



## Private Voluntary Organisations (PVO) Amendment Act, 2025.

This fact sheet presents a summary of the key provisions outlined in the PVO Amendment Act, 2025, for informational purposes.

### What are PVOs?

- PVOs are entities formed for charitable, social assistance, humanitarian, legal aid, or animal welfare purposes.
- They include trusts, associations, institutions, and other bodies working for the public good.

### Who Should Register as a PVO?

- Any legal person, legal arrangement, body or association of persons, corporate or unincorporate, or trust established directly by any enactment or registered with the High Court or Registrar of the Deeds Registries Act or any institution with various objects that seeks or obtains financial assistance from any source within or outside Zimbabwe or collects funds from the public.

### Which Types of Entities are not PVOs?

- State-controlled institutions or services, Local authorities, religious bodies, anybody, or associations of persons created to benefit its own members, any health institution registered under the Health Professions Act, any approved body or association that carries out medical activities for a hospital or nursing home, or political organisations.

### What is the PVO Amendment Act, 2025?

- The PVO Amendment Act, 2025, was enacted into law on 11 April 2025.

- It amends the PVO Act [Ch 17:05], a law that governs how PVOs are registered, their objectives, and how contributions for their work are collected.

### What is in the PVO Amendment Act, 2025?

1. **The definition of a PVO is widened** to include all charitable entities that seek or obtain financial assistance from external sources within or outside of Zimbabwe, OR the public.
2. **Mandatory PVO registration is introduced** for all charitable entities that seek or obtain financial assistance from external sources within or outside of Zimbabwe, OR the public within 90 days.
3. **Criminal liability and offences for staff and beneficial owners attracting Level 6 to 12 fines and or imprisonment, are introduced.**
  - The law allows both the trust and its trustees to be charged together for a variety of offences related to the failure to meet the (new) PVO registration requirements.
  - Offences include operating without registering as a PVO, accepting contributions from the public without registering as a PVO, managing or controlling an unregistered PVO, failing to comply with a notice to register as a PVO from the Registrar, or failing to re-register where there is a material change in a PVO.

**4 The PVO Board is reconfigured.** The Board is responsible for considering, approving and rejecting registration applications for PVO registration.

**5 The office of the Registrar of PVOs is introduced.** It shall be housed in the Ministry responsible for social welfare, that is, the Ministry of Public Service, Labour and Social Welfare (MoPSLSW).

**6 A physical and electronic Register for PVOs is introduced** with all information relating to the registration of PVOs and administration of PVOs, available upon payment of a fee.

**7 The Registrar of PVOs is empowered to designate sanctionable trusts** and issue a written notice to sanctionable trusts, instructing them to register as PVOs within 30 days. Sanctionable trusts are trusts that the Registrar reasonably suspects are in violation of the requirement to register as PVOs.

- A sanctionable trust is entitled to make written representations to the Registrar within 14 days of the notice's dispatch to contest the notice on the grounds that it was issued in error.
- If the Registrar accepts these representations, the Registrar will send a written confirmation to the trustee indicating that the notice has been withdrawn.
- Conversely, if the Registrar rejects the representations, the trustee will be informed in writing. The thirty (30) day period in which the trustee must complete the required actions for registration will then start from the date of this rejection notification.

**8 New requirements for registering a PVO are introduced,** including payment of an application fee, disclosure of beneficial owners, standardisation of constitutions and governance structures, amongst other requirements.

**9 PVOs are required to re-register where there is a material change** in the application details submitted upon registration of a PVO.

**10 A procedure for PVOs to appeal against decisions made in terms of the Act is introduced,** including to the Minister responsible for social welfare and the Administrative Court.

**11 Principles to govern PVOs are introduced,** including an obligation for PVOs to identify donor sources, to reject funding from illegitimate and immoral sources, not to conduct themselves in a politically partisan manner, amongst others.

**12 The Minister's powers to suspend Executive Committees are amended,** including to grant provisional trustees the right to earn a salary designated by the Minister.

**13 A risk assessment process for all charitable entities is introduced.** It is to be undertaken by the Minister of the Ministry responsible for social welfare and the Financial Intelligence Unit once every 5 years

**14 The Minister is empowered to designate charitable entities as high risk or vulnerable to misuse** for funding terrorism, a terrorist organisation or terrorist causes.

- Charitable entities designated as high risk are required to register as PVOs and may appeal against the Minister's decision within 14 days. Failure to register attracts a Level 14 fine or imprisonment for up to 10 years.

**15 The President or Minister is empowered to co-operate with foreign counterparts on PVO information,** including on registered PVOs, and render mutual assistance to combat abuse of PVOs.

**16 The Minister is empowered to give policy directions to the Registrar** on matters consistent with the PVO Act.

## **17 The Minister can suspend Executive Committee Members if:**

- the organisation has ceased to operate in furtherance of the objects specified in its constitution;
- The maladministration of the organisation is adversely affecting the activities of the organisation;
- the organisation is involved in any illegal activities; or
- It is necessary or desirable to do so in the public interest;

This is only done on Notice to the PVO (organisation) and through a High Court application. However, the Minister may, on or not more than seven days before the notice of the application being served on the private voluntary organisation, appoint one or more provisional trustees who shall exercise all the powers of the substantive trustee (if the application is granted) until the provisional trustee's appointment is confirmed by the High Court or some other person is appointed with the leave of the court as a substantive trustee.

If the High Court refuses an application to appoint or confirm the appointment of one or more trustees, the refusal of the application shall not affect the validity of anything done by the provisional trustee in good faith pursuant to this section before the date of such refusal.

The Minister may give him or her, any provisional trustee shall exercise all the functions of the executive committee of the organisation.

## **18 Supporting or opposing political candidates in elections by charitable entities is criminalised.**

**19 Transitional provisions for registration of pre-existing charitable entities** to register as PVOs by July 2025 are introduced. Pre-existing charitable entities are charitable entities that receive funding from external sources within or outside of Zimbabwe, that were lawfully operating before 11 April 2025.

## **20 The Money Laundering and Proceeds of Crime Act and the Criminal Matters (Mutual Assistance) Act are amended.**

### **Registration Requirements for New Applications for Registration as a PVO**

**Step 1:** The secretary of a PVO seeking registration must publish a notice with the 'prescribed information in a newspaper circulating in the area for 21 days.'

**Step 2:** The secretary of a PVO seeking registration must submit an application with the Registrar using the prescribed form(s). In the prescribed manner

- An application fee \*To be determined
- The constitution of the organisation using the provided template
- Any further information as required by the Registrar

**Step 3:** The Registrar may either provisionally accept or reject an application for registration.

**Step 4:** The PVO Board may either accept or reject applications for registration provisionally approved by the Registrar

- Applications that are accepted must be published in the Gazette.
- Applications that are rejected must be communicated to the applicants.

### **Registration Requirements for Pre-existing Charitable Entities**

Pre-existing charitable entities must register as PVOs in terms of Section 14 (Transitional provisions: Pre-existing charitable entities). The Secretary of a pre-existing charitable entity must take the following steps:

**Step 1:** Pay the prescribed fee to the Registrar.\* To be determined

**Step 2:** Submit the constitution or other foundational document of the organisation to the Registrar

**Step 3:** Submit an application for registration as a PVO, outlining:

- i. The name of the PVO,
- ii. When it started operating, its certificate of registration as a trust / proof of incorporation
- iii. The geographical areas where it intends to operate and
- iv. Its sources of funding.

**Step 4:** Where the Registrar recommends approval of the application, the Registrar shall notify the applicant in writing that their application is provisionally approved, pending determination by the PVO Board. Whilst waiting for the PVO Board's approval, the applying PVO can continue / commence to operate for a maximum of 12 months but may not receive collections from the public.

**Step 5:** The Board may either approve or reject the application. Applicants that are approved will receive registration certificates, and their registration shall be published in the Gazette by the Registrar. Applicants that are unsuccessful will receive written reasons for the rejection.

### Notes

- Any person may submit a written objection to an application for a PVO to be registered. The Registrar shall consider such objections in making a determination.
- NANGO member organisations are encouraged to submit their applications before the **11th of July 2025**.

### Footnotes

1. PVO Act [Ch 17:05], Section 2.
2. PVO Act [Ch 17:05], Section 2.
3. PVO Amendment Act 2025, new S6(1) and 6(7).
4. Pre-existing charitable entities are charitable entities that receive funding from external sources within or outside of Zimbabwe, that were lawfully operating before 11 April 2025.

### Get In Touch

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