

NGO POLICY GUIDELINES, 2007

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DRAFT FOR DISCUSSION SCHEDULE

PART TWO NGO POLICY GUIDELINES, 2007

POLICIES AND GUIDELINES FOR THE OPERATIONS OF NON- GOVERNMENTAL ORGANISATIONS

Definition of an Organisation

- 1 (1) An organisation, for the purposes of the Act and of this Schedule, is an independent, non-profit making, non-political and charitable organisation, with the primary objective of enhancing the social, cultural and economic well being of communities, [and the operation of that organisation does not have a religious, political or ethnic bias].
- (2) This Part applies to foreign, national and international, developmental, humanitarian or relief organisations with capacity to undertake active development or humanitarian or relief work.
- (3) An organisation shall exclusively engage in the type of activities specified in its Application for registration and shall not combine those activities with any other types of activities, whether religious or otherwise.
- (4) Where an organisation intends to engage in any other activities it should seek the consent of the Board and should establish a separate division or unit to carry out those activities.
- (5) A community-based organisation is a group of community members working together as an independent non-profit making charitable organisation and cannot be registered as an organisation.

Eligibility Criteria

- 2 (1) For the purposes of registration, a non-governmental organisation
 - (a) must have a clear mission statement, outlining its purpose, objectives, target beneficiaries and constitution,
 - (i) which is in conformity with the development policies prescribed by the Board, and

- (ii) which will, in its implementation, promote the well-being and welfare of the relevant communities;
 - (b) must have an easily identifiable office with a signboard visibly displayed, an accessible postal address, a bank account in the organisation's name with at least two signatories and show a commitment to access funds to support its programmes;
 - (c) must have a clearly delineated administrative structure and transparent accounting system that is auditable and from which annual accounts can be compiled for audit;
 - (d) must have at least three full-time staff;
 - (e) must be transparent and accountable to its donors, the Government and its beneficiaries, in its use of resources, including a summary of its overheads and direct support to beneficiaries, its staff costs and estimated quantifiable costs of contributions by the Government or the communities of its area of operations to its programmes;
 - (f) must be willing to share relevant activity-related reports with the Government, other relevant organisations, beneficiaries and other interested parties;
 - (g) must have a board of trustees or its equivalent policymaking body based in the community whose constitution is not monopolised by one person or one family group;
 - (h) must submit copies of the certificate of registration of its parent body with the relevant authority to operate in the country.
- (2) The organisation must have the capacity in materials and human resources as determined by the Board to operate effectively and efficiently.
- (3) An international organisation must have legal status in its country of origin, and its parent body must show proof of lawfully established activities in other countries.
- (4) An organisation must sign an agreement as set out as an Annex to this Part with the Commission before it can be registered, and commence operations.
- (5) Failure to comply with the above criteria will lead to the disqualification of the applicant.

Registration guidelines

- 3 (1) In line with Government's policy objectives, the Commission is responsible for the registration of organisations as well as monitoring the relationships between the Government, the organisations and the beneficiary communities, bearing in mind the national priorities.
- (2) The validity of a certificate of registration is a period of twelve months from the date of issue of the certificate.
- (3) An organisation wishing to register under the Act shall
 - (a) submit an application with the relevant documents to the Board through the District Assembly;
 - (b) submit to an interview with the Board;
 - (c) sign an agreement with the Government;
 - (d) pay the relevant registration fees; and
 - (e) receive the relevant certificate of registration within three months of the submission of the application for registration.
- (4) An organisation that is not registered under the Act cannot operate in the country nor benefit from the facilities made available by the Government, to organisations which are registered under the Act but, in special cases, the Minister, on the advice of the Board, may make concessions under conditions of emergency.
- (5) Where the Commission turns down an application for registration, the applicant shall be informed of the reasons for the rejection and be given a maximum period of three months within which to correct the anomalies and resubmit the application; but the fees paid before the rejection will cover the resubmission.

Renewal of registration

- 4 (1) An organisation registered under the Act is responsible for renewing its registration in accordance with the established procedures.
- (2) The renewal is dependent on the periodic submission of the relevant documentation as determined by the Board.
- (3) The Minister may require an independent assessment of the performance of an organization regarding its operations to ensure accountability.

- (4) For an assessment under paragraph (3) the organisation will submit
 - (a) a summary of the final donor project narrative and financial reports,
 - (b) a specific external project audit undertaken at donor request, and
 - (c) a copy of the last or the most recent audit of its operations.
- (5) The renewal forms should be submitted at least one month before the expiration of the current registration certificate.
- (6) Where there is an unavoidable delay to submit the renewal forms, the Board will extend the deadline for renewal and may charge a fee for late application.

Obligation to renew registration

- 5 (1) An organisation is expected to renew its registration every year.
- (2) Failure to renew will amount to termination of operations and will lead to the deletion of the name of the organisation from the register.
- (3) Where circumstances cause an organization to suspend its operations, that fact should be communicated to the Board for necessary consideration.
- (4) The renewal should be completed before the end of the validity of the certificate of registration.

Project formulation and implementation

- 6 (1) An organisation whose activities are geared towards improving the economic and social and cultural welfare of a target group within the country and a significant percentage of the contributions of its donors go directly to meet the needs of the target group, shall, in the formulation and implementation of projects,
 - (a) involve fully the participation of the specific target group and confirmation of this should be evident on the submitted programme;
 - (b) fully consult and seek the approval and collaboration of the Ministry concerned with the activity to ensure that the project is in line with the objective of the Government programme for the development of the relevant area.
 - (c) comply with the relevant financial legislation, and the funds pledged by the donors must be disclosed before commencement of the

implementation of the project, including the mode of disbursement and the conditions attached to the funding by the donor; and where part or all of the funds are made available directly from the donors or through the overseas office of the organisation, the transfers must be channelled through the normal banking system.

- (2) In the designing of projects, an organisation should ensure that the greater percentage of the financial requirement goes for direct support to target beneficiaries, in respect of which the organisation shall limit the administrative costs to bare essentials.
- (3) Where there is a doubt as regards sub paragraph (2) the organisation shall seek guidance from the Minister.

Registration of projects

- 7 (1) A project formulated by an organisation for eventual implementation in the country shall be approved by the relevant Ministry and registered with the Ministry [of Manpower, Youth and Employment] before implementation.
- (2) The Ministry [of Manpower, Youth and Employment] conscious of the possibility of variation of project estimates from registration to implementation stage, shall ensure that a variation is promptly communicated to the relevant Ministry for approval and copied to the Ministry [of Manpower, Youth and Employment].
- (3) In an emergency, the registration of a project before the sourcing of funds may be waived on request by the organisation to the Ministry [of Manpower, Youth and Employment.]
- (4) Where the waiver is granted, the organisation shall, within fourteen days of sourcing the funds, advise the Ministry [of Manpower, Youth and Employment] of the quantum of the funds and the planned project utilisation of the funds.

Details of programmes

- 8 (1) The proposals for a project shall contain
 - (a) the type of activities to be undertaken by the organisation,
 - (b) the category of the target beneficiaries,
 - (c) the estimated number of beneficiaries,
 - (d) the estimated duration of the programmes,

- (e) the total sum of money needed for implementation which shall set out
 - (i) the contribution of the organisation,
 - (ii) the contribution of the beneficiary community, and
 - (iii) any other donations,
 - (f) the cost of goods and services,
 - (g) the total number of personnel to implement the project, listing each category,
 - (h) the list and estimate value of the items that will be imported and will require the waiver of duty,
 - (i) the total personnel cost,
 - (j) the implementation strategies,
 - (k) the signatures of the leaders of the relevant community indicative of the involvement of the community in the formulation process, and
 - (l) the approval by the relevant Ministry and its recommendation to the Ministry [of Manpower, Youth and Employment.]
- (2) A project shall not be implemented unless it has been approved by the relevant Ministry and registered with the Ministry [of Manpower, Youth and Employment.]

Monitoring and evaluation of projects

- 9 (1) It is the responsibility of the Ministry [of Manpower, Youth and Employment]
- (a) to monitor and evaluate the programmes of an organisation;
 - (b) to co-operate with the relevant Ministries and the other relevant institutions in carrying out its monitoring and [evaluating] activities;
 - (c) to establish an inter-agency committee that will meet, at least quarterly, to address relevant issues on programme reviews and national strategic planning;
 - (d) to establish sectoral standing committees that will meet every quarter to address issues of the sector relating to the operations of the organisations;

- (e) to organise monthly meetings of representatives of organisations with the various relevant Ministries to discuss pertinent issues;
 - (f) to ensure full participation of the beneficiary community and the relevant Ministry in programme formulation and implementation;
 - (g) to ensure that organisations submit progress and completion reports for programmes implemented;
 - (h) to organise periodic surveys to be informed on issues by all stakeholders;
 - (i) to organise visits to applicants' premises and witness randomly selected activities of field operations without notice to the organisation;
 - (j) to seek the assistance of full time Customs, Excise and Preventive Service officers to assist with the monitoring of organisations.
- (2) The relevant Ministry shall provide the Ministry [of Manpower, Youth and Employment] with quarterly evaluation reports for programmes supervised by the relevant Ministry and on completion of the programme, endorse the completion report after seeking the views of the beneficiary for eventual submission to the Ministry [of Manpower, Youth and Employment.]
- (3) The Government shall encourage and support a strong umbrella organisation that may seek to
- (a) enhance networking among its members;
 - (b) provide a unified voice for organisations in their dealings with the Government and the donor community;
 - (c) organise the necessary training for capacity building for organisations, and
 - (d) act as a credible accrediting body for organisations.
- (4) The Ministry [of Manpower, Youth and Employment] shall
- (a) obtain a quarterly list of the funded programmes and the amount of funding available to each organisation, and
 - (b) obtain a list of the International agencies funded programmes and the amount of money provided to the organisations.

Project funding and assets

- 10 (1) An organisation shall submit the details of the funds pledged by donors for project implementation.
- (2) The disclosure should include the amounts of money pledged, the sources of funding, the details of the donors and any other details of instalment arrangements or any other requirements including details of donor support in kind.
- (3) The assets transferred to build the capacity of an organisation should be done through the Ministry [of Manpower, Youth and Employment] which will identify the operation criteria.
- (4) The funds, as and when released by a donor, should be transferred from the donor direct to the organisation or through the Head Office of the organisation to an account in this country in a commercial bank and placed in a local or foreign account.
- (5) The vehicles owned by an organisation shall be registered in the name of the organization should be clearly marked with the name of the organization, or with the logo of the organisation.
- (6) The assets owned by organisations through purchase or acquisition with donor funds are the property of the people of Ghana who are the beneficiaries and accordingly where an organisation is closing down its operations,
- (a) the organisation shall not dispose of the assets and keep the relevant proceeds, and
- (b) the assets acquired over time shall be surrendered to the Government as trustee for the people of Ghana.
- (7) Where a donor intends to redirect the assets despite subparagraph (6), it shall inform the Ministry [of Manpower, Youth and Employment] which shall act in accordance with the policy of the Government in respect of those assets; but where an organisation by the nature of its operations, needs to redirect the assets to other off-shore programmes outside the country, that will be allowed following a formal request by the overseas head office of the organisation to the Ministry [of Manpower, Youth and Employment.]
- (8) For the purposes of subparagraphs (6) and (7) the estimated value of the assets as assessed by Ministry [of Manpower, Youth and Employment] shall be deducted, for reporting purposes from the original value of the assistance.

Institutional support

- 11 (1) International organisations, United Nations Agencies and any other institutions of an international character are encouraged to help develop and strengthen the capacity of collaborating organisations by assisting in developing their structures.
- (2) The Government may provide relevant financial and institutional support to organisations, in the form of duty waivers, tax allowances and any other facilities, to enable them develop, reinforce and sustain their organisational capacity for more effective delivery of service.
- (3) The Ministry [of Manpower, Youth and Employment] encourages the use of collaboration with local organizations in programme implementation and will therefore ensure that other organisations utilise the services of local organisations in the implementation of programmes meant for those areas.
- (4) The cultural link between the local organisation management and the target beneficiaries should ensure better performance and accountability.
- (5) The Government shall encourage the use of partnerships between international organizations and local organisations in the implementation of programmes nationwide.
- (6) Since organisations are created entities that serve as agents for both donors and beneficiaries, and the funds released by donors for the operations of organisations are meant for the benefit of the target beneficiaries, the funds that are provided for capacity building or for logistical support, and items so acquired remain the property of the organisation for as long as it stays in operation.

Waiver of import duty

- 12 (1) Subject to article 174 of the Constitution, the Ministry of Finance will approve the duty waivers, and for that purpose , the Ministry [of Manpower, Youth and Employment] shall scrutinize applications for duty waiver and recommend approval to the Ministry of Finance.
- (2) Applications for the waiver of a duty, including permit clearance from organisations will only be granted by the Ministry of Finance after recommendations by the Minister [responsible for Manpower, Youth and Employment].
- (3) The facility of duty waiver is available to organisations which are properly registered and which have submitted and registered programmes of activity with the Ministry [of Manpower, Youth and Employment.]

- (4) A requirement of that registration is the provision of a list of intended imports before programme implementation commences.
- (5) A request for duty waiver should conform with the contents of the project registration list and the pre-shipment document should be forwarded to the Ministry of Manpower, Youth and Employment after endorsement by the relevant Ministry.
- (6) The relevant documents will be processed by the duty waiver committee for the attention and approval of the Minister [responsible for Manpower, Youth and Development] for onward transmission to the Ministry of Finance.
- (7) In the case of one-off imports for humanitarian or relief activities, and of items to be distributed free of charge, this facility is available where
 - (a) a distribution plan accompanies the application,
 - (b) the distribution of items would be supervised by an organisation approved by the Ministry [of Manpower, Youth and Employment] and the applicant,
 - (c) the importer is linked with an organisation nominated by the importer to carry out the distribution,
 - (d) the relevant Ministry endorses the shipping documents before submission to the Ministry [of Manpower, Youth and Employment,] and
 - (e) the distribution of the items would be completed within two to three months.
- (8) Capacity building items, based on a checklist agreed between Ministry [of Manpower, Youth and Employment] and the Commissioner of the Customs, Excise and Preventive Service on basic needs are exempt from duty.
- (9) When the full complement has been allowed, further allowance will not be given except for replacement due to disposal, loss or wear and tear.
- (10) In the case of disposal, the Commissioner must be informed and the purchaser should pay the relevant duty before transfer of the item.
- (11) An organisation should provide a list of support items it intends to import during the year at the time of renewal of registration for any of the items not approved under a project; and the items for duty waiver concessions must bear relevance to the approved project of the applying organisation.

Further conditions of waiver

- 13 (1) Goods imported for monetisation according to donor instructions so that the proceeds should be utilised for programme implementation will not enjoy duty waiver.
- (2) Imported items which are locally produced and are of comparable quality and cost shall not be granted duty waiver except when approved by the relevant Ministry, or required by the donor under an emergency.
- (3) The personal effects of the personnel of an organisation will be granted duty waiver only under the normal Customs rules pertaining to first time entrants which rules shall apply for an initial period of six months only.
- (4) Luxury items and commercial quantities of non-luxury items as determined by the Commissioner shall not be exempt from duty.
- (5) Goods donated for humanitarian relief activities that the Ministry [of Manpower, Youth and Employment] and the organisation agree to monetise for any reason, shall not enjoy duty exemption, and when monetised, the proceeds must be used for programme implementation.
- (6) In the case of vehicles, organizations will enjoy duty free concession for requests approved under the programme registration procedure depending on the scope of operations, and
 - (a) approval will be given by the relevant Ministry based on project contents, at the time of project approval;
 - (b) the Commissioner should be informed before a vehicle is disposed of so that the new owner pays the relevant duty.
- (7) For a new registration, the current number of vehicles owned by the organisation will be taken into consideration for future project approval and the granting of the duty waiver facility.
- (8) In order to develop local capacity, goods carriers will not be exempt from duty as there are enough carriers available locally through hire or charter; but where circumstances warrant a review, the Ministry [of Manpower, Youth and Employment] will undertake the responsibility.
- (9) Fuel purchase by an organisation will not enjoy duty free facility under any circumstances.
- (10) The Ministry [of Manpower, Youth and Employment] will develop a mechanism to authenticate beneficiaries for duty-free concession.

- (11) Where the Ministry in consultation with the Customs, Excise and Preventive Service and the relevant organisations issue an annually approved list of non-allowable items then strict compliance should be observed in granting the duty free concession.
- (12) The Ministry of Manpower, Youth and Employment will not accommodate a request for a permit for the imports of an organisation except for
 - (a) perishable goods that show signs of deterioration or are approaching expiration, or
 - (b) emergency supplies that receive status confirmation of the relevant Ministry;
- (13) The disposal of items that originally enjoyed duty waiver facility should be communicated to the Commissioner under the normal guidelines approved by the Minister responsible for Manpower, Youth and Employment
- (14) The Commissioner shall cancel the waiver facility already approved where an organization misinforms the Government on imports or there is a disparity between the shipping documents and the goods received.

Taxation

- 14 (1) An organisation is expected to comply fully with the taxation and labour laws and the Agreements and Protocols signed with the Government.
- (2) An organisation must submit a renewal application form with a tax clearance certificate issued by the Internal Revenue Service.
- (3) Where an organisation is involved in income generating activities and the organisation should declare details of the activities and the income to the Commissioner of the Internal Revenue Service for a certificate of exemption and failure to secure the certificate will adversely affect the re-registration possibilities of the organisation.

Capacity building

- 15 (1) The Government has a responsibility in respect of
 - (a) the promotion and development of the human resource capacity of citizens,
 - (b) protecting the avenues of employment for the benefit of its citizens, and

- (c) ensuring continuity of the programmes or activities of organisations or under emergency and periods of insecurity; and accordingly, organisations are expected to comply with the laws governing immigration and labour.
- (2) An organisation shall
- (a) promote the development of human resources and appropriate technical training by providing employment at all levels for citizens;
 - (b) submit details of planned training programmes for human resource development on submission of a renewal application;
 - (c) exhaust, first, the possibility of employing suitably qualified citizens before recruiting non-citizens to any position;
 - (d) ensure that it has an adequate number of citizens at senior management level with enough authority to ensure continuity of programmes even in the absence of expatriate seniors in order to assist in providing the transfer of knowledge and capacity building;
 - (e) ensure that only citizens and the citizens of countries are forming the Economic Community of West States employed in middle and junior staff positions;
 - (f) limit the use of international consultants only to disciplines for which local expertise is not available.
- (3) The wishes of a donor will be respected in case of a conflict with subparagraph (2) only if those wishes are promptly and properly communicated to the Ministry [of Manpower Youth and Employment] and the Ministry responsible for Labour.
- (4) Where an emergency is declared by the President under article 31 of the Constitution, the Ministry, on the advice of the relevant Ministry, shall recommend the application for the recruitment of non-citizens by an organisation to the Ministries responsible for Labour and Industrial Relations; and the personnel so employed shall be allowed temporary resident status in conformity with the relevant immigration laws.
- (5) Proof of current work permit for expatriate personnel shall be attached to the application for renewal requests.
- (6) An expatriate whose term of employment has expired with one organisation shall not be employed by another organisation under the same work permit.

- (7) The recruiting organisation is responsible for the immediate repatriation of the expatriate employee and the immigration authorities shall be informed accordingly.
- (8) Where the recruiting organization fails to repatriate the expatriate employee, the immigration authorities shall repatriate that employee, and the cost of the repatriation is a debt due to the immigration authorities.
- (9) To ensure that only non-available skills are imported by an organisation, a list of trades and skills that are abundantly available locally will be compiled by the Ministry, in consultation with the Ministry responsible for Labour and supplied to all organisations.

Collection and exchange of information

- 16 (1) An organisation
- (a) shall provide full information on its status, structure, and activities as requested by the Ministry, and
 - (b) shall show the form and structure in which it intends to promote transparency and accountability.
- (2) The relevant organs of the Government shall collaborate with organisations in the development and maintenance of a reliable database.
 - (3) The Government and an organisation may share or exchange relevant information collected to enhance effective planning and interventions at grassroots level.
 - (4) The Government may make available information requested, including that from national plans and other reports, which may enable an organisation to streamline its interventions within the context of national priorities.
 - (5) When necessary, the Ministry shall organise meetings with stakeholders, individually or collectively, to access information or exchange views and seek suggestions for improvement in the operations of organisations.
 - (6) An organisation shall, not later than six weeks from the due date and in a format determined by the Board, submit
 - (a) a progress implementation report for all its projects, and
 - (b) an interim report for the first of its projects and a final report on completion of that project.

- (7) Where the presentation format under subparagraph (6) is different, the format of the organisation will be acceptable where it incorporates the information requirements of the format guide.
- (8) An organisation shall supply the necessary information in a form determined by the Board.

Enforcement, compliance and sanctions

- 17 (1) The Ministry is responsible for enforcing the policy guidelines.
- (2) The relevant Ministries, Departments and Agencies of the Government shall undertake appropriate monitoring and co-ordination and report to the Ministry any non-compliance by an organisation.
- (3) Communities can also forward reports or any other information directly to the Ministry on the activities of an organisation in their localities.
- (4) An organisation shall endeavour to comply with the Act, these Guidelines and the Regulations made under the Act and is liable to appropriate sanctions for failing to do so.
- (5) An organisation may face sanctions recommended by the Ministry if its activities are considered to be in contravention of its stated objectives, and where it
 - (a) provides misleading or false information and makes false declarations with intent to deceive;
 - (b) persistently fails to abide by the policy guidelines;
 - (c) shows by its nature, composition and operations over the years that it is not developing or promoting the capacity of citizens in the management of its operations.
- (6) The sanctions to be imposed on an organisation for failing to comply with the policy guidelines may include
 - (a) the cancellation of its certificate of registration by the Minister on the advice of the Board,
 - (b) the suspension of its certificate of registration by the Minister on the advice of the Board,
 - (c) cancellation or reduction or suspension of the duty-free concessions, and
 - (d) any other sanctions that may be determined by the Board.

- (7) A sanction shall not be imposed against an organisation unless it has been given thirty days notice during which time it may appeal against the charge to the Minister before a final decision is taken.
- (8) A criminal or an illegal act committed by an organisation or any of its employees is subject to investigation by the relevant security agency.

Institutional arrangements

- 18 The Ministry is responsible for the co-ordination and monitoring of the activities of organisations.

ANNEX B

AGREEMENT BETWEEN THE GOVERNMENT AND

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This AGREEMENT is made thisday of between the Minister responsible for Manpower, Youth and Employment, [acting for and on behalf of the Government] of the one part, and a non-governmental organisation of the other part.

WHEREAS the Government has the responsibility to regulate all aspects of the service which the Organisation intends to provide and the Organisation has agreed to offer its services on the terms and conditions specified in this Agreement

NOW it is hereby agreed as follows:

1. The Organisation shall, prior to commencing operations register with the Commission established under section of the Trusts Act, 2007 (Act.), and shall comply with the Guidelines issued, and the Regulations made, under the Act.
2. The Organisation is authorised by the Government to operate as a private, independent, non-profit making, development-oriented and voluntary non-governmental organisation, enabling the Organisation to establish and execute its programmes in the country for the benefit of target beneficiaries as identified by the donors, the Government and the community.
3. The Organisation shall co-operate with the Government or with the persons or authorities designated by the Government, in the implementation of the operations of the Organisation in accordance with the laws and regulations and in consonance with the national economic programme of the Government.
4. The Government has designated the Ministry [responsible for Manpower, Youth and Employment] to be in charge of facilitating and co-ordinating the implementation of the Organisation's operations.
5. The Organisation shall refer to the Ministry [responsible for Manpower, Youth and Employment] all inquiries, problems and suggestions related to its activities for appropriate action.

6. The Organisation shall carry out its business in accordance with the relevant guidelines for its operations; but the Organisation has the obligation of co-ordinating its activities with other Government institutions as necessary, and shall keep the Ministry informed about its contacts with other Government institutions.
7. The Organisation hereby undertakes
 - (a) to have as its major objective, the enhancement of the social and economic well-being of the people of Ghana;
 - (b) to comply with the conditions laid down in the policies, guidelines and regulations governing the operations of Organisation;
 - (c) to establish, maintain and staff an office in any part of the country and to employ and train local personnel, and to provide suitable conditions of service for its employees;
 - (d) to have a national programme
 - (e) to be transparent and accountable to donors, the Government and its beneficiaries in its use of funds and to submit the relevant returns;
 - (f) to observe the immigration, labour, banking, taxation and any other laws affecting its operations including the obligation to renew its registration annually.
8. The equipment, vehicles and materials imported by the Organisation which have been granted tax relief shall not be sold or otherwise disposed of except in accordance with the approval of the Minister responsible for Finance.
9. In the event of the equipment, vehicles or materials being sold or disposed of other than as indicated above, the person or organisation buying shall pay the taxes, duties and charges which but for this exemption, would have been payable in respect of those goods.
10. The proceeds of the sale of assets which had been acquired with donor funds shall be used exclusively for future programme implementation.
11. The Government undertakes
 - (a) to waive any duties or taxes imposed on goods that qualify for waivers and which are imported into the country;

- (b) to issue entry and resident permits for the approved expatriate personnel, their spouses and children, where applicable, after the full payment of the prescribed fees, where applications for work permits are submitted to the Ministry responsible for Labour not less than seven days before the anticipated date of arrival of the employee;
 - (c) to provide a safe working environment for the Organisation,
 - (d) to comply with registration and approval obligations within a reasonable time so as not to jeopardise the operations of the Organisation;
 - (e) to take the necessary action that will help in the furtherance of the operations of the Organisation.
12. A dispute between the Organisation and the Government arising out of or relating to this Agreement shall be settled amicably by negotiation or any other agreed mode of settlement, failing which the dispute shall be submitted to arbitration at the request of either party under the Arbitration Act, 1961.
 13. This Agreement comes into force on the date of execution and remains in force until either party gives at least three months notice in writing of its intention to terminate the Agreement.
 14. This Agreement supersedes any previous agreement and any variation, alteration or amendment of this Agreement is not binding unless it is in writing and signed by both parties.
 15. This Agreement is subject to review every three years unless either party gives at least three months notice of its desire for an earlier review of the Agreement.
 16. The notices or any other communications under or pursuant to this Agreement shall be deemed to have been properly given if delivered in writing to the offices or addresses of the parties.

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Representing NGO

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Representing Government

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