This document has been provided by the International Center for Not-for-Profit Law (ICNL).

ICNL is the leading source for information on the legal environment for civil society and public participation. Since 1992, ICNL has served as a resource to civil society leaders, government officials, and the donor community in over 90 countries.

Visit ICNL’s Online Library at http://www.icnl.org/knowledge/library/index.htm for further resources and research from countries all over the world.

Disclaimers

Content. The information provided herein is for general informational and educational purposes only. It is not intended and should not be construed to constitute legal advice. The information contained herein may not be applicable in all situations and may not, after the date of its presentation, even reflect the most current authority. Nothing contained herein should be relied or acted upon without the benefit of legal advice based upon the particular facts and circumstances presented, and nothing herein should be construed otherwise.

Translations. Translations by ICNL of any materials into other languages are intended solely as a convenience. Translation accuracy is not guaranteed nor implied. If any questions arise related to the accuracy of a translation, please refer to the original language official version of the document. Any discrepancies or differences created in the translation are not binding and have no legal effect for compliance or enforcement purposes.

Warranty and Limitation of Liability. Although ICNL uses reasonable efforts to include accurate and up-to-date information herein, ICNL makes no warranties or representations of any kind as to its accuracy, currency or completeness. You agree that access to and use of this document and the content thereof is at your own risk. ICNL disclaims all warranties of any kind, express or implied. Neither ICNL nor any party involved in creating, producing or delivering this document shall be liable for any damages whatsoever arising out of access to, use of or inability to use this document, or any errors or omissions in the content thereof.
Social Organizations Law
Published in official Gazette

Article 1:

This law has been enacted in the light of Afghanistan's 1964 constitution (Article Nr 32) for the establishment and activities of the social organizations.

Article 1:

1: Social organizations (communities and association) are the voluntarily unity of the internal real person and Body Corporate, organized for ensuring social, cultural, educational, legal, artistic and vocational activities.
2: The real person mentioned in item of this article should be the citizen of the country and have completed the 18 years of age.

Article 3:
Social organization should take in consideration for performance of its work the teaching of Islam, commands of constitution and provisions of this law

Article 4:
Body corporate of social Organization is acknowledged when its constitutions is arranged according to the provision of this law, approved, registered and published.

Article: 5
The Social Organization can not do any activity beyond the activity area which has been mentioned in the constitution.

Chapter Two

Method for establishment of Social Organizations and their activities

Article 6:
(1) Applications for the establishment of the Social Organization will be submitted by the founder group who are not less then ten people together with its constitution to the to the ministry of justice;
(2) The ministry of Justice will declare the acceptance or refusal of the applicants maximally within thirty days from the date when the application has been received.
(3) If the application is approved ministry of justice will register it and issue activity permit.
(4) If the applicants are considering the decision of the ministry of justice on refusal of application against provision of law they can refer to the relevant court,
Article 7:
(1) Two social organizations cannot be established under the same name, carrying out the same activity and having the same objectives.
(2) Two or more then two social organizations, which are having close objectives and activities, can establish union of relevant organizations.

Article 8:
The Social Organizations must keep proper accounting records and books.

Article 9:
Constitutions of social organizations are approved by its founders and the contents are as following:

1. Title and goals of the social organization.
2. Field of activity, duties and method of its work.
3. Conditions of membership duties and responsibilities of them
4. Conditions for expulsion from membership and adopting other disciplinary punishment.
5. Organizational structure
6. Determination of period and method of invitation for convention of General assembly and its competence
7. The leading organs’ election procedure and their authorities.
8. Mentioning the name of managing board or executive board
9. Method of control of internal activity of the organization
10. Stating the source of finance and method of its supervision
11. The names of three people responsible for financial affairs should be mentioned.
12. Method of amendments and changes in the constitution or its joining with other similar organizations.
13. Determining the original location for its activity and establishing its agencies
14. Social organization dissolution and financial affairs settlement

Article 10:
(1) The social organization residence cannot be located out side the country.
(2) The social organizations, which are located outside the country and are administrated by Afghans, can open their agencies inside the country ,their activities would be subject to the provision of this law.

Chapter Three

The Social Organization Dissolution and Termination of its activity

Article 10:
The social organizations’ dissolution, will take place by decision of the general assembly according to its constitution
Article 11:

The dissolution of the social organization will take place by the discretion of attorney general .in following circumstances.

1. Non-observance of commitments mentioned in this constitution
2. Performance of the activity against the provision of constitution

Article 13:

Claims on the dissolution of social organization mentioned in article 12 of this law will be solved based on the written request of attorney through relevant court according to the command of law.

Article 14:

1. if the court decides on the dissolution of the social organization, should assign one or more than one person for settlement of financial affairs and distribution of the revenue of the social organization respecting the relevant provision of relevant constitution
2. If there is no provision in the constitution on distribution of revenue, the court can transfer this revenue to the social organization, institution or association which their goal and objective are close to the dissolved social organization

Article 15:

The founders of the social organization cannot include the subjects in the constitution, which authorize to transfer the revenue of the social organization to the individuals, families or their heirs after its dissolution.

Chapter Four

Miscellaneous Provisions

Article 16:

Financial resources of the social organizations are open. The social organization can spent its resources only for achieving the goals of the organization.

Article 17:

Social organization can have publication for dissemination of its objectives according to the law provisions.

Article 18:

Foreign citizens can obtain the honorary membership of the social organization with the permission of the ministry of justice.

Article 19

1. Ministry of justice will establish an office for studying coordination of the work and to study the request of the social organization as well as its constitution.
(2) The duties and authorities of the administration mentioned in item 1 of this law will be organized by separate by law

**Article 20:**

The social organizations, which are established before effectiveness of this law, are responsible to submit their constitution to the ministry of justice within two months after the publication of this law in official gazette for studying and obtaining approval

**Article 21:**

Activity permit of Social organization its form and content will be arranged by ministry of justice and will be given to the applicant after receiving a determined sum of money

**Article 22:**

Social organization can have its own specific emblem

**Article 23:**

Those Provisions which have not been anticipated in this law the command of articles no (403 to 439) of civil law is applicable

**Article 24:**

The social organization is having its own specific stamp, which bares the name the organization.

**ARTICLE 25:**

This law is effective from the date of its signature and should be publishes in official gazette, with the validity of this law social organization law published in official gazette date 30-1-1-1369 (19 April 1980) is abolished.

Translated by MA Ferozi  date October 14, 2002