

BACKGROUND TO DECISION TO REGISTER AS A NON-PROFIT ORGANISATION:

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Pagan Churches and Organisations were a much-debated subject in the late 1980's and early 1990's world over. Almost 20 years later legally recognised and accredited Pagan organisations are proving to be a social, political and religious necessity in our country.

Events leading to the above comment are:

- The recently announced NP stance on Witchcraft and Satanism
- Harmse's murderous spree in the Krugersdorp Technical School
- Muti murders and related trafficking of body parts
- The kangaroo courts and the mob-lynching of innocent victims accused of Witchcraft
- Cases of discrimination in the workplace:
 1. military
 2. police force
 3. radio
 4. commerce
 5. medical field
 6. family

At its inception the SAPC was a political body for the loose cohesion around the abolishment of anti-Witchcraft legislation, the drive to educate the public at large, and socially rehabilitate the terms Pagan and Witchcraft in our society through:

- The Moral Regeneration Movement
 - Project Hypatia
 - Project Spinning Wheel.
- } The Melville Mandate

Our Craft is no more a secret as reading stores' shelves are weighed down by books that teach, discuss and demystify the various Pagan spiritual paths. So for those who feel that this puts the organisation in a different league to that of a mystery path of yore, nothing is hidden anymore and nobody should be forced to go underground for fear of losing their job, being investigated by Child Welfare and losing their children to foster care or government institutions.

The SAPC is not trying herd cats. It has become a vehicle for the democratic and collective voicing (every decision is based on on-line polls) of our rights and opinions, becoming a customer (through its Convener) of the LHR in order to secure personal and group safety in a country where the infringement of certain basic human and constitutional rights are under possible future threat of violation should certain religious fundamentalist groups come into power post the 2009 elections.

It has become an umbrella religious body in order to have its rites officially registered so that RMO's could be designated and so that Pagans may get married in Pagan rites by Pagan clergy, chosen and nominated by their own and who have undergone and successfully passed Government Examination which enables them to legally solemnize Pagan and same-sex marriages, handfastings and civil unions under the Civil Union Act of 2006.

SAPC has obtained (at this level) official recognition as a minority religion and is part of our envisaged campaign to rehabilitate the religion of Witchcraft

Will Pagan paths ever be regarded with equality and ... or is this an illusion?

We envisage the SAPC being a democratic Council of Pagan temples, groves, covens, paths, groups, as well as independents (solitaries) with the following goals in place:

1. furthering the struggle against religious prejudice, scapegoating and discrimination
2. protection of its members and belief structure through SAPRA and the LHR
3. body for public works of charity (which could eventually involve the collection/donation of funds and the to charity organisations of members choice)
4. the promotion of our ideology and philosophy and to be accredited as a mainstream religion (with or without society's approval).
5. ensuring equal rights and the sacrosanct right to that.

The time has come to ask ourselves if one should be trying to hide that which is already in the public domain, or attempting to slip into mainstream society in order to enjoy the same respect and perks as other religious organisations.

Those in favour of Paganism coming of age, clergy who may lead society back to the Goddess/God, serving the community and contributing towards moral regeneration will enjoy the support of the SAPC. The autonomy of everybody's spiritual freedom and independence is guaranteed by the SA Constitution.

Pagans function as their own priests; the SAPC is simply the cohesive body of unified voice.

We have reached a place and time in SA history where the situation has evolved beyond the norms and necessities of the past. Decisions and choices made decades ago are no longer able to provide neither the security nor the guarantee that a religious minority needs in order to prosper and survive in a generally speaking hostile society.

SA society is largely Christian and Muslim. These religious denominations barely tolerate Hinduism and Buddhism, totally condemning the slow growing but definitely present Pagan reality as a heresy, when not labeling it as an offshoot of Satanism. All Pagans are seen as apostates who will burn in hell if they do not repent and convert.

Part of the Melville Mandate was the education society at large as to the Pagan reality, through newspaper articles, short television documentaries, magazines and e-zines, participating in the drafting of school books which tackle the issue of religion, Unfortunately in most cases the media has exposed us to more criticism and even ridicule.

With this in mind, and on suggestion of one of its members, a poll was put up on the SAPC for the decision-making re the SAPC going for NPO status.

We are not naïve to believe that legal recognition and accreditation will make us respectable in the eyes of society. We are also aware of the ever-present threat of misconduct from within our ranks, but we also know that it would be naïve to believe that remaining undercover, without any legal recognition would continue to do the trick.

Does this mean that we intend to whitewash our practices and hide behind a Cristo-Judaic veneer of respectability? It is important that all Pagans understand that being an “accredited (legal) mainstream religion” does not mean that Pagans must give up their individuality, neither does it mean that we are moving towards consensus Paganism (an acceptable middle ground) so that society can cope with Paganism.

The members of the SAPC have joined the organisation agreeing to adhere to certain morals, principles and ethics. The SAPC constitution guarantees autonomy in individual and group matters. It is merely a tool/vehicle for the Pagan Community.

It is time to think of the future. Perhaps it is time to see Paganism as a Path of Service, a Proactive Path.

Also it must be made clear that “mainstreaming” will not become an attempt by the few to run an “official” body that legislates in matters of individual spiritual growth.

LEGAL STATUS OF PAGANISM IN SA

In 1996 Parliament enacted a new multi-cultural and multi-racial democracy on the founding principles of a Bill of Rights, Chapter 2 of the Constitution of the Republic of South Africa (Act 108). (5) The Bill of Rights enshrines equality, human dignity, freedom of religion, belief and opinion, freedom of expression and association, and the protection and promotion of cultural, religious and linguistic communities.

MANDATE FOR SAPC's NON-PROFIT STATUS

As an accredited, or “legal” religion, it would without any doubt make it easier for the SAPC to:

- To promote the Pagan religions as a legitimate and recognised religion as assured by the SA Constitution.
- Preserve the rights of Witches and all Pagans;
- Make all Pagans and all witches aware of their rights;
- To actively participate in the future direction of the Pagan religions and beliefs.
- To provide an online resource for the education and benefit of its members who desire to learn more about the Pagan ideas, practices, morals and ethics.
- To provide a forum for the open discussion of ideas without fear of reprisal.
- To provide information and direction to individuals and agencies on matters pertaining to the Pagan religions, practices, beliefs, morals or ethics.
- To undertake an educative role for people not familiar with Pagan beliefs and ways by providing practical and effective information on Paganism to members of the public, the media, public bodies and the Administration.
- To discourage discrimination of differing religious practices, ideas, or ethics.
- To provide emotional, mental, and occasionally monetary support for those in the Pagan community who have need of such support.
- Organise public Pagan events;
- Educate the public about our religion and spirituality, and encourage the understanding of Pagan religious ideas, practices, morals, and ethics
- Dispel stereotypes and break down barriers;
- Share thoughts and ideas to better all Pagans;
- Provide resources about our religion to both Pagans and non-pagans;
- To provide monetary and other support to recognised organisations that further the goals of the Pagan community.
- Facilitating a dialogue between Pagans & non-pagans:
- To support the literary objectives of its members and of the Pagan community.
- To encourage and promote co-operation among individuals, organisations, entities, or authorities who are involved in the promotion or understanding of the Pagan religions.
- To build fellowship among all Pagan clergy and practitioners, through social and educational activities.
- To build Paganism, explore specific traditions, provide clergy enrichments, enhance counseling approaches, award credentials of clergy ordination, and maintain historical preservation of the Craft through specific activities and projects.
- To seek to support all Pagans in their personal and public life, to help ensure that they have the same rights as the followers of other beliefs and members of other religions.
- To provide support, advice, and pastoral care for Pagans in the community, including those in hospitals, hospices and prisons: to act as a liaison body between Pagan ministers and the authorities concerned.
- Media Liaison on Pagan issues.
- General campaigning on issues of interest to Pagans.
- And how about a “Buy Pagan” campaign.

STATEMENT OF DIVERSITY

That this body, known as the SAPC, pledges to respect the diversity of our membership, in all it's forms - spiritual, political, social, sexual-orientation, cultural, and ethnic origins.

STATEMENT OF INTENT

- The SAPC does respect each and every practitioner as blessed by the Gods, to express her/his faith, in whatever manner is chosen, in Perfect Love and in Perfect Trust.
- Let it be understood that it is not the intent of the SAPC, to set any standards for religious practice upon anyone within the Pagan community nor members of the SAPC.
- The SAPC does not hold itself up to be a church to enforce any preconceived concepts of Paganism upon anyone, either in theory, ethical practice, or rites.

DIFFERENCES BETWEEN NON-PROFIT ORGANISATIONS AND FOR-PROFIT ORGANISATIONS

Non-profit organisations	For-profit organisations
Provide some public service or have some public purpose that goes beyond serving the personal interests of the members of the NPO (such as the promotion of social welfare, economic development, religion, charity, education or research).	Operate for the purpose of making profits.
May make a profit, but may not distribute their property or profits to their members. They use any profits they make to further their public interest objectives.	Distribute profits to their owners or members.
Frequently do not generate enough income to cover all their expenses, so they fundraise from the public or donors.	Frequently borrow money, at a specified interest rate, if they cannot self-finance all their capital and operating costs. They calculate that they will be able to pay back the loan plus interest from the profits they intend to make.
On dissolution, any surplus assets, after payment of all debts, are given to an NPO with similar objectives. Assets are not distributed to the members.	On dissolution, after payment of all debts, distribute any surplus assets to the owners or members.

(Above table by AIDSbuzz)

BENEFITS OF REGISTERING AS A NPO

- Registration is free.
- An organisation, even if it is run on a non-profit basis, cannot access funding from the government, the National Lotteries Trust or the National Development Agency (NDA) without being a registered NPO.
- Registration demonstrates to the general public, businesses and donors that your organisation is run properly and your activities and financial situation are regularly checked. This makes it much easier to raise funds, as donors know their money will be used properly. In fact very few donors will now give money to an organisation that is not a registered NPO, or in the process of being registered.
- As a registered NPO your organisation can then apply for tax exemption as a Public Benefit Organisation (PBO) with the South African Revenue Service (SARS).
- Improve the credibility of the sector because NPOs can account to a public office.
- Brings organisations into a formal system.
- Help the sector to get organised.
- Help in finding ways of getting benefits like tax incentives and funding opportunities

There are three different legal ways to set up an organisation that is not for profit and all are eligible to register as an NPO. But for our purposes we fall under the category of a voluntary organisation. This classification includes most Community-Based Organisations (CBOs), and some smaller Faith-Based Organisations (FBOs).

TAXATION OF RELIGIOUS ORGANISATIONS

Effective 15 July 2001, the basis for income tax exemption changed. The previous exemption for “religious, charitable and educational institutions of a public character” was abolished and a new exemption was created for “public benefit organisations”. A public benefit organisation (PBO) is defined in law as an organisation that:

- Is a trust, an association of persons or a Section 21 company;
- Pursues public benefit activities - and includes “the promotion and/or practice of religion which encompasses acts of worship, witness and community service based on a belief in a deity and a recognised creed”;
- Has incorporated certain provisions, including restrictions on trading activities, into its constitution or founding document;
- Is registered as a Non-Profit Organisation (or has shown good cause why it should not register);
- Complies with the reporting requirements set out by SARS; and
- Refrains from paying “excessive remuneration” to any employee, office bearer or member.

In order to claim tax exemption as a PBO, an organisation must be registered with SARS. The Income Tax Act makes provision for a group of related organisations pursuing similar objects (such as all of the congregations of a denomination) to register as a group, but in this case one entity (such as a denominational or regional office) must be responsible for ensuring that all of the other members of the group comply with the reporting requirements and other aspects of the law.

ORGANISATIONAL STRUCTURE OF AN NPO

Composition - NPO is made up of committees addressing specific areas of Pagan needs together with members at large. New committees will be set up as needed and ratified at an Annual General Meeting (AGM) or Special General Meeting (SGM).

Membership - Open to people with a specific interest in and commitment to Pagan growth and development. Donations to cover administrative costs welcome.

Meetings - An AGM and SGMs will be called as needed, and recorded in a minute book. The business will be addressed according to the procedures policy. Quorum is as per SAPC Constitution

The executive administrators will be elected at AGMs, from the voting membership, and replaced if needed at a SGM. Decisions will normally be taken on a consensus basis, but if a formal vote on any matter is required, a majority of voting members will carry.

Fiduciary members - are responsible for protecting the integrity of the NPO and can suspend any of its activities upon contravention of established policy. Trustees must be members of the SAPC. They may be over-ruled or removed by a 67% majority of the full voting membership of the SAPC.

Committees and sub-committees - will be set up as needed to address the specifics of national, provincial and local needs.

Administration - By executive committee (co-directors together with appointed secretary-treasurer). The co-directors will appoint the secretary-treasurer (and other offices as required). The executive committee ensures that the business of the NPO is carried out, but does not make policy

The administrators will keep in touch by e-mail and phone and inform/consult with other members on a regular basis and keep written records of issues and decisions as well as reports of activities.

Contracts - Any contracts to provide services to the NPO to be negotiated with the committee concerned (ratified at an AGM or SGM) and administered by it, but to be in the name of the NPO, in this case the SAPC.

NPO as per the SAPC Constitution (amended Sept 2008)

12. NON PROFIT, PUBLIC BENEFIT ORGANISATION (*)

12.1 Terms

12.1.1. The SAPC is a Non-Profit Organisation and Public Benefit Organisation in terms of section 30(4) of the Income Tax Act no. 58 of 1962, point 5 (a):

Religion, Belief or Philosophy

- (i) *The promotion or practise of religion which encompasses acts of worship, witness, teaching and community service based on a belief in a deity.*

12.2 Objects

12.2.1. The objects of the SAPC as Public Benefit Organisation/Non Profit Organisation are to further the religion and teachings of Paganism in South Africa, to provide spiritual assistance where applicable to those members of the SAPC in need, to provide financial donations to charitable organisations registered as PBO's, to acquire land and a Temple for the purpose of deity worship and spiritual refuge with a spiritual and philanthropic intent.

12.3 Activities

12.3.1. No activity will directly or indirectly promote the economic self-interest of any Fiduciary or employee or member of the SAPC otherwise than by way of reasonable remuneration.
At least 85% of activities will be carried out in South Africa by manner of cost And time spent.

12.4 Responsibility

12.4.1. Three persons unrelated to each other will be nominated by the Executive Committee for purposes of accepting fiduciary responsibility of the SAPC. These positions are permanent, but may be revoked by a three quarter majority decision of the Executive Committee.

12.4.2. All decision making policies will remain with the SAPC general council as Stipulated in the Constitution.

12.5 Funds

- 12.5.1. No funds will be distributed to any persons other than in the course of undertaking public benefit.
- 12.5.2 On dissolution of the SAPC, all funds will be donated to a similar PBO with similar philanthropic structures, as decided upon by the Executive Committee upon dissolution.

12.6 Trading

- 12.6.1. The SAPC funds will be used solely for the purposes for which the PBO was established.
- 12.6.2. The SAPC shall not undertake any business activity or trading for the purposes of financial reward.

12.7 Financial Controls

- 12.7.1. The three fiduciary members will be responsible for ensuring that the SAPC Bank Account is maintained strictly for the purposes of the SAPC as a PBO.
- 12.7.2. The fiduciary members are responsible for retaining a Chartered Accountant for purposes of record keeping. The Chartered Accountant will provide monthly bank reconciliations and annual financial reports.
- 12.7.3. The Chartered Accountant will provide monthly bank reconciliations and annual financial reports.
- 12.7.4. The fiduciary members are responsible to SARS for submitting said annual reports.
- 12.7.5. All fiduciary members and the Chartered Accountant will be registered with the bank on an electronic notification system (cell phone or e-mail) for any funds moving into or out of the SAPC account.
- 12.7.6. The SAPC Bank account is in the name of the Convener, the Registrar and one other member of the SAPC. All three signatories of the Bank Account will be required to move funds. No funds may be moved without the immediate notification of the three fiduciary members and the Chartered Accountant.
- 12.7.7. Funds for SAPC expenses may be utilised only by consensus of all three fiduciary members. Funds relating to the purposes of the SAPC as a Public Benefit Organisation must be utilised by a two thirds majority consensus of the Executive Committee. All decisions taken must be

done in writing and kept on record by the Registrar of the SAPC for a period not less than 10 years.

12.7.8. The SAPC as a PBO will distribute 75% of annual funds received by the end of every financial year, as per section 18A (1) (b) (i) of the Act.

12.8 Expenses

12.8.1. The SAPC may use donated funds to cover incidental expenses inherent to the function and administration of the SAPC, no member of the SAPC may in any way benefit financially from donated funds.