

## SPECIAL RULES FOR THE RECOGNITION AND OPERATION OF NON-GOVERNMENTAL ORGANIZATIONS NOT DOMICILED IN VENEZUELA

The **Ministry of the Popular Power for Internal Relations, Justice and Peace (MPPRIJP)** together with the **Ministry of the Popular Power for Foreign Affairs (MPPRE)** issued on October 19th, 2020 the Joint Resolution No. 082 and No. 320 ("The Resolution"), respectively, which establishes the **special norms for the recognition and operation of non-governmental associative organizations not domiciled in Venezuela**. The Resolution was published in the Official Gazette No. 41,994 of October 27th, 2020.

- 1. Purpose and scope of the Resolution:** to establish the special rules applicable to non-governmental associative organizations not domiciled in Venezuela, which carry out or intend to carry out non-profit activities in the country, through a representative or offices in the national territory.
- 2. Activity:** it shall be the work, function or occupation that a non-domiciled Non-Governmental Organization in Venezuela performs on the occasion of its management or operation, tending to international assistance and cooperation within the framework of the United Nations Humanitarian Response Plan with Humanitarian Needs Overview. The work shall be susceptible to categorization by the MPPRE. These activities should be non for profit.
- 3. Non-domiciled NGOs in Venezuela:** these are Non-Governmental

Organizations not domiciled in Venezuelan territory, which have complied with the requirements for their incorporation, and their operation are subject to the law of the place of incorporation.

- 4. Representative in Venezuela:** is a national or foreign citizen or legal entity designated to represent the interests in the country of the non-domiciled NGO.
- 5. Office in Venezuela** means the office, agency, branch, location, establishment, or permanent base in which a non-domiciled NGO develops its activity within the Venezuelan territory. If doubts appear in the determination of the office in Venezuela, the office (i) will be the one notified by the Organization in the Registry created, and (ii) if it has not been indicated, the Legal Counsel of the MPPRE will assign one, selecting it from among the establishments of the Organization in the country, and the Organization will be notified of such decision.
- 6. Qualification to carry out activities in Venezuela:** non-domiciled NGOs may carry out their activities in Venezuela provided i) they obtain the registration certificate from the Special Automated Registry of Non-Domiciled Non-Governmental Organizations; and ii) they have a permanent establishment, branch,

office or permanent base in Venezuela; or they designate a representative.

**7. Special Automated Registry of Non-Domiciled Non-Governmental Organizations (REGONG):**

its purpose is to assist, register, update, and manage the procedures before the MPPRE. The registry will be available online, through the website set by the MPPRE. The registry process will have two phases:

- a. The Multilateral Matters and Integration Office will be responsible for checking the background of the non-domiciled NGO.
- b. The Legal Advisory Office will review and verify the legality of the documents submitted by the Organization.

**8. Required information for the registration:**

the required forms must be completed with: i) name of the organization; ii) place of incorporation; iii) address in Venezuela of the representative or office; iv) the main domicile outside Venezuela; v) e-mail address and physical address valid for the reception of correspondence in Venezuela or abroad; vi) purpose of the organization; vii) activities to be carried out in Venezuela; viii) data on the organs or mechanisms of internal governance of the organization and the natural or legal persons that comprise them; ix) details of the organization's representative in Venezuela; x) an affidavit by which the organization undertakes not to

carry out any activity for profit, and that all the information provided is true and may be subject to verification; xi) the organization's charter, bylaws, or equivalent documents, translated into Spanish; and xii) the documents of the organization's highest authorities and representatives.

**9. Registration procedure:** the MPPRE will determine the electronic means through which they will be developed. The procedure will have the following phases:

- a. **Application:** three (3) business days to assess the application along with its requirement and decide whether such application is completed. In case, there is missing information in the application it will be returned and the organization. The NGO will have five (5) business days to amend its application.
- b. **Response to the application:** once the application is complete, the organization will be notified that the application that the application is being assessed for final registration. The decision on the final registration will be issued within a maximum of fifteen business (15) days.
- c. **Registration:** once the MPPRE has been notified that the application has been accepted, the registration will proceed.
- d. **Registry:** once the registration has been made, the MPPRE will order the registration and immediate forwarding a copy of

the file to the MPPRIJP, through the body in charge of executing (i) activities of prevention and fight against organized crime and financing of terrorism, and (ii) establishing guidelines and good practices for NGOs to avoid their participation in the activities of irregular groups.

- 10. Electronic certificate:** the registration will be notified to the interested party through an electronic certificate, including online verification mechanisms. The certificate will be valid for (1) year and must be renewed on yearly basis.
- 11. Public information:** the REGONG will make non-domiciled NGOs information of public interest available to interested parties and will safeguard the information that may be sensitive to the normal functioning of the Organization.
- 12. Updating the registry:** non-domiciled NGOs must keep the information provided up to date. Any change in the name of the organization, in the object, in the activities in Venezuela, among others shall be notified.
- 13. Verification of the information provided:** the Legal Advisory Office of the MPPRE may verify the veracity of the information provided by the organization at any time. Hence such Office may from time to time request additional information or visit the offices or address of the Organization's representative in Venezuela.

- 14. Notifications:** shall be made to the e-mails provided. Notifications may be made to the physical addresses abroad and the addresses of the office or representative in Venezuela.
- 15. Comply with the internal legal system:** Registration with REGONG does not exempt the interested party from complying with the internal legal system.
- 16. Creation of REGONG:** The MPPRE shall create the REGONG System within the following fifteen (15) business days after the publication of the Resolution in the Official Gazette.
- 17. Validity:** The Resolution is valid since its publication in the Official Gazette.

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