

VOLUNTARY SOCIAL SERVICE ORGANIZATIONS

(REGISTRATION AND SUPERVISION)

[Cap. 370]

CHAPTER 370

VOLUNTARY SOCIAL SERVICE ORGANIZATIONS (REGISTRATION AND SUPERVISION)

Act
No. 31 of 1980.

AN ACT TO PROVIDE FOR THE REGISTRATION WITH THE GOVERNMENT OF VOLUNTARY SOCIAL SERVICE ORGANIZATIONS, TO PROVIDE FOR THEIR INSPECTION AND SUPERVISION; TO FACILITATE THE CO-ORDINATION OF THE ACTIVITIES OF SUCH ORGANIZATIONS; TO GIVE GOVERNMENTAL RECOGNITION TO SUCH ORGANIZATIONS WHICH ARE PROPERLY CONSTITUTED; TO ENFORCE THE ACCOUNTABILITY OF SUCH ORGANIZATIONS IN RESPECT OF FINANCIAL AND POLICY MANAGEMENT UNDER THE EXISTING RULES OF SUCH ORGANIZATIONS, TO THE MEMBERS OF SUCH ORGANIZATIONS. THE GENERAL PUBLIC AND THE GOVERNMENT; TO PREVENT MALPRACTICES BY PERSONS PURPORTING TO BE SUCH ORGANIZATIONS; TO REGULARISE THE CONSTITUTION OF VOLUNTARY SOCIAL SERVICE GROUPS WHICH HAVE NOT BEEN LEGALLY RECOGNIZED; AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

[Not in operation on 31st December, 1980.]

Short title and
date of
operation.

1. This Act may be cited as the Voluntary Social Service Organizations (Registration and Supervision) Act, and shall come into operation on such date* (hereinafter referred to as the "appointed date") as the Minister may by Order published in the Gazette appoint.

within the area of his jurisdiction, exercise, perform or discharge all or any of the powers, duties or functions vested in, assigned to, or imposed upon the Registrar by or under this Act.

Appointment
of officers.

2. (1) There may be appointed for the purposes of this Act by name or by office, a Registrar of Voluntary Social Service Organizations (hereinafter referred to as the "Registrar").

3. Subject to the provisions hereinafter contained every voluntary social service organization (hereinafter referred to as a "voluntary organization") shall be registered under this Act.

Organizations
that require to
be registered.

(2) There may be appointed by name or by office such number of Deputy Registrars and Assistant Registrars of Voluntary Social Service Organizations, and other officers as may be necessary for the purposes of this Act.

4. Every application for registration under this Act, shall be made to the Registrar in the prescribed form and shall be accompanied by such documents as may be -prescribed. Such application shall be signed by the Secretary of the voluntary organization.

Application for
registration.

(3) Every Deputy Registrar or Assistant Registrar shall, in the exercise of his powers, performance of his duties and discharge of his functions, be subject to the general direction and control of the Registrar.

5. If the Registrar is satisfied that a voluntary organization has complied with the provisions of this Act he shall register such organization.

Registration.

(4) Every Deputy Registrar or Assistant Registrar may, subject to the general direction and control of the Registrar,

6. Any person aggrieved by the decision of the Registrar refusing to register any voluntary organization may, within thirty

Appeal from
refusal to
register.

* Not in operation on 31st December, 1980. In operation from 1st February, 1982 See Gazette No. 179 of 5.02.1982.

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days of such refusal, appeal to the Secretary to the Ministry charged with the subject of Social Services against such refusal.

Evidence of registration.

7. A certificate of registration signed by the Registrar shall be conclusive evidence of the fact that the voluntary organization therein mentioned, is duly registered unless it is proved that the registration of such organization has been cancelled.

Address of organization.

8. Every voluntary organization registered under this Act shall have an address registered with the Registrar in accordance with the rules of such organization, to which all notices and communications may be sent, and shall within seven days of any change of such address notify to the Registrar of such change.

Powers of Registrar.

9. The Registrar or any officer authorized by him in writing in that behalf shall have the power—

- (a) to enter and inspect at all reasonable hours of the day, the premises of a voluntary organization registered under this Act for the purpose of ascertaining whether satisfactory standards of service are maintained in such organization;
- (b) to bring to the notice of the Minister any allegation of fraud or misappropriation of funds committed by such organization ;
- (c) to attend any meeting of the executive committee of such organization or a general meeting of the members of such organization, upon the written request of all or a majority of the members of the executive committee of such organization, or with the concurrence of the office bearers of such organization or the Minister. The Registrar or the officer so attending shall not have the right to vote at such meeting.

Minister to refer certain matters to Board of Inquiry.

10. Where, in respect of a voluntary organization registered under this Act, any allegation of fraud, or misappropriation is made by any person, the Minister may refer such matter to a Board of Inquiry.

11. (1) The Minister may appoint a Board of Inquiry. Panel consisting of six persons of standing who are not public officers.

(2) The Minister may, for the purposes of this Act, constitute a Board of Inquiry or Boards of Inquiry, each consisting of three members chosen from the Panel. The Minister may nominate one member to be the Chairman of a Board of Inquiry.

(3) The members of a Board of Inquiry shall be paid such remuneration as may be determined by the Minister in consultation with the Minister in charge of the subject of Finance.

12. (1) Where a matter is referred to a Board of Inquiry under section 10, such Board shall inquire and report on such matter to the Minister. Board of Inquiry to inquire and report.

(2) The procedure for the hearing and disposal of any matter referred to such Board shall be in accordance with the regulations made in that behalf.

(3) Such Board shall submit the report on its findings to the Minister within fourteen days after the conclusion of the inquiry.

13. For the purpose of an inquiry under section 12, a Board of Inquiry shall have the power— Powers of Board of Inquiry.

(a) to summon and compel the attendance of witnesses;

(b) to compel the production, of documents;

(c) to administer any oath or affirmation to any person.

14. Upon the receipt of the report of the Board of Inquiry in terms of section 12 (3), the Minister shall refer such report to the appropriate authority for steps to be taken according to law. Minister to refer report to appropriate authority.

15. (1) The Minister may make Regulations. regulations in respect of any matter required by this Act to be prescribed or in respect of which regulations are authorized by this Act to be made.

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(2) Every regulation made by the Minister shall be published in the Gazette and shall come into operation on the date of such publication or on such later date as may be specified in the regulation.

(3) Every regulation made by the Minister shall, as soon as convenient after its publication in the Gazette, be brought before Parliament for approval. Any regulation which is not so approved shall be deemed to be rescinded from the date of disapproval, but without prejudice to anything previously done thereunder.

(4) Notification of the date on which any regulation made by the Minister is so deemed to be rescinded shall be published in the Gazette.

Penalty for non-compliance with this Act.

16. (1) Every person who wilfully neglects or refuses to do any act or to furnish any information required for the purposes of this Act by the Registrar or other person duly authorized by him in that behalf, and every person who wilfully or without any reasonable excuse disobeys any summons, or lawful written order issued under the provisions of this Act, or fails to furnish any information lawfully required from him by a person authorized to do so, under the provisions of this Act, shall be guilty of an offence under this Act.

(2) Every person who commits any offence referred to in subsection (1) shall, on conviction after summary trial before a Magistrate, be liable to a fine not exceeding two hundred and fifty rupees.

Protection of officers.

17. No suit or proceedings shall be instituted against any officer appointed

under this Act for any act which is done in good faith in the performance of his duties or the discharge of his functions under this Act.

18. In this Act, unless the context otherwise requires—

"community hostel" means any place of residence made available to any person by an organization formed by a group of persons on a voluntary basis, which provides food and other facilities for the person residing therein; and

"Voluntary Social Service Organization" means any organization formed by a group of persons on a voluntary basis and—

(a) is of a non-Governmental nature;

(b) is dependent on public contributions, charities, grants payable by the Government or donations local or foreign, in carrying out its functions;

(c) has as its main objectives, the provision of such reliefs and services as are necessary for the mentally retarded or physically disabled, the poor, the sick, the orphans and the destitutes, and the provision of relief to the needy in times of disaster,

and includes a community hostel.