



5 Things to Check Before Registering Your NGO in Kenya

Starting an NGO is exciting – but small legal missteps can cause delays, penalties, or even deregistration. This quick checklist gives you **the five essentials** every founder should review before launching.

Keep it handy. Use it as you prepare your documents, meet donors, or plan your governance.

*Mitey & Associates — Guiding NGOs
with clarity, empathy, and precision*

www.miteylaw.africa
info@miteylaw.africa



Step 1 & 2

1. Name Reservation & Brand Due Diligence

- File Form 2 via eCitizen or NGO Board office
- Prepare 2–3 alternative names
- Avoid misleading acronyms, government or political terms
- Confirm availability in NGO Board directory

2. Draft a Robust Constitution & Governance Framework

- State objectives & public benefit activities
- Define board structure, AGMs, officer roles
- Include audit, reporting, and financial controls
- Add dispute resolution & dissolution clauses
- Avoid generic templates – tailor it to your mission



Step 3 & 4

3. Annual Compliance & Tax Exemption

- File annual returns (Form 14) within 90 days of year-end
- Submit audited accounts if income/expenses exceed Ksh 1M
- Report changes (board, address, constitution) to NGO Board
- Apply/renew tax exemption under the Income Tax Act

4. Donor Agreements & PBO Transition

- Cover scope, deliverables, reporting, fund use
- Add dispute-resolution and termination clauses
- Transition to PBO status by May 13, 2026
- Align your constitution with PBO Act requirements



Step 5

5. Choose the Right Legal Vehicle

- NGO/PBO → ideal for most charities
- Company Limited by Guarantee → corporate governance focus
- Trust → best for asset-holding or specific charitable purposes

Your NGO should empower you – not overwhelm you. With the right legal structure and compliance steps, you'll launch smoothly and sustain donor trust.

For tailored support, contact Mitey & Associates. We'll walk with you from name reservation to PBO transition.