF MEMBERSHIP

NOTICE IS HEREBY GIVEN to the public that pursuant to section 4(4) of the National Council for Higher Education Act, the following changes have been made in the membership of the Council for Higher Education—

1. Appointments—

- (a) Prof. Eston Sambo, Chairperson (replacing Prof. Beatrice Mtimuni);
 - (b) Dr. Exley Silumbu, member (replacing Dr. Harry Gombachika); and
 - (c) The Vice Chancellor of University of Blantyre Synod, *ex-official* (replacing the Vice Chancellor of Lake Malawi Anglican University).
2. Removal—
- Dr. Tinyade Kachika.

The changes in the membership are with effect from 24th October, 2024.

Made this 22nd day of November, 2024.

(FILE NO.: EDU/HE/24/253)

M. W. KAMBAUWA
Minister of Education