

- The funds of the public benefit organisation will be used solely for the objects for which it was established, or shall be invested with a financial institution as defined in section 1 of the Financial Services Board Act, 1990 (Act No. 97 of 1990) or in securities listed on a stock exchange as defined in the Stock Exchanges Control Act, 1985 (Act No. 1 of 1985).
- The public benefit organisation will not carry on any business undertaking or trading activity unless specifically permitted in terms of section 30(3)(b)(iv) of the Income Tax Act.
- On dissolution of the public benefit organisation, the remaining assets must be transferred to -
- Any similar public benefit organisation, which has been approved in terms of section 30 of the Act.
- Any institution, board or body which is exempt from the payment of income tax in terms of section 10(1)(cA)(i) of the Act, which has as its sole or principal object the carrying on of any public benefit activity; or
- Any department of state or administration in the national or provincial or local sphere of government of the Republic, contemplated in section 10(1)(a) or (b) of the Act.
- No donation will be accepted which is revocable at the instance of the donor for reasons other than a material failure to conform to the designated purposes and conditions of such donation, including any misrepresentation with regard to the tax deductibility thereof in terms of section 18A: Provided that a donor (other than a donor which is an approved public benefit organisation or an institution, board or body which is exempt from tax in terms of section 10(1)(cA)(i), which has as its sole or principal object the carrying on of any public benefit activity) may not impose any conditions which could enable such donor or any connected person in relation to such donor to derive some direct or indirect benefit from the application of such donation.
- A copy of all amendments to the constitution, trust deed, memorandum and articles of association, or other written instrument under which the public benefit organisation was established, will be submitted to the Commissioner for the South African Revenue Service.
- No remuneration will be paid to any employee, office bearer, member or other person which is excessive, having regard to what is generally considered reasonable in the sector and in relation to the service rendered and has not and will not economically benefit any person in a manner which is not consistent with its objects.
- 6 Die fondse van die openbare weldaadsorganisasie sal slegs aangewend word vir die oogmerk waarvoor dit ingestel is, of sal belê word by 'n finansiële instelling, soos omskryf in artikel 1 van die Wet op die Raad op Finansiële Dienste, 1990 (Wet No. 97 van 1990) of in aandele genoteer op 'n aandelebeurs soos omskryf in artikel 1 van die Wet op Beheer van Aandelebeurse, 1985 (Wet No. 1 van 1985).
- 7 Die openbare weldaadsorganisasie sal geen besigheidsonderneming of handelsaktiwiteit bedryf nie, tensy spesifiek toegelaat ingevolge artikel 30(3)(b)(iv) van die Inkomstebelastingwet.
- 8 By ontbinding van die openbare weldaadsorganisasie sal die oorblywende bates oorbetaal word aan -
- (aa) enige soortgelyke openbare weldaadsorganisasie, wat goedkeuring ingevolge artikel 30 van die Wet geniet;
- (bb) enige instelling, raad of liggaam wat ingevolge die bepaling van artikel 10(1)(cA)(i) van die betaling van belasting vrygestel is, wat as enigste of vernaamste oogmerk die beoefening van enige openbare weldaadsaktiwiteit het; of
- (cc) enige staatsdepartement of administrasie in die nasionale of provinsiale of plaaslike regeringsfeer van die Republiek, soos in artikel 10(1)(a) of (b) van die Wet bedoel.
- 9 Die openbare weldaadsorganisasie is verbied om 'n skenking wat herroeplik op aandrang van die skenker is, vir ander redes as die wesenlike versuim om aan die aangewese oogmerke en voorwaardes van bedoelde skenking te voldoen, met inbegrip van enige wanvoorstelling met betrekking tot die belasting-aftrekbaarheid daarvan ingevolge artikel 18A, te aanvaar nie: Met dien verstande dat 'n skenker (behalwe 'n skenker wat 'n goedgekeurde openbare weldaadsorganisasie is of 'n instelling, raad of liggaam is wat ingevolge artikel 10(1)(cA)(i) van belasting vrygestel is en wat as sy enigste of vernaamste oogmerk het die beoefening van enige openbare weldaadsaktiwiteit) nie enige voorwaarde mag op lê wat bedoelde skenker of enige verbonde persoon met betrekking tot bedoelde skenker in staat kan stel om enige direkte of indirekte voordeel uit die aanwending van die skenking te verkry nie.
- 10 'n Afskrif van enige wysigings aan die konstitusie, trustakte, Akte van Oprigting en Statute, of enige ander geskrewe stuk waarkragtens die openbare weldaadsorganisasie ingestel is, sal aan die Kommissaris van die Suid-Afrikaanse Inkomstediens voorgelê word.
- 11 Geen besoldiging sal aan enige werknemer, amptenaar, lid of ander persoon wat oormatig is, inaggenome wat algemeen as redelik geag word in die sektor en met betrekking tot die diens gelewer, betaal en sal nie enige persoon ekonomies bevoordeel nie op enige wyse wat nie in ooreenstemming met sy oogmerke is nie.

The public benefit organisation will submit the required returns for income tax together with the relevant supporting documents.

12 Die openbare weldaadsorganisasie sal die vereiste Inkomstebelastingopgawes tesame met aanvullende dokumentasie in dien.

In the case of any public benefit organisation which provides funds or assets to any association of persons contemplated in paragraph (b)(iii) of the definition of "public benefit activity", reasonable steps will be taken to ensure that the funds are utilised for the purpose for which it has been provided.

13 In die geval van 'n openbare weldaadsorganisasie wat fondse of bates aan enige vereniging van persone in paragraaf (b)(iii) van die omskrywing van "openbare weldaadsaktiwiteit" bedoel, voorsien, redelike stappe sal doen ten einde te verseker dat die fondse vir die doel waarvoor dit voorsien is, aangewend word.

The public benefit organisation will, within such period as the Commissioner may determine, register in terms of section 13(5) of the Nonprofit Organisations Act, 1997 (Act No. 71 of 1997), and comply with any other requirements imposed in terms of that Act.

14 Die openbare weldaadsorganisasie sal, binne die tydperk wat die Kommissaris bepaal, ingevolge artikel 13(5) van die Wet op Organisasies Sonder Winsoogmerk, 1997 (Wet No. 71 van 1997), registreer, en aan enige ander vereistes ingevolge daardie Wet opgelê, voldoen.

Where the public benefit organisation has been approved in terms of section 18A(1)(b)(i) of the Act, 75% of the funds received by the organisation by way of donations which qualify for a deduction, will be distributed (or an obligation will be incurred to so distribute) within twelve months from the financial year end during which such donations were received.

15 'n Goedgekeurde openbare weldaadsorganisasie ingevolge artikel 18A(1)(b)(i) van die Wet, moet ten minste 75% van die fondse wat ontvang is deur die organisasie by wyse van skenkings wat ingevolge hierdie artikel as 'n aftrekking kwalifiseer, uitkeer (of die verpligting aangaan om aldus uit te keer) binne 'n tydperk van twaalf maande vanaf die einde van die finansiële jaar waartydens bedoelde skenkings verkry is.

| | | | | | | | |
|-------------------------|----------------------|-----------------|------------------------|-------------------|-----------------------|----|----------------------|
| Signed at Geteken te | <input type="text"/> | this hierdie | <input type="text"/> | day of dag van | <input type="text"/> | 20 | <input type="text"/> |
| | <input type="text"/> | | <input type="text"/> | | <input type="text"/> | | <input type="text"/> |
| | Full name/Volle name | | Signature/Handtekening | | Capacity/Hoedanigheid | | |
| | <input type="text"/> | | <input type="text"/> | | <input type="text"/> | | <input type="text"/> |
| | Full name/Volle name | | Signature/Handtekening | | Capacity/Hoedanigheid | | |
| | <input type="text"/> | | <input type="text"/> | | <input type="text"/> | | <input type="text"/> |
| | Full name/Volle name | | Signature/Handtekening | | Capacity/Hoedanigheid | | |