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## **Domestic and Foreign Organizations Internal Governance and Registration Procedures**

### Establishment and Registration Criteria

These procedures are prepared in light of the Law on Non-Governmental Organizations and for the purpose of instructing domestic and foreign organizations how to prepare and complete the registration documentation, standardized forms, and statute for internal governance, and for the purpose of guiding the organizations through the establishment and registration process.

- (1) The domestic and foreign non-governmental organizations shall submit a formal application for re-registration to the Ministry of Economy.
- (2) Organizations shall accurately complete the application form in one or more of the official languages of the country.
- (3) Organizations shall have a specific name, symbol, logo and address and use them in their activities.
- (4) Organizations shall prepare and submit their organizational structures which include the founders and the board of directors.
- (5) Organizations shall prepare and submit their work plan and proposed projects.
- (6) Organizations shall specify and explain the privileges extended to their employees, relating to salary, retirement benefits and other privileges contained in their signed contracts.
- (7) Organizations shall read and sign the prepared agreement.
- (8) Organizations shall submit the list of their key staff (name, father's name, profession, ID or passport Number) during the registration process.
- (9) Organizations shall submit the list of office equipment, project machinery and vehicles in detail (make, model, engine number, and license plate).
- (10) Organizations shall submit the receipt proving payment of registration fee from the bank.
- (11) The re-registered organizations shall submit the previous year's activity reports, along with the list of implemented projects
- (12) In recruiting experts and advisors, organizations shall give priority to Afghan nationals.
- (13) In funding decisions, donors shall consider the qualification of the organization without discrimination between domestic and foreign organizations.
- (14) Newly established organizations shall not use the name and logo of other organizations or dissolved organizations or private, international or governmental companies.
- (15) Organizations shall not choose more than two work areas.
- (16) Organizations shall not use in their professional activities the certificate and diploma of a person not involved in the project.

- (17) A person hired by one organization may not simultaneously be employed by another organization.
- (18) Organizations shall not recruit government employees during official business hours.
- (19) Organizations may not hire their permanent employees without a contract and for less than one year.
- (20) Organizations shall not perform their activities in the capital of the provinces without a signed contract, protocol, or agreement.
- (21) As implementers of the projects, organizations shall not conclude contracts with other contractors for performing the project activities.
- (22) Organizations shall not register the gifts, equipment or vehicles that are donated to the organizations in the name of the officers or employees of the organizations.

## Contents of Statute

### Chapter One

- (1) Name and acronym;
- (2) Official address of the organization;
- (3) Identification of founder or founders;
- (4) Identification of executive board.

### Chapter Two

- (1) Goals of the organization;
- (2) Scope of the activity of the organization;
- (3) Beginning and end of the working year.

### Chapter Three

- (1) Procedure for electing the board of directors;
- (2) Identification of board of directors;
- (3) Procedure for holding meetings of the board of directors;
- (4) Authority of the board of the directors;
- (5) Responsibilities of the board of directors;
- (6) Dismissal of members of the board of directors;
- (7) Procedure for reporting to the board of directors;
- (8) Duties of the board of directors.

### Chapter Four

- (1) Authority of the general assembly;
- (2) Responsibilities of the general assembly;
- (3) Procedure for convening meetings of the general assembly;
- (4) Procedure for reporting to the general assembly;
- (5) Duties of the general assembly.

### Chapter Five

- (1) Authority of the officers of the executive board;

- (2) Responsibilities of the officers;
- (3) Power and responsibilities of the members;
- (4) Procedure for appointing the project officers and their duties;
- (5) Duties of the executive board.

#### Chapter Six

- (1) Use of assets of the organization;
- (2) Procedure for using the organizational assets upon dissolution, according to the provisions of the Law on NGOs;
- (3) Procedure for using the organizational assets after the stopping the activities of the organization, according to the provisions of the Law on NGOs;
- (4) Procedure for using the organizational assets after the termination of the project, according to the provisions of the Law on NGOs;
- (5) Internal regulation of the organization.

#### Chapter Seven

- (1) Procedure for amending the statute, according to the provisions of the Law on NGOs;
- (2) Procedure of merger and separation of the organization;
- (3) Procedure for transformation and dissolution of the organization;
- (4) Establishment of working groups or umbrella organizations;
- (5) Establishment of the Coordinating Body with governmental departments.

#### Chapter Eight

- (1) Internal supervision of the organization's activities;
- (2) Methods of discipline and incentive;
- (3) Means of paying retirement and other social privileges;
- (4) Administrative expenses and salary amounts;
- (5) Method for reporting to the foreign central offices, if applicable;
- (6) Method for reporting to the Ministry of Economy, line ministries and provincial departments.

#### Chapter Nine

- (1) Organizational structure of the organization;
- (2) Activity period of the organization;
- (3) Enhancing the capacity building of personnel and participation in national and international workshops and seminars.

#### Chapter Ten: Holidays

- (1) Holidays of local personnel;
- (2) Maternity leave;
- (3) Holidays of foreign personnel, if applicable.

#### Chapter Eleven: Organization's Relation to Donors

- (1) Method of receiving funding and financial and technical resources;
- (2) Method of work and submission of reports of the organizations to the donors;

- (3) Procedure for submitting proposals to donors;
- (4) Responsibilities of the organization to donors;
- (5) Standard administrative expenses and project expenses.