GUIDELINE FOR REGISTERING—NON-PROFIT ASSOCIATION/ORGANIZATION

Guidelines to follow for registering the Constitution and By-Laws of a NON-PROFIT ASSOCIATION/ORGANIZATION. (Sports, Homeowner's, PTO, etc.)

Filing fee: $25.00

I. CONSTITUTION

1. The Name of the Association
2. The objectives for which the Association is formed
3. The location of the principle place of business
4. Names of the officers, title and residence address
5. Requirements termination/dissolution
6. Inurement Clause
7. Political Activities Clause
8. Must be signed by the officers and notarized by a Notary Public

II. BY-LAWS

1. Requirements of membership and termination
2. Requirements on dues
3. Activities and functions of the Association
4. Functions or duties of the officers
5. Requirements in setting for meetings
6. Requirements in collecting and disbursing of dues
7. Must be signed by the officers.

NOTE: Please make sure to pick up the application for TAX EXEMPTION and EIN or TIN at the BUSINESS PRIVILEGE BRANCH, 1240 Route 16 (Price Smart Building) Barrigada Heights, Guam U.S.A. Telephone: (671) 635-1835 or 36.

Post Office Box 23607, Guam Main Facility, Guam 96921 • Facsimile Number : (671) 633-2643
Publication of financial information by Non-Profit Organization under Title 18, Guam Code Annotated (GCA)

Section 14101 Purpose of Title. The Legislature finding that the people of Guam are generous contributors to charitable or other non-profit organization but are usually unaware of the disposition made of their contributions. The purpose of this Title is to require all such organizations, except strictly religious ones, to file and publish financial statements so that the people of Guam can be governed themselves in their donations to such organizations accordingly.

Section 14102 Filing of Annual Report. Except for an organization that is entirely religious in character, or a fraternal organization that is entirely religious in character, or a fraternal organization operating under the lodge system that does not solicit, directly or indirectly, for the general public donations and contributions, and does not participate in local fund-raising activities such as raffles and bingo games, every non-profit organization, including but not limited to fraternal benefit society, order or association operating under the lodge system, a corporation, association, or society organized and operated for eleemosynary, scientific or education purposes, business league, Chamber of Commerce, civil league, a political party, any organization of more than two individuals whose purpose is to provide funds or other assistance of value to a political candidate, any organization with the avowed purpose of advocating the improvement of the Government of Guam or the political process, and an organization operation for the benefit of the community and for the promotion of social welfare, shall cause to be published annually within forty-five (45) days of the close of its fiscal year in a newspaper of general circulation in the Territory of Guam, a financial report which report shall include a statement of its income and expenditures for the preceding year and a balance sheet showing its assets and liabilities. For the limited purpose of this section the fiscal year of a political party, an organization of more than two individuals, whose purpose is to provide funds or other assistance of value to a political candidate and any organization with the avowed purpose of advocating the improvement of the Government of Guam or the political process shall end September 15. Such newspaper report need by no larger than four inches by five inches. Such financial statement shall contain a certificate as to its accuracy by an officer of the organization which financial statement shall be filed with the Director of Revenue of Taxation.

Section 14103 Administration by Department of Revenue and Taxation. The Director of Revenue and Taxation shall administer the provisions of this title and upon finding of non-compliance thereof by any organization required to file and publish such statement, he shall revoke any license or charter issued to such organization by the Government of Guam and shall revoke the tax exempt status of such organizations, provided, however, that such action or actions may be taken by the Director only after a public hearing pursuant to the provisions of the Administrative Adjudication Law. (5GCA Chapter 6). In addition, any officer of an organization required to publish its financial statement under the provision of this Title who either willfully fails to publish such or willfully falsifies the information therein shall be guilty of a misdemeanor punishable by a fine of not more than One Thousand Dollars ($ 1,000.00) or by imprisonment for not more than six (6) months, or by both such fine and imprisonment.