

**People's Republic of Bangladesh
Prime Minister's Office**

Old Parliament Building
Dhaka

Letter number: 03.070.022.03.00.013.2010-90(500)

Date: 29 Chaitra 1418
12 April 2012

Circular

Subject: Working procedure for foreign and foreign-assisted Bangladeshi non-governmental organizations (NGOs) working in Bangladesh

With a view to coordinating and conducting activities of foreign and foreign-assisted Bangladeshi non-governmental organizations (NGOs) working in Bangladesh, the Government, after amending the circular no. 33.43.27.00.00.01.2000-107 issued on May 05, 2001 is delegating all responsibilities in relation to activities of foreign and foreign-assisted Bangladeshi NGOs working in Bangladesh under the Foreign Donations (Voluntary Activities) Regulation Rules, 1978 and the Foreign Contributions (Regulation) Ordinance, 1982 to NGO Affairs Bureau, which is under the Prime Minister's Office.

2. The NGO Affairs Bureau shall carry out the following responsibilities:

- a. Providing one stop service to NGOs for their registration and processing of project proposals.
- b. Approval of NGO projects, fund releases, permission for appointment of foreign officials and consultants and fixing of their tenure.
- c. Examination and evaluation of reports and returns submitted by the NGOs.
- d. Coordination, monitoring, evaluation and inspection of NGO activities.
- e. Collection of fees/service charges levied by the government.
- f. Inspection of field level NGO activities and examining their income and expenditure.
- g. Liaison with the donors and the NGOs.
- h. Preparation of reports on NGO activities and taking appropriate steps based on the reports.
- i. Enlisting of Chartered Accounting Firms for auditing of accounts of the NGO.
- j. Approval of one-time grants of NGOs.
- k. All other issues relating to the NGO affairs.

3. The Bureau shall also be responsible for maintaining communication with concerned ministries/agencies for obtaining opinions on aforementioned subjects when required. The concerned ministries/divisions and their subordinate departments/directorates and Divisional Commissioners and Deputy Commissioners will provide necessary support and cooperation to the NGO Affairs Bureau for carrying its responsibilities.

4. All ministries/divisions of the government and their subordinate offices shall consult the NGO Affairs Bureau before entering into any agreement or memorandum of understanding with any foreign or foreign-assisted NGOs in Bangladesh. Before signing this kind of agreement or memorandum of understanding, the non-governmental organizations shall have to take registration in accordance with section 3 (2) of The Foreign Donations (Voluntary Activities) Regulation Ordinance, 1978.

5. The following guidelines should be followed in case of project approval, program implementation and monitoring of the NGOs:

a. It should be ensured that the NGOs implement their programs following the proper procedure within the rules and regulations of the government.

b. Any project or part of it, which is included in the government's national development plan, may be implemented by the NGOs. The government maintains that the NGOs will advance the government's objectives for the national development and work as a supplementary force along with the government's efforts.

c. The responsibility of registering and renewing registration of the foreign and foreign-assisted NGOs shall be assigned on the NGO Affairs Bureau in accordance with The Foreign Donations (Voluntary Activities) Regulation Rules, 1978. Before registration of these organizations, consent of the Ministry of Home Affairs will have to be taken in accordance with section 6.1 (d). The past activities of the organizations shall be reviewed while renewing the registration.

d. The foreign-assisted NGOs shall limit their activities within the government-approved projects. The project proposals shall have to be submitted to the NGO Affairs Bureau for approval. After taking opinions of the ministries concerned, the NGO Affairs Bureau shall approve the projects within 45 days of receiving the proposals.

e. In the districts under the Chittagong Hill Tracts, the NGOs shall show respect and give importance to ethnic features, education, culture, environment and religion and tradition of the areas under their activities, and shall not undertake any campaign or activities that can hurt these rather they shall conduct their activities by adjusting with these norms.

f. The ministries and divisions concerned shall examine the proposed project chart of the NGOs by their own planning cell or by some other means and shall give their opinions to the NGO Affairs Bureau. If there is any objection about any project, the cause of objection should be mentioned, and any proposal for any change or addition should be explained in details. The ministry concerned shall monitor the implementation of the approved projects by their subordinate

departments/directorates/offices, and shall inform the NGO Affairs Bureau if they find that the activities of any project have crossed the limits of the project chart or have gone against the national interest.

g. According to the subsection 22 (g) of Chittagong Hill Tracts Regional Council Act/1998, the Chittagong Hill Tracts Regional Council shall oversee the overall coordination of the activities of the NGOs working in the CHT districts. The NGO Affairs Bureau, or the concerned division/department of the government and the Ministry of Chittagong Hill Tracts Affairs shall assess the activities of the NGOs in the region periodically or after the completion of the project. The Ministry of Chittagong Hill Tracts Affairs shall also perform mid-term assessment, and shall recommend on expanding their activities upon completion of the mid-term or final assessment.

h. There should be a committee at the district level to supervise and assess the activities of the NGOs in the Chittagong Hill Tracts. The committee shall meet at least once in two months to review and coordinate the activities of the NGOs. The formation of the committee shall be as follows:

- (1) Chairman of the concerned CHT District Council – Convener
- (2) The Deputy Commissioner of concerned district – member secretary
- (3) A representative of the Chittagong Hill Tracts Regional Council – member
- (4) The Deputy Director of the Social Welfare Department of the concerned district– member
- (5) A district level officer of the concerned government department– member
- (6) One representative from every NGO operating in the district – member
- (7) One representative from ADAB – member
- (8) The circle chief or his representative in the area – member

i. The NGOs shall regularly submit their progress and assessment reports of their activities to the convener of the committee. A copy of the report may be sent to the Chittagong Hill Tracts Regional Council.

j. The Divisional Commissioners shall monitor and coordinate the activities of the NGOs operating in their divisions. An Additional Divisional Commissioner shall perform this job on behalf of the Divisional Commissioner.

k. The Deputy Commissioners shall monitor the activities of the NGOs in their areas on behalf of the NGO Affairs Bureau. Except the Chittagong Hill Tracts districts, the Deputy Commissioners of other districts shall review the activities of the NGOs in the monthly coordination meeting at the district level.

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| 1. Deputy Commissioner | Chairman |
| 2. Superintendent of Police | Vice-Chairman |
| 3. Civil Surgeon | Member |
| 4. Upazila Chairman (All) | Member |
| 5. Additional Deputy Commissioner (Overall/Education) | Member |
| 6. Executive Engineer, Department of Engineering Education | Member |
| 7. Executive Engineer, Department of Public Health Engineering | Member |
| 8. Upazila Nirbahi Officer (All) | Member |
| 9. Deputy Director, Social Welfare Department | Member |
| 10. Deputy Director, Department of Agriculture Extension | Member |
| 11. Deputy Director, Department of Family Planning | Member |
| 12. Deputy Director, Department of Youth Development | Member |
| 13. District Education Officer | Member |
| 14. District Primary Education Officer | Member |
| 15. District Relief and Rehabilitation officer | Member |
| 16. District Women's Affairs officer | Member |
| 17. Chairman, Jatiya Mohila Sangstha | Member |
| 18. All NGOs registered with the NGO Affairs Bureau | Member |
| 19. Senior Assistant Commissioner/Assistant Commissioner | Member-Secretary |

The chairman may co-opt members onto the committee if necessary.

l. The banks, which will maintain the accounts of the financial assistance received by the NGOs from abroad, shall forward the accounts of the assistance (assistance in foreign currency and the assistance in local currency that came from abroad) to the Bangladesh Bank and the Director General of the NGO Affairs Bureau in every six months.

m. The Bangladesh Bank shall send the accounts of the assistance received by the NGOs from abroad to the Director General of the NGO Affairs Bureau and the Economic Relations Division in every six months.

n. No bank shall be allowed to give the money of foreign assistance to any NGO without the approval letter of fund disbursement from the NGO Affairs Bureau .

o. If any complaint of misappropriation of fund, misuse of fund and unauthorized activities are proved against any organization, proper legal actions as per the law

of the land shall be taken against that organization, and the donor agency concerned shall be apprised of the matter.

p. Any expenditure over Tk 10,000 (ten thousand) must be paid through bank check. The salaries and allowances of the staff must be paid through bank accounts.

6. The following guidelines should be followed in case of registration, project approval, receipt and use of foreign assistance by the foreign organizations or foreign-assisted non-governmental organizations (NGOs) operating in Bangladesh:

6.1 Registration:

a. Any organization or individual wishing to operate voluntary activities by receiving and using foreign donations shall have to apply to the Director General of NGO Affairs Bureau in accordance with section 3 (1) of The Foreign Donations (Voluntary Activities) Regulation Rules, 1978.

b. The application for registration should be submitted in FD-1 form with 9 copies. The constitution of the organization, list of the members of the executive committee, plan of operation, location and area of operation, and the letter of intent of the organization/organizations intending to provide donations, must be submitted along with the application form. No government employees shall be able to be included in the executive committee of the organization without the prior approval of the government. The registration fee should be submitted in treasury form and at a rate specified in the minor sector of “registration of the NGOs, registration renewal, receiving service charge” under the main sector of 1-0323-0000-1836, and two copies of the forms should be submitted along with the application. For registration fee, local currency worth US\$ 3000 will have to be deposited in case of foreign NGOs, and Tk 20,000 in case of local NGOs.

c. The NGO Affairs Bureau shall provide pre-counseling to the NGOs for filling in the application form so that the application form can be submitted with proper information.

d. Opinions of the Ministry of Home Affairs shall be taken into consideration while assessing the applications for registration. Within 60 days after receiving a request letter from the NGO Affairs Bureau for giving opinion on the application, the Ministry of Home Affairs shall give its opinions to the NGO Affairs Bureau in light of the following regulations:

1. Whether the organization or individual concerned is involved in anti-state/anti-social activities, and whether the individuals concerned were convicted for crimes against the society and morality;

2. Introduction of the members of the executive committee of the organization, mutual relationship and social stature;
3. Prior experience of the organization in social welfare activities; and
4. Information on whether the organization has its own office.

If no opinion from the Ministry of Home Affairs is found within the specified timeframe, it shall be deemed that the Ministry of Home Affairs has no objection regarding the application for registration. However, the NGO Affairs Bureau shall issue a reminder letter to the Ministry of Home Affairs in every 30 days so that the Ministry of Home Affairs takes prompt action about the application for registration. If the registration proposal is approved after completing all necessary tasks within 90 days after the submission of the application in a proper manner, the NGO Affairs Bureau shall offer the registration letter to the applicant organization. It should be noted that the decision on registration must be given within the 90-day timeframe after meeting all the queries and completing all the formalities of all the authorities including the Bureau. If not cancelled in the meantime, this registration shall remain valid for five years. In case of failure to provide the registration within the stipulated time, the issue should be forwarded to the Prime Minister's Office.

e. The registration letter should contain a detailed description of the conditions for the organizations to run their voluntary activities with foreign donations, and the copies of the registration letter should be sent to the Ministry of Home Affairs, the Economic Relations Division, the ministry concerned, the Divisional Commissioner, Bangladesh Bank and the Deputy Commissioner/s concerned.

f. If the outline of the activities of the organization, its objectives, constitution and report of the activities give any impression that the activities of the organization are not "Voluntary Activities" according to the definition in section 2 (d) of The Foreign Donations (Voluntary Activities) Regulation Ordinance, 1978, then the Bureau shall reject the registration application of the organization and will inform the authorities concerned.

6.2 Renewal of registration:

a. Before six months of the completion of five years of receiving the registration, the NGOs shall apply to the Director General of the NGO Affairs Bureau to renew the registration for another five years. A foreign NGO shall deposit money in local currency in equivalent to US\$ 2,000 and a Bangladeshi NGO run by foreign assistance shall deposit Tk 15,000 (Fifteen thousand) through treasury forms in the sector mentioned above in section 6.1 (b), and shall attach two copies of the treasury forms with the application.

b. The Bureau shall examine whether the activities of the organizations during the five years before the renewal were satisfactory.

c. The applicant organization shall submit its constitution, the list of the members of the executive committee and the proceedings of its annual general meeting to the Bureau .

6.3 After fulfilling the conditions given below, the non-governmental organizations registered under The Foreign Donations (Voluntary Activities) Regulation Rules, 1978 shall be able to give the foreign assistance to other non-governmental organizations in Bangladesh to run voluntary activities:

- a. The recipient NGO/organization shall have to be registered under The Voluntary Social Welfare Agencies (Registration and Control) Ordinance, 1961.
- b. Any project developed by the organization providing assistance and the outline of the proposed activities should be approved by the NGO Affairs Bureau. In the project proposal, a detailed description of the assistance organization/organizations receiving assistance and an outline of expenditure should be included. The organization providing assistance shall ensure that the project was implemented in accordance with the conditions of the project approval.

6.4 Other fees:

All NGOs registered with the NGO Affairs Bureau shall deposit Tk 20,000 (twenty thousand) for changing the names of their organizations, Tk 10,000 (ten thousand) for the duplicate copy of the registration letter, and Tk 10,000 (ten thousand) for changing the constitution or any article of the constitution, through treasury forms in the above mentioned sector stated in section 6.1 (b), and shall attach two copies of the treasury forms with the application.

7. Project approval:

- a. The NGOs will have to apply to the Director General of the NGO Affairs Bureau to receive or use any foreign donation against any approved project in accordance with the regulations in section 4 (2) of The Foreign Donations (Voluntary Activities) Regulations Rules, 1978. The NGO Affairs Bureau shall issue an order for the release of the foreign fund after scrutinizing the activities and budget of the approved projects, and considering the development and implementation of the current project, and the documents of receiving foreign funds, and shall send the copies of the order to the Economic Relations Division, Bangladesh Bank, the ministries concerned, the Divisional Commissioner concerned, the Deputy Commissioner/s concerned and the donor agencies

- concerned, for their information and for taking appropriate measures. Fund for multi-year projects shall be released after considering the progress of the previous year. For the sake of the continuity of the projects, the fund shall be released in the first half of the year after receiving the progress report.
- b. No NGOs shall be allowed to take any program without project approval, and the activities of the NGOs shall be limited within the approved projects. The foreign donors/voluntary organizations that give grants to various non-governmental organizations without direct project approval shall have to prepare projects in FD-6 form and submit them with 3 copies of the FD-2 form to the NGO Affairs Bureau for fund release to meet their administrative expenditure in foreign grant.
 - c. In order to get the approval of the projects, the NGOs shall apply to the Director General of the NGO Affairs Bureau in the prescribed chart and in FD-6 form with 9 (nine) copies of the project proposal. If necessary, the NGO Affairs Bureau shall give assistance, suggestions and directions to the NGOs in taking projects in accordance with government regulations and filling in the prescribed chart of the projects. The NGOs shall give description of real progress of the target in sector-wise expenditure of any type of project they have taken earlier while submitting project proposals for approval. The project proposal should contain specific division of the expenditure in any district and upazila and detailed description (such as pay scale, allowances, academic qualification and description of experience) of the officials and employees to be recruited in the organization.
 - d. The NGO Affairs Bureau shall send the project proposals to the ministry concerned after primary scrutiny. The ministry concerned shall give its opinions within 21 days. If no opinions of the ministries concerned are found within the stipulated time, it shall be deemed that the ministries have no objection about the project. In order to launch programs in three CHT districts, the NGOs shall have to take consent/no objection certificates from the Ministry of Chittagong Hill Tracts Affairs. If necessary, the Ministry of Chittagong Hill Tracts Affairs can discuss with the Chittagong Hill Tracts Regional Council. The NGOs shall submit project proposals to the NGO Affairs Bureau in accordance with rules to run programs in the CHT districts. After primary scrutiny, the NGO Affairs Bureau shall send the project proposals to the ministries concerned and the Ministry of Chittagong Hill Tracts Affairs for their opinions.
 - e. If the ministries have any objection about the projects, or any recommendation for approving the projects through necessary changes, then the ministries concerned shall inform the NGO Affairs Bureau of the objections and the reasons for the changes. The NGO Affairs Bureau may accept those objections or recommendations, or can send those objections and recommendations to the Prime Minister's Office if they are not found acceptable after examination, and will take the next course of action in accordance with the directives from the Prime Minister's Office.

- f. If necessary, the NGO Affairs Bureau can approve any project after necessary changes and amendments. However, in that case the opinions and limitations of the donor organization and the NGO concerned should be considered.
- g. The NGO Affairs Bureau shall give its decision within 45 days after receiving a project proposal with all necessary information.
- h. The projects could be of one year or multi-year. The NGOs shall be able to submit projects of five-year tenure maintaining a coordination with the priority sectors in the government's five-year plans. For these projects, the Bureau shall take actions to approve projects and release funds on a priority basis. The specified target mentioned in the project proposals should be achieved in the stipulated time. Multi-year projects will be approved in a single turn. The fund for the projects in the next year shall be released if the project implementation strategy and the amount of meeting the target are found satisfactory after proper review of the NGO Affairs Bureau. But care should be taken that the project proposals contribute to the socio-economic development of the country and do not overlap with the government and non-government activities.
- i. Not more than one NGO shall be allowed in the same area in the same time to run same kind of programs to avoid any conflict in programs and to ensure equal development in all the areas of the Chittagong Hill Tracts like the plain lands. However, in some cases, an NGO may be allowed to work on more than one sectors/subjects in the same area.
- j. If a new NGO intends to operate after some other NGOs start operations in different areas in different sectors, permission may be given to that new NGO to operate in the sectors and in the areas where other NGOs had not started working yet.
- k. In case of giving permission to an NGO to operate in any sector/subject of any area of the Chittagong Hill Tracts, the Ministry of Chittagong Hill Tracts Affairs will consider the good-will, efficiency and experience in the field of the NGO. However, the above mentioned conditions may be relaxed in case of a local NGO in the Chittagong Hill Tracts. If necessary, the Ministry of Chittagong Hill Tracts Affairs can discuss the issue with the Chittagong Hill Tracts Regional Council.
- l. Under no circumstances, not more than one NGO shall be allowed in the same area of the Chittagong Hill Tracts to run loan disbursing programs among the same community. The rate of interest, no matter in whatever names it comes such as service charge or others, must not be more than 12 percent in any circumstances when the NGOs run the loan disbursing programs in the Chittagong Hill Tracts. Besides, there should be a provision so that the loan recipients can pay the installment of loans through their earnings from the

activities that they do with the loans. On top of that, the issues relating to the loan disbursing programs and service charge shall not contradict with the traditional/existing loan disbursing rules/regulations in the districts of the Chittagong Hill Tracts.

- m. The NGOs operating in the Chittagong Hill Tracts shall give priority to tribal and non-tribal permanent residents while recruiting employees at any level. If local people are employed, the cultural and linguistic benefits will not only facilitate the implementation of the programs but also reduce the possibility of any misunderstanding and unnecessary fear among people. This will also reduce the existing unemployment problems in the Chittagong Hill Tracts. The recruitment should follow a rational proportion of men and women.

7.1 Rehabilitation projects:

- a. In case of the rehabilitation projects for the disaster victims, the NGO Affairs Bureau shall make a decision and inform all within 21 days after receiving project proposals with appropriate information in the prescribed chart and in the FD-6 form.
- b. The NGO Affairs Bureau will send the project proposals to the ministry concerned for opinions after receiving the project proposals from the applicants. The ministry concerned will send its opinions/recommendations on the proposals to the NGO Affairs Bureau within 14 working days.
- c. If any rehabilitation project proposal is found unnecessary, the Bureau may reject it within 15 days after receiving the proposal.

7.2 Emergency relief program during and after disasters:

- a. In order to carry out immediate relief operations with foreign fund during/after any flood, cyclone, drought or any human-made disasters, the NGOs shall directly submit their relief programs to the NGO Affairs Bureau in the prescribed FD-7 form, and will inform the Ministry of Disaster Management and relief with their copies.
- b. The Bureau shall make a decision within 24 hours after receiving the proposed programs/projects in accordance with the relevant guidelines of disaster management of the Ministry of Disaster Management and Relief, and shall apprise the NGO concerned, the Ministry of Disaster Management and Relief, the Economic Relations Division, the Ministry of Home Affairs, and Divisional and Deputy Commissioners of the matter.
- c. The NGO Affairs Bureau will issue an order to release necessary foreign money and goods within 24 hours of approving the projects.

- d. The NGOs shall establish communication with the Deputy Commissioner concerned for necessary coordination of the relief programs at the field level. The Deputy Commissioners will provide all types of assistance to the NGOs to help run the relief operations.
- e. Within six weeks after completing the relief operations, the NGOs will submit the concluding report to the NGO Affairs Bureau, and send the copies of the report to the Ministry of Disaster Management and Relief and the Economic Relations Division.

8. Receiving and using foreign donation:

- a. At the time of submission of project proposals, the NGOs shall submit the application in FD-2 form along with three copies and the project proposals to the NGO Affairs Bureau. The NGO Affairs Bureau shall give the release order for foreign currency of the first installment with the project approval certificate. The Bureau shall send the copy of the release order to the Economic Relations Division, the ministry concerned, Bangladesh Bank and the Divisional and Deputy Commissioners concerned.
- b. For the approved projects, the application for receiving foreign donation for the next year should be submitted to the NGO Affairs Bureau along with three copies after filling in the FD-2 form, and at the same time the description of the foreign donation received in the previous year and the description of how the foreign donation spent should also be submitted in FD-3 form with three copies. After examining the annual report on the progress in the implementation of the programs, the NGO Affairs Bureau shall make a decision within 14 days after receiving the application.
- c. For convenience of accounting, every NGO shall receive all of their foreign donation in a single bank (Mother account) account. No money of the project concerned should be withdrawn from the bank account before the project is approved by the NGO Affairs Bureau. Separate bank accounts may be maintained for various projects. However, no money of the project should not be withdrawn/spent before the project is approved.
- d. The NGOs shall have to get their revised budget approved in order to use the extra money from the released amount accumulated due to fluctuation in the exchange rate and the interest accrued from the donations in the bank account.. For this, they shall have to submit three copies of the project proposal in FD-3 form. The Bureau shall approve the project and issue release order of the fund within 30 days. However, if the project proposal is different from the main proposal, the amended proposal shall be approved following the conventional procedure of approval.

8.1. If the NGOs intend to meet the expenses of running and maintaining the established and current institutions such as educational institutions, prayer houses, hospitals, charitable dispensaries and other mission, the NGOs will have to submit their applications for foreign donation in FD-8 form along with nine copies and other related documents to the NGO Affairs Bureau. The NGO Affairs Bureau shall send the properly received applications to the ministry concerned for opinions. The ministry concerned shall give the opinions within 21 working days. The NGO Affairs Bureau will give its decision within 30 days after receiving the applications from the NGOs.

8.2 Keeping accounts of foreign donation:

a. All the voluntary organizations/individuals shall receive all the foreign grants in foreign currency or local currency through a specific bank account of a scheduled bank.

b. Bangladesh Bank shall send the half yearly report on these foreign currencies received by the voluntary organizations/individuals to the NGO Affairs Bureau and the Economic Relations Division in every July and January.

c. The vouchers of the expenditures must be preserved in the office of the organization for five years. The field-level offices shall preserve the copies of the vouchers of expenditures for five years.

d. The voluntary organizations/individuals shall maintain their Books of Accounts of foreign assistance in the following manner:

1. In FD-5 form for assistance received as goods, and
2. Through cash book and ledger book in double-entry system for foreign grants received as cash.

e. The accounts mentioned in section “d” should be maintained on a half-yearly basis. One should be preserved from July 1 to December 31, and the other from January 1 to June 30.

8.3 Recruiting foreign specialists/advisers/officials:

a. The recruitment proposals should be limited within the approved man-month of the NGO Affairs Bureau. The description of their salaries (even if their salaries are taken from abroad) should be submitted to the Bureau every year.

b. The NGOs shall submit their applications for recruiting foreigners in the approved projects/for increasing the duration of employment to the NGO Affairs Bureau in the prescribed FD-9 form with five copies. The NGO Affairs Bureau shall give its decision within 50 days. After receiving the application, the NGO

Affairs Bureau shall send the application to the Ministry of Home Affairs for opinions. If the Ministry of Home Affairs has any objection about the proposal, it shall send its opinions to the NGO Affairs Bureau within 25 days explaining in details the reasons of the objection. However, permission should not be given to recruit someone who is not qualified enough in the relevant field.

9. Receiving and using foreign contribution (one-time):

- a. In case of both receiving and giving foreign contribution (cash or goods), prior approval should be taken from the Bureau/ministry concerned in accordance with the rules of The Foreign Contributions (Regulation) Ordinance, 1982.
- b. If the contribution is related with voluntary activities, an application for receiving contribution should be submitted to the Director General of the NGO Affairs Bureau. If the contribution receiving organization is registered with the Bureau, no investigation from the Ministry of Home Affairs should be required.
- c. In case of contribution that is not related with the NGO, the ministry concerned shall process the application under the conventional procedures.
- d. The contribution receiving organization shall apply in FC-1 form, while the contribution providing organization shall apply in FC-2 form with five copies to the NGO Affairs Bureau/the ministry concerned (where applicable).
- e. The NGO Affairs Bureau/the ministry concerned shall make a decision within two weeks after receiving the application, and send the copies of the contribution release order to the Ministry of Home Affairs, the Economic Relations Division, Bangladesh Bank, and intending organization/individual. The contribution receiving organization shall submit report to the approval giving authorities within six weeks after using the contribution.

10. Inspecting and auditing the accounts of NGOs:

- a. The NGO Affairs Bureau has been given the authority to audit and inspect the accounts of the organizations according to sections 4 and 5 of the Foreign Donations (Voluntary Activities) Regulation Ordinance, 1978.
- b. In order to audit the annual accounts of the NGOs, the NGO Affairs Bureau shall prepare a list of chartered accountants according to Bangladesh Chartered Accountants Order-1973. The NGOs shall get their accounts audited by the listed chartered accountants. The NGOs shall meet all the expenditure of the audit from their project expenditure.
- c. The NGOs shall ensure that accounts are audited within two months after the end of the financial year. The organizations shall submit three copies of the audit

report to the Bureau. The report will contain the detailed description on whether the project expenditure was maintained according to the guidelines approved by the Bureau.

- d. The auditor shall issue a certificate along with his/her report in FD-4 form.
- e. The auditors, who will fail to perform audit properly, shall be withdrawn from the auditors' list of the Bureau, and actions shall be taken against them under conventional laws of the country.

11. Annual report:

The NGOs shall prepare the annual report of their activities within three months after each financial year, and shall send its copies to the NGO Affairs Bureau, the Economic Relations Division, the ministry concerned, Bangladesh Bank, and the Divisional and Deputy Commissioners concerned. The following information/issues shall be included in the report:

- a. The annual report shall contain separate description of each project. The objective of this project-wise report is to provide the description in charts of the real achievement of the set target against the approved expenditure. The district-wise and upazila-wise expenditure shall be clearly depicted in the annual report.
- b. A complete list of all movable/immovable assets, including vehicles, of the organization.
- c. Description of the source of income and expenditure of the organization.
- d. Description of foreign tours by the officials and employees of the organization.
- e. Description of investment including sector-wise divisions from the revolving fund of the organization.
- f. Description of the projects including the food for work programs, the programs implemented under agreements with various ministries and departments of the government, and the projects implemented by funds received from other sources.
- g. The annual report shall contain a description stating the names, designation, qualification, age, nationality, total salary, allowances, and duration of service of the people (whose monthly salary and allowances are Tk 5,000 or above, or whose one-time receivable is Tk 10,000 or above).

12. Cancellation of registration due to breach of law and fund misappropriation, and filing of case:

- a. The authority mentioned in sections 6(1) and 6 (g) of The Foreign Donations (Voluntary Activities) Regulation Ordinance, 1978 should remain with the Director General of NGO Affairs Bureau. A Director of the Bureau, upon

receiving approval from the Director General, shall cancel registration, stop the activities of a project and file case in court in accordance with the sections 6(1) and 6 (g) of the ordinance.

b. The Bureau, with the approval of the government, shall cancel the registration of an organization if it is involved in activities that go against the law of the country.

c. If any problem arises in regard to conducting and coordinating the programs of the NGOs in Chittagong Hill Tracts, the issue should first be sent to the Chittagong Hill Tracts Regional Council for settlement.

d. If any activity of NGOs in Chittagong Hill Tracts is found objectionable, the NGO Affairs Bureau may cancel the activity after taking the opinion of Ministry of Chittagong Hill Tracts.

13. If a review is needed regarding the registration, project approval or receipt and use of foreign donations, the NGOs may submit a review proposal to the NGO Affairs Bureau.

14. Special rules for conducting NGO activities in the Chittagong Hill Tracts (CHT) districts:

a. The NGOs intending to conduct development and service oriented activities in Chittagong Hill Tracts districts shall have to be registered with the concerned Ministry/Division/Directorate of the Government as per the policies of the government.

b. NGOs may conduct all kinds of positive, developmental and service-oriented activities.

c. Prior to conducting development and service oriented activities in the CHT, existing problems in the concerned areas and actual demand of the local community have to be identified. The NGO activities will be allowed based on actual and immediate needs of local residents of concerned areas.

d. In case of conducting activities, the local NGOs will get priority. NGOs outside of Chittagong Hill Tracts will work through the local NGOs for conducting activities in the CHT districts. If local NGOs are unavailable in the concerned areas, the NGOs outside of Chittagong Hill Tracts may conduct activities after receiving no-objection letter from the Ministry of Chittagong Hill Tracts.

e. NGOs shall conduct development and service oriented activities by maintaining harmony among all inhabitants of CHT areas irrespective of religion, group, race and color.

f. NGOs working and willing to work in the CHT areas have to be abide by following prohibitions:

1. No activity, which may disrupt harmony between the tribal and non-tribal residents, is allowed
2. No activity may be conducted against the religious sentiment and the residents cannot be converted to other religions.
3. No activity, which may provoke communal conflict, is allowed
4. No activity, which may disrupt the national or regional security, is allowed
5. No direct or indirect activity, which may instigate separatist or communal movement among the local inhabitants, is allowed
6. No direct or indirect political affiliation is allowed
7. Conducting any provocative activities is not allowed in affiliation with any individual/organization/ political party involved in in-country or foreign separatist movement

g. Activities of the NGOs shall be limited to approved project proposal, work plan and work area. If any NGO is found working beyond the limits of approved project proposal, work plan and work area, or violates prohibitions stated under section 14 (F), legal steps including cancellation of registration shall be taken against violating NGO at the recommendation of the CHT Regional Council.

Signed by:

(Molla Wahiduzzaman)
Senior Secretary

Distribution (for action)

1. Cabinet Secretary, Cabinet Division
2. Secretary/Acting Secretary (all)

.....Ministry/Division

3. Director General, NGO Affairs Bureau, Matshya Bhaban, Ramna, Dhaka (With request to circulate this to different banks, NGOs/Organizations)
4. Divisional Commissioners (All)
5. District Commissioners (All)