

## CHARITIES

## SOCIETIES

Operate on a not-for-profit basis ie. any profits made must be used to further the purposes of the group and not distributed to the individual members of the group. (Look **here** for more information on what it really means to be a not-for-profit organisation!)

Are set up exclusively for charitable purposes. (Click **here to find out what counts as charity purposes!**)

Carries out activities for the substantial benefit of the public.

Must have at least 3 governing board members, of whom at least 2 must be Singapore citizens or permanent residents. (For other criteria that Governing Board members must meet, look **here!**)

While some charities are societies, not all societies are charities.

A group that must consist of at least 10 people.

Flexible in nature and objective, as long as it's not deemed as contrary to the national interest or prejudicial to public peace.

Not already registered under any other Law.

Suitable for membership or volunteer based groups that are not heavily dependent on donations or external funding.

### KEY FEATURES

Automatic Tax Exemption.

Greater standing and credibility as an organisation.

Beneficial for fundraising.

### BENEFITS & DRAWBACKS

Quick, easy and inexpensive to establish.

If over 50% of a society's gross revenue receipts on revenue accounts is derived from non-members, S11(1) of the Income Tax Act will determine that it is conducting a business and will tax it accordingly. (For more information regarding Tax, look **here!**)

Does not enjoy a separate legal identity which makes its members more liable.

More difficult to get donors who tend to prefer formal organisational structure.

#### Sources:

<http://probono.lawsociety.org.sg/Pages/CIP-Before-You-Start.aspx>

<https://www.charities.gov.sg/setting-up-a-charity/Pages/About-Charities-And-IPCs.aspx>

<https://www.iras.gov.sg/irashome/default.aspx>

<https://www.guidemesingapore.com/business-guides/incorporation/other-business-entity-types/setting-up-a-non-profit-entity-in-singapore---part-1>

# HOW TO REGISTER AS A CHARITY?

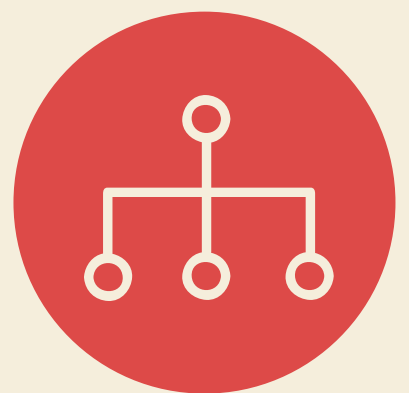
## STEP 1: ENSURE THAT YOUR ORGANISATION MEETS THE CONDITIONS TO REGISTER.

An organisation has to fulfil 3 key conditions to get registered as a charity- the purpose of the organisation must be exclusively charitable, there must be at least 3 governing board members (of whom at least 2 must be Singapore citizens or permanent residents) and the purpose must be beneficial wholly or substantially to the community in Singapore.



## STEP 2: DECIDE ON THE TYPE OF SET-UP.

There are 3 main types of charities as recognized by the government - a company limited by guarantee under the Accounting and Corporate Regulatory Authority, a charitable trust and a society under Registry of Society. The requirements and obligations for each society differs for each legal structure, and one should check to see what type of charity you can form. For more information, refer to this **guide**.



## STEP 3: DECIDE ON THE GOVERNING BOARD OF MEMBERS.

Your charity must have a governing board in charge, and its members must meet the myriad requirements listed by the government - for example, they must be at least 18 years old, not an undischarged bankrupt and have not been disqualified as a company director. For more information, refer to this **guide**.



# HOW TO REGISTER AS A CHARITY?

## STEP 4: CREATE A NAME AND A SYMBOL.

Your name and symbol is the first thing people will remember. Make sure that they resonate with your members and the general public. Take note that there are certain restrictions placed on the use of specific words. For instance, you cannot use the word “Singapore” in front of the name of the organisation, e.g Singapore XYZ Charity. For more information, refer to this **guide**.



## STEP 5: DRAFT YOUR GOVERNMENT INSTRUMENTS.

There are 3 different types of government instruments: Constitutions (for charities set up as societies), Memorandum and Articles of Association (for charities set as Companies Limited by Guarantee) and Trust instrument (for charities set up as Trusts). These are necessary to establish the rules, procedures and principles of your charity. Make sure there are no errors as **amendments will incur a cost**.



A helpful tip is to consult established charities especially on how to frame legal instruments and elections process. For reference guides, refer **here**.

## STEP 6: APPLY ONLINE ON THE CHARITY PORTAL.

The last step is to register your organisation on the Charity Portal! Refer here for a step-by-step **guide** on how to do this. You will need a SingPass to apply, so do apply for your SingPass account **here** if you do not already have one.



And you're done! Curious to find out how to sustain your charity thereafter? Click **here**.

Sources:

<http://probono.lawsociety.org.sg/Documents/Types%20of%20Legal%20Structures.pdf>  
[www.charities.gov.sg](http://www.charities.gov.sg)

<https://www.charities.gov.sg/setting-up-a-charity/Registering-for-a-new-charity/Pages/Drafting%20your%20Governing%20Instrument.aspx>

# HOW TO REGISTER AS A SOCIETY?



## STEP 1: DECIDE ON WHETHER YOUR SOCIETY QUALIFIES FOR AUTOMATIC REGISTRATION OR NORMAL REGISTRATION.

If the nature of your society is listed under the “**specified societies**” category of the Societies Act you have to apply for normal registration. Examples of these societies include civil or political rights groups, political associations and groups whose objective is to present, promote, or discuss the cause or interest of any religion, ethnic group, nationality, gender, or sexual orientation. Otherwise, you can apply for automatic registration.



## STEP 2: DECIDE ON THE NAME OF YOUR SOCIETY.

Your name and symbol is the first thing people will remember. Make sure that they resonate with your members and the general public. Take note that there are certain restrictions placed on the use of specific words. For instance, you cannot use the word “Singapore” in front of the name of the organisation, e.g Singapore XYZ Charity. For more information, refer to this **guide**.



## STEP 3: DECIDE ON THE PLACE OF BUSINESS.

The Place of Business is defined in the Societies Act as the place where the records and books of accounts of a society are kept. There are certain addresses that are prohibited from being a place of business- for example, a HDB flat. If you are using a Community Centre or a Government agency as a place of business, a letter of consent from the relevant authorities must be provided. For more information, refer to this **guide**.



# HOW TO REGISTER AS A SOCIETY?

## STEP 4: DRAFT YOUR CONSTITUTION.

Constitutions are necessary to establish the rules, procedures and principles of your society. Make sure there are no errors as **amendments will incur a cost**.

A helpful tip is to consult established societies especially on how to frame legal instruments and elections process. For a full constitution template, refer to this **guide**.



## STEP 5: VERIFY THE APPLICATION.

The President, Secretary and Treasurer of the society are required to verify the application using their individual **SingPass** or iROSES account before the system can accept the application for processing.



## STEP 6: APPLY ONLINE ON THE REGISTRAR OF SOCIETIES.

All societies must register with the Ministry of Home Affairs under the Registry of Society (ROS). You can log into the ROS website using SingPass, an online account management for access to Singapore Government e-services. You may do so via this **link**.

And you're done!

