

SOCIETIES ACT
(Cap. 18:01)

SOCIETIES REGULATIONS, 2017
(Published on 16th June, 2017)

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SCHEDULES

IN EXERCISE of the powers conferred on the Minister of Nationality, Immigration and Gender Affairs by section 39 of the Societies Act, the following Regulations are hereby made —

Citation	1. These Regulations may be cited as the Societies Regulations, 2017.
Interpretation	2. In these Regulations, unless the context otherwise requires — “non-society” means an organisation declared non-society in accordance with Schedule 2; and “register” means the register of societies to be kept in terms of section 9(1).
Application for registration or exemption of society	3. (1) A society may apply to the Registrar, for registration or exemption from registration in accordance with Form A set out in Schedule 1. (2) An application made in accordance with subregulation (1) for registration or exemption shall — (a) be made in triplicate; (b) be signed by three office-bearers of the society; (c) be accompanied by two copies of the constitution and rules, regulations or bye-laws of the society; and (d) be accompanied by a non-refundable fee set out in Schedule 3.
Certificate of registration or exemption of society	4. (1) The Registrar may, upon receipt of an application in accordance with regulation 3, determine that further information is necessary and therefore order the applicant to adduce such further information necessary for his or her decision, or he or she may approve the application without any further request

(2) Where the Registrar approves the application for registration or exemption, he or she shall issue to the society —

(a) a certificate of registration in accordance with Form B1 set out in Schedule 1; or

(b) a certificate of exemption in accordance with Form B2 set out in Schedule 1.

5. Where the Registrar refuses to register or exempt an applicant, he or she shall send the applicant a written notification of his or her refusal and such notification shall contain the Registrar's reasons for refusal.

6. (1) Where in terms of section 11 (2) the Registrar, is of the opinion that the registration of a society is to be cancelled, he or she shall notify the society in accordance with Form C1 set out in Schedule 1.

(2) Where in terms of section 11 (3) the Registrar decides to cancel the registration of a society, he or she shall notify his or her decision to the society in Form C2 set out in Schedule 1.

(3) Where in terms of section 11 (5) the Registrar cancels the registration of a society, he shall notify the cancellation to the society in Form C3 set out in Schedule 1.

(4) Where in terms of section 10 the Registrar rescinds any exemption from registration granted to a society, he or she shall give notice of the rescission to the society in accordance with Form D set out in Schedule 1.

7. (1) A registered or exempted society which changes its name, constitution or objects, its registered office or postal address, shall notify the Registrar of the change in accordance with Form E set out in Schedule 1.

(2) Where any office-bearer of a registered society ceases to hold office or any person is appointed to be an office-bearer of a registered society, the registered society shall, within 14 days, send to the Registrar notice thereof in accordance with Form F set out in Schedule 1.

(3) The Registrar shall, on being notified of any change in accordance with subregulation (1) or (2), amend the particulars of that society in the register and —

(a) the Registrar shall, on the surrender to him or her of the society's certificate of registration, issue to the society a new certificate of registration in accordance with Form G set out in Schedule 1; or

(b) the Registrar shall, on the surrender to him or her of the society's certificate of exemption from registration, issue to the society a new certificate of exemption from registration in accordance with Form H set out in Schedule 1.

(4) A certificate issued to a society in terms of this regulation shall be deemed, to be a certificate of registration or of exemption from registration, as the case may be, issued in terms of section 6 (4).

8. (1) Every registered society shall furnish the Registrar an annual return in the Form I set out in set out in Schedule 1 not later than the 31st March in each year.

(2) Every office-bearer shall ensure that the annual return referred to under subregulation (1) is duly furnished to the Registrar.

9. All information and every notification or return required by the Registrar or by the provisions of these Regulations shall be signed by three office-bearers.

Refusal to register or exempt society

Cancellation of registration or rescission of exemption

Change of particulars

Annual return

Signature by three office-bearers

Appeal	10. (1) Any applicant who is aggrieved by the refusal of the Registrar to be registered as a society or to be exempt from registration, or by the Registrar's decision to cancel the registration or rescind the registration thereof, may appeal against such decision to the Minister within 21 days or such extended period as the Minister may allow from the date of such refusal, cancellation or decision. (2) The appeal made in accordance with subregulation (1) shall be in accordance with Form J set out in Schedule, and shall be referred to the Minister through Form K set out in Schedule 1.
Declaration of non-societies	11. The organisations listed in Schedule 2 are declared non-societies.
Arbitration of disputes	12. (1) Where there exists a dispute within a registered society between members of a registered society or between a registered society and another a member of a registered society or a registered society as the case may be may lodge a dispute with the Registrar in accordance with Form L set out in Schedule 1. (2) The Registrar shall, where the dispute is lodged in accordance with subregulation (1), refer the dispute for arbitration by the Advisory and Arbitration Council, in accordance with Form M set out in Schedule 1.
Offence	13. Any person, or, in the case of a society, every office-bearer and every person managing or assisting in the management of such a society, who contravenes any provision of these Regulations commits an offence and is liable to a fine not exceeding P1000 or to imprisonment for a term not exceeding six months.
Fees	14. The fees set out in Schedule 3 shall be charged for the several matters set out in the Schedule in relation to such matters.
Revocation of S.I. No. 3 of 1973	15. The Registration of Societies Regulations are revoked.
Revocation of S.I. No. 6 of 1977	16. The Societies (Declaration of Non-Societies) Regulations are revoked.

SCHEDULES

SCHEDULE 1



Republic of Botswana

(reg. 3(1))

Form A

APPLICATION FOR REGISTRATION OR EXEMPTION FROM REGISTRATION OF A SOCIETY

To: The Registrar of Societies:

Re:..... (Name of Society)

..... Branch, hereby, applies for
registration/exemption from registration*.

The following are particulars of the Society:

1) Name of Society.....

2) Office-bearers:

Designation

Full Names

(BLOCK LETTERS)

Occupation

Nationality

Residential Address

Postal Address

Date of Appointment

3) Situation of registered office.....

4) Postal address.....

5) Objects of Society.....

.....

.....

*Delete as appropriate

The name of each organisation or group of a political nature established outside the Republic of which the Society is a branch or is affiliated to or connected with

.....

.....

.....

(g) The class or classes of person to whom membership of the Society is restricted

.....
.....
.....

(h) The present number of members.....

(i) The immovable property owned by the Society and the manner in which such property is held or vested

.....
.....
.....
.....

(j) The date of commencement of the Society's financial year

.....

Signed..... Designation.....

Signed..... Designation.....

Signed..... Designation.....

NOTE: This application must be completed in triplicate and signed by three office-bearers and must be accompanied by two copies of the constitution and rules, regulations or byelaws of the Society or both, together with two copies of English translations of the same if they are not in English.

FOR OFFICE USE ONLY

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Form B1

CERTIFICATE OF REGISTRATION

(reg. 4(2)(a))

I HEREBY CERTIFY that has this day
..... been registered under the Societies Act.

Dated this day of..... 20.....

.....
Registrar of Societies



Republic of Botswana

Form B2

CERTIFICATE OF EXEMPTION FROM REGISTRATION
(reg. 4 (2) (b))

I HEREBY CERTIFY that has this day been
exempted by me, with the approval of the Minister, from registration under the Societies
Act.

Dated atthis day of 20.....

.....
Registrar of Societies



Republic of Botswana

Form C1

NOTIFICATION OF REGISTRAR'S OPINION THAT
REGISTRATION BE CANCELLED

(reg. 6 (1))

TO: Branch of..... (name of Society) I
hereby give you notice that, in terms of section 11(2) of the Societies Act, I am of the opinion
that your registration under the said Act should be cancelled on the grounds that.....

.....
You may, within..... days immediately after receipt of this notification,
submit to me reasons why your registration should not be cancelled.

Dated at this..... day of 20.....

.....
Registrar of Societies



Form C2

NOTIFICATION OF DECISION TO CANCEL REGISTRATION
(*reg. 6 (2)*)

TO: Branch of..... (name of Society)

I hereby give you notice that, in terms of section 11(3) of the Societies Act, I have decided to cancel your registration under the said Act on the grounds that

.....
You may, within 21 days immediately after receipt of this notification, appeal against my decision to the Minister.

Dated at this day of 20.....

.....
Registrar of Societies



Form C3

NOTIFICATION OF CANCELLATION OF REGISTRATION
(reg. 6 (3))

TO: Branch of..... (name of Society)

I hereby give you notice that, under section 11(5) of the Societies Act, I have this day cancelled your registration under the said Act.

Dated atthis..... day of 20.....

.....
Registrar of Societies



Republic of Botswana

Form D

NOTIFICATION OF RESCISSION OF EXEMPTION
(reg. 6(4))

TO: Branch of..... (name of society)
I have this day rescinded your exemption from registration under the Societies Act.

Dated at this day of 20.....

.....
Registrar of Societies

NOTE:

1. Your attention is drawn to section 10(2) of the Societies Act which requires the certificate of exemption issued to you to be surrendered to me within 21 days immediately after receipt of this notification.

2. By virtue of section 10(1) of the Societies Act, you have 21 days immediately after receipt of this notification within which to apply for registration should you wish to do so.



Form E

NOTICE OF CHANGE OF A SOCIETY'S NAME OR REGISTERED OFFICE OR
POSTAL ADDRESS, OR CHANGE OF CONSTITUTION OR
RULES, OR VARIATION OF OBJECTS
(reg. 7(1))

TO: The Registrar of Societies:

* A. Notice is hereby given that the Society formerly named.....
.....
.....
has changed its name to

The reason for this change is —
.....
.....

Date.....
Signed..... Designation.....
Signed..... Designation.....
Signed..... Designation.....

* B. Notice is hereby given that (name of Society).....
.....
has changed its constitution/rules/varied its objects.* The changes made and the reasons
therefor are set out in the attached memorandum.

Date.....
Signed..... Designation.....
Signed..... Designation.....
Signed..... Designation.....

* Delete as appropriate

* C. Notice is hereby given that (name of Society).....
has changed the situation of its registered office/postal address/email address/telephone
number/cellphone number *from
.....
to.....
.....

Date.....
Signed..... Designation.....
Signed..... Designation.....
Signed..... Designation.....

NOTE: This form and any accompanying memorandum must be submitted in triplicate and signed by three office-bearers.

FOR OFFICE USE ONLY

.....
.....
.....
.....
.....

*Delete as appropriate



Form F

NOTICE OF CHANGE OF OFFICE-BEARERS
(reg. 7 (2))

To the Registrar of Societies:

The..... (name of Society)
..... Branch.

1. The following persons have ceased to be office-bearers of the above Society:

Full Names.....
(BLOCK LETTERS)

Designation
Date of vacating office.....

2. The following are the present office-bearers of the above Society:

Designation.....
Full Names.....
(BLOCK LETTERS)

Occupation
Nationality
ID/Passport Number
Residential Address
Postal Address
Date of Appointment

Date
Signed Designation.....
Signed Designation.....
Signed Designation.....

NOTES:

- (a) The definition of "office-bearer" in the Act is:
" 'office-bearer' of a society means any elected, appointed, or co-opted person who is a member of the board, committee or governing body thereof.".
- (b) This form must be submitted in triplicate signed by three office-bearers.

FOR OFFICE USE ONLY

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.....

.....



Republic of Botswana

Form G

CERTIFICATE OF REGISTRATION FOLLOWING
CHANGE OF NAME
(reg. 7 (3)(a))

HEREBY CERTIFY that.....
as registered under the Societies Act on the day of
) under its former name.....

ated at this day of 20.....

.....
Registrar of Societies



Republic of Botswana

Form H

CERTIFICATE OF EXEMPTION FROM REGISTRATION
FOLLOWING CHANGE OF NAME
(reg. 7 (3)(b))

I HEREBY CERTIFY that.....
was exempted by me, with the approval of the Minister, from registration under the Societies A
on the day of 20 under its former name of

Dated at this day of 20

.....
Registrar of Societies



ANNUAL RETURN
(reg. 8)

The..... (name of Society)

Date of last annual general meeting.....

Present number of members of the Society.....

Office-bearers for the current year:

Designation.....

Full Names.....

(BLOCK LETTERS)

Occupation.....

Nationality.....

Residential Address.....

Postal Address.....

Date of Appointment.....

Have there been, since the date of application for registration or exemption from registration or the date of the last annual return, whichever is the later date, any changes in (answer Yes or No against item in question):

- (a) the name of the Society
- (b) the objects of the Society
- (c) the organisations or groups of a political nature established outside the Republic of which the Society is a branch or to which it is affiliated or with which it is connected
- (d) the class or classes of persons to whom membership is restricted
- (e) the titles of the office-bearers
- (f) the immovable property owned by the Society
- (g) the date of commencement of the financial or business year of the Society.....
- (h) the constitution or rules of the Society
- (i) the postal address of the Society
- (j) the situation of the registered office of the Society

If so, set out details of changes (attach separate memorandum if necessary)

.....
.....
.....
.....

Date.....

Signed..... Designation.....

Signed..... Designation.....

Signed..... Designation.....

NOTE: This form must be submitted in TRIPLICATE and signed by three office-bearers.



FORM J

APPLICATION TO LODGE A DISPUTE
(reg. 10 (2))

TO: The Registrar of Societies

FROM:
.....
.....
.....

Name of Society in dispute:.....

Nature of Dispute

* A. Dispute involving leadership

Notice is hereby given that;

.....
.....
.....
.....

* B. Dispute involving members

Notice is hereby given that;

.....
.....
.....
.....
.....

Date.....

Signed..... Designation.....

Signed..... Designation.....

Signed..... Designation.....



FORM K

SOCIETIES DISPUTE REFERRAL FORM
(reg. 10 (2))

Advisory and Arbitration Council
C/O The Registrar of Societies
Department of Civil and National Registration
Private Bag 00240
Gaborone

Dear Sir/Madam

REFERRAL OF A SOCIETIES DISPUTE IN TERMS OF SECTION 14 OF THE
SOCIETIES ACT CAP: 18:01

* This serves as a referral of a society dispute

Particulars of the alleged dispute

1:.....
.....

2:.....
.....

Particulars of the parties to the Dispute

The Applicant

The Respondent

Name:

The Secretary:

ID Number:

.....

Address:

Name of Society:

Contacts:

Address:

Contacts:

* The respondent is requested to submit their responses/evidences/documents on or before:
..... of, 20.....

.....
FOR/REGISTRAR OF SOCIETIES



Republic of Botswana

Form L
(reg. 12 (I))

APPLICATION TO LODGE A DISPUTE

To: The Registrar of Societies

FROM:
.....
.....
.....

Name of Society in dispute

Nature of dispute

Dispute involving leadership
Notice is hereby given that :
.....
.....
.....
.....

Dispute involving members
Notice is hereby given that:
.....
.....
.....

Name
Signed..... Designation.....
Signed..... Designation.....
Signed..... Designation.....

NOTE: – This form should be accompanied by a memorandum or supporting documents. If dispute is registered by members attach a signed list of one third of the society's members.



Republic of Botswana

Form M
(reg. 12 (2))

DISPUTE REFERRAL FORM

Advisory and Arbitration Council
C/O The Registrar of Societies
Department of Civil and National Registration
Private Bag 00240
Gaborone

Dear Sir/Madam

This serves as a referral of a society dispute.

Particulars of the alleged dispute

- 1:.....
2:

Particulars of the parties to the dispute

The Applicant

Name.....
ID NO:.....
.....
Address
Contacts.....

The Respondent

The secretary

Name of Society
Address
Contacts

The respondent is requested to submit their responses/evidence/documents on
before:..... of, 20.....

Schedule 2



DECLARATION OF NON-SOCIETIES
(reg. 11)

1. Parent Teacher Associations registered under the Education Act (Cap. 58:01).
2. Village Development Committees organised under the auspices of a local authority.
3. Any Consumer Watch Dog Committees formed on the recommendation of the Minister responsible for Trade and Industry.
4. 4-B Clubs.
5. Wildlife Clubs of Botswana.
6. Botswana National Committee of the International Council of Museums.

Schedule 3



Republic of Botswana

(reg. 3 (2) (d), 21)

- 1. Search and examination of the registers of registered societies and societies exempted from registration P50**
- 2. Certified true copy of or extract from any document in the custody of the Registrar, per each side of copy or extract bearing writing Market Rate**
- 3. Registration of a society P500.00**

MADE this 6th day of June, 2017.

EDWIN J. BATSHU,
*Minister of Nationality, Immigration and
Gender Affairs.*