

THE FOREIGN DONATIONS (VOLUNTARY ACTIVITIES) REGULATION ORDINANCE, 1978.

*[Published in the Bangladesh Gazette Extraordinary, dated the 20<sup>th</sup> November, 1978]*

**GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH  
MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS  
NOTIFICATION**

Dhaka, the 20<sup>th</sup> November 1978.

No. 880-pub--The following Ordinance made by the President of the People's Republic of Bangladesh, on the 15<sup>th</sup> November, 1978, is hereby published for general information:-

**THE FOREIGN DONATIONS (VOLUNTARY ACTIVITIES) REGULATION  
ORDINANCE, 1978.**

**Ordinance No. XLVI of 1978.**

**AN**

**ORDINANCE**

*to regulate the receipts and expenditure of foreign donations for voluntary activities.*

WHEREAS it is expedient to regulate receipts and expenditure of foreign donations for voluntary activities;

Now, therefore, in pursuance of the proclamations of the 20<sup>th</sup> August, 1975, and the 8<sup>th</sup> November, 1975, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance: -

1. **Short title.** -- This Ordinance may be called the Foreign Donations (Voluntary Activities) Regulation Ordinance, 1978.

2. **Definition.**-- In this Ordinance, unless there is anything repugnant in the subject or context, -

- (a) "foreign donation" means a donation, contribution or grant of any kind made for any voluntary activity in Bangladesh by any foreign Government or organisation or a citizen of a foreign State and includes, except in the case of a donation made for such charity as the Government may specify any donation made for any voluntary activity in Bangladesh by a Bangladeshi citizen living or working abroad;
- (b) "organisation" means <sup>6</sup>[a church] or a body of persons, called by whatever name, whether incorporated or not, established by persons for the purpose of undertaking or carrying on any voluntary activity in Bangladesh;
- (c) "prescribed" means prescribed by rules made under this Ordinance; and
- (d) "voluntary activity" means an activity undertaken or carried on <sup>7</sup>[partially or entirely with external assistance] by any person or organisation of his or its own free will to render agricultural, relief, missionary, educational, cultural, vocational, social

<sup>6</sup> Inserted by ordinance No. XXXII of 1982 published in the Bangladesh Gazette, Extraordinary, dated 8-9-82

<sup>7</sup> Inserted by Ordinance No. XXXII of 1982.

welfare and developmental services and shall include any such activity as the Government may, from time to time, specify to be a voluntary activity;

**3. Regulation of voluntary activity.** -- (1) Notwithstanding anything contained in any other law for the time being in force, no person or organisation shall, save as provided in this Ordinance, undertake or carry on any voluntary activity without prior approval of the Government, nor shall any person or organisation receive or operate, except with prior permission of the Government, any foreign donation for the purpose of undertaking or carrying on any voluntary activity.

(2) A person or organisation receiving or operating any foreign donation for the purpose of undertaking or carrying on any voluntary activity shall register himself or itself with such authority and in such manner as the Government may specify.

(3) Except in such cases as the Government may, by order in writing, exempt, all persons and organisations undertaking or carrying on voluntary activities with foreign donation, in whole or in part, shall submit to such authority and by such date as the Government may, by notification in the official Gazette, specify a declaration showing therein the foreign donation received by them, the source from which it has been received and the manner in which it has been utilised;

Provided that, in a case where the Government considers it necessary, it may, by order, require such declaration to be submitted at any time to be specified in the order.

(4) A person or organisation carrying on any voluntary activity immediately before the commencement of this Ordinance may continue so to carry on a voluntary activity for a period not exceeding six (6) months from such commencement unless the Government has, upon an application made in this behalf in such form and containing such particulars as the Government may direct, granted him or it a permission to continue so to undertake or carry on thereafter.

(5) Nothing in this section shall apply to an organisation established by or under any law or the authority of the Government.

**4. Power of inspection.** -- (1) The Government may, at any time, for reason to be recorded in writing, cause an inspection to be made, by one or more of its officers, of the books of accounts and other documents of any person or organisation required to submit declaration under sub-section (3) of section 3, and, where necessary, direct all such books of accounts and other documents to be seized.

(2) Every such person or organisation shall produce books of accounts and other documents and furnish such statements and informations to such officer or officers as such officer or officers may require in connection with the inspection under sub-section(1).

(3) Failure to produce any books of accounts or other documents or to furnish any statement or information required under sub-section (2) shall be deemed to be contravention of the provision of this Ordinance.

**5. Audit and accounts.** -- (1) Every person or organisation referred to in sub-section (1) of section 3 shall maintain his or its accounts in such manner and form as the Government may specify.

(2) The accounts of every such person or organisation shall be audited by such persons or person as the Government may direct and two copies of the accounts so audited shall be furnished to the Government within two months after the financial year to which the accounts relate.

**6. Penalty for false declaration etc.**-- <sup>1</sup>[(1)] If the Government is satisfied that any person or organisation referred to in sub-section (1) of section 3 has failed to submit a declaration under sub-section (3) of that section or willfully submitted or caused to be submitted a declaration which he or it knows or has reason to believe to be false or has otherwise contravened any provision of this Ordinance, <sup>2</sup>[it may, by order, cancel the registration of such person or organisation or] stop any voluntary activity undertaken or carried on by such person or organisation:

Provided that no order under this section shall be made without giving such person or organisation a reasonable opportunity of being heard.

<sup>1</sup>[(2) Notwithstanding anything contained in sub-section (1), whoever receives or operates any foreign donation in contravention of the provisions of this Ordinance or any rules made thereunder shall be liable to pay a penalty of double the amount or value of the donation received or, as the case may be, operated, or to imprisonment for a term which may extend to three years or both].

<sup>2</sup>[**6A. Cognizance of offence.** -- No court shall take cognizance of an offence under this Ordinance or any rules made thereunder except on a complaint made by the Government].

**7. Power to make rules.** -- The Government may by notification in the official Gazette, make rules to carry out the purpose of this Ordinance.

**DHAKA;**  
*The 15<sup>th</sup> November, 1978.*

**ZIAUR RAHMAN, BU**  
**MAJOR GENERAL,**  
President.

**K. M. HUSAIN**  
*Deputy Secretary.*

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<sup>1</sup> Substituted by Ordinance No. XXXII of 1982.

<sup>2</sup> Substituted by Ordinance No. XXXII of 1982.

<sup>1</sup>Added by Ordinance No. XXXII of 1982.

<sup>2</sup>Inserted by Ordinance No. XXXII of 1982.

**THE FOREIGN CONTRIBUTIONS (REGULATION) ORDINANCE, 1982.**

*[Published in the Bangladesh Gazette Extraordinary, dated the 8<sup>th</sup> September, 1982]*

**GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH**

**MINISTRY OF LAW AND LAND REFORMS  
(Law and parliamentary Affairs Division)**

**NOTIFICATION**

**Dhaka, the 8<sup>th</sup> September, 1982.**

No. 541-Pub. --The following Ordinance made by the Chief Martial Law Administrator of the People's Republic of Bangladesh, on the 6<sup>th</sup> September, 1982, is hereby published for general information:—

**THE FOREIGN CONTRIBUTIONS (REGULATION) ORDINANCE, 1982.**

**Ordinance No. XXXI of 1982**

**AN**

**ORDINANCE**

*to regulate receipt of foreign contributions*

WHEREAS it is expedient to regulate receipt of foreign contribution;

Now, THEREFORE, in pursuance of the proclamation of the 24<sup>th</sup> March, 1982, and in exercise of all powers enabling him in that behalf the Chief Martial Law Administrator is pleased to make and promulgate the following Ordinance :-

1. **Short title.** -- The Ordinance may be called the Foreign Contributions (Regulation) Ordinance, 1982.

2. **Ordinance to override all other laws.** --The provisions of this Ordinance shall have effect notwithstanding anything to the contrary contained in any other law for the time being in force or in any contract or agreement.

3. **Definition.**--In this Ordinance, unless there is anything repugnant in the subject or context, "foreign contribution" means any donation, grant or assistance, whether in cash or in kind, including a ticket for journey abroad, made by any Government, organisation or citizen of foreign state.

4. **Receipt of foreign contribution without permission prohibited.** -- (1) No citizen of, or organisation in, Bangladesh shall receive any foreign contribution without the prior permission of the Government.

(2) No Government, organisation or citizen of a foreign state shall make any donation, grant or assistance, whether in cash or in kind, including a ticket for journey abroad, to any citizen of, or organisation in, Bangladesh without the prior permission of the Government.

(3) Nothing in this section shall apply to an organisation established by or under any law or the authority of the Government.

**5. Penalty etc.** -- (1) Whoever receives or makes any foreign contribution in contravention of the provisions of section 4 shall be punishable with imprisonment for a term which may be extended to six months, or with fine not exceeding two times the amount or value of the contribution, or with both.

(2) No court shall take cognizance of an offence under this Ordinance except on a complaint made by the Government or any officer authorised by it in this behalf.

DHAKA  
The 6<sup>th</sup> September, 1982.

**H. M. ERSHAD. ndc. psc**  
LIEUTENANT GENERAL  
Chief Martial Law Administrator.

**S. RAHMAN**  
Deputy Secretary.