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Until now, the federal government has not had the capacity or the infrastructure to control NGOs effectively, and no government department has jurisdiction to oversee their activities. NGOs are required by law to obtain permission from the Economic Affairs Division before seeking donor funding, but few NGOs or donors comply with what they see as an overly centralized and complicated system (with NGO registration governed by five separate laws). The Non-Profit Organizations Ordinance 2002 was proposed last year but is still in the consultative phase.

*Reported by Dawn at  
www.dawn.com/2003/  
09/12/nata8.htm*

## PERU

### Tax law benefits

Law No 27804 of 2 August 2002 modified Peru's Income Tax Law and has benefited NPOs in two ways. First, it has extended income tax exemption benefits to certain associations and foundations until 31 December 2006. To qualify, organizations' purposes must relate to beneficence, social assistance, education, culture, science, art, literature, sport, politics, unions or housing. The organization must not distribute income to its members, and if the organization dissolves, its assets must be directed to any of the purposes listed above.

Second, the law allows donors to deduct certain donations from their business income ('third category income'). Donations must go to organizations whose social purpose involves one or more of the following: beneficence, social assistance or welfare, education, culture, science, art, literature, sport, health, historical, cultural or indigenous heritage, or other similar purposes. The recipient

organization must obtain prior approval from the Ministry of Economics and Finance. The deduction must not exceed 10 per cent of net business income.

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## UNITED KINGDOM

### Charity surveillance

England's Charity Commission will be given new powers to monitor charities under the Regulation of Investigative Powers Act 2000, dubbed a 'snooper's charter' by civil liberties groups. It will allow the Commission to use covert informants, track individuals and obtain email/phone records in an effort to prevent or detect crime. However, the Commission will not be allowed access to the email/phone call content and will not be able to determine the location of a cell phone.

These changes represent a real expansion of governmental powers. According to human rights organization Liberty, the legislation is especially worrying for charities that campaign against government policies. When similar measures were announced last year, civil liberties groups responded that the measures could impinge on individual privacy. The government asserts that its second attempt balances privacy issues with the need to access communications data to protect the public and investigate crime. Strict controls will be in place to ensure that the surveillance is 'proportionate and necessary. The Commission also hopes the measures will increase public confidence in charities.

*For further information, see  
The Guardian, 15 September  
2003.*

## VIETNAM

### New regulations make registration difficult

In July the Government of Vietnam issued the long-awaited 'Regulations on the Organization, Operations and Management of Associations', which complement existing regulations for foreign NPOs and provide a legal framework for local organizations.

While the regulations are welcome because they provide clarity for local NPOs, the new structure is so cumbersome that it will be difficult to establish NPOs, particularly smaller organizations and CBOs. In order to establish an association, the following are required:

- ▶ a permit from the 'relevant Government Authority' (GA);
- ▶ a 'Regulation' to govern the association's operations, approved by the GA;
- ▶ a Mobilization Committee (MC), recognized by the GA, which mobilizes citizens and organizations to join the association and complete application documents;
- ▶ premises in which to carry out the association's activities and 'a sufficient number' of members.

The next step is for the MC to organize a Congress. Only when the Congress has adopted the final 'Regulation' for the association and submitted it to the GA is the association firmly established.

*Further analysis of the regulations and their probable impact on NPOs in Vietnam can be found in the October issue of IJCSL.*

The Conference Calendar is now on the *Alliance* website at [www.allavida.org/alliance](http://www.allavida.org/alliance)

It will include international and regional conferences and will be updated monthly.

## Correction

'Brazil: A new Civil Code' (September issue of *Alliance*) incorrectly described 'societies' as a form of NPO. In fact, there are only two sorts of NPO in Brazil, associations and foundations.