



Tasmanian Nature Conservation Fund
V4.0 Operating Procedures

14 November 2020

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1. ABOUT WILDCARE

1.1 Background

1.1.1 WILDCARE is a not-for-profit, volunteer community organisation founded in 1997 and first incorporated in 1998 under the Associations Incorporation Act 1964.

Latest Incorporation date: 21 April 2005 - ABN 80986531989

1.1.2 WILDCARE Inc. is the registered name with the Australian Charities and Not for Profit's Commission. In this document the organisation will be referred to as Wildcare.

1.1.3 WILDCARE is a Registered Environmental Organisation.

1.1.4 WILDCARE is an Approved Charity under the State Service Workplace Giving Scheme, meaning that State Servants can make pre-tax donations from salary to WILDCARE.

1.1.5 The governing body of WILDCARE is the WILDCARE Board made up of elected and nominated members.

1.2. Objectives

1.2.1 Primary Objectives of WILDCARE (extract from the WILDCARE Constitution)

- i) to assist the Parks and Wildlife Service and other conservation and land managers to undertake those activities deemed as necessary to conserve natural heritage on and off reserve in Tasmania and to assist with the management of Reserves. (Reserves are declared under the Nature Conservation Act 2002 that sets out the values and purposes of each reserve class and managed under the National Parks and Reserves Management Act 2002 according to management objectives for each class).;
- ii) to provide opportunities and support for community involvement related to the Objectives of the Association
- iii) to establish and maintain a public fund to be called the 'WILDCARE Gift Fund' for the specific purpose of supporting the environmental objectives and purpose of WILDCARE Incorporated.*
- iv) to foster community interest, support and involvement in the activities and functions of reserve management (PWS and other public land managers) and nature conservation (on and off reserve) and the Association.

1.2.2 Additional objectives of WILDCARE (extract from the WILDCARE Constitution)

- i) to assist the Parks and Wildlife Service and other conservation and land managers to undertake those activities deemed as necessary to conserve

cultural heritage on and off reserve in Tasmania and to assist with the management of reserves.

- ii) to foster community interest, support and involvement in the activities and functions of cultural heritage conservation (on and off reserve)
- iii) to assist in acquiring funds for special projects associated with natural and cultural heritage conservation in Tasmania, both on and off reserves;
- iv) to conduct activities to promote membership of the Association; and
- v) to undertake all the above in ways which are not counterproductive to the standing and reputation, mission and objectives of reserve management (PWS and other public land managers), nature conservation and cultural heritage conservation (on and off reserve).

* In this document and for public purposes, the fund will be referred to as the Wildcare Tasmanian Nature Conservation Fund (TNCF). The Wildcare Board made a decision in 2020 to amend the name of the Gift Fund to Tasmanian Nature Conservation Fund. In the next review of the Constitution the naming will be aligned.

2. THE WILDCARE TNCF

2.1 Background

2.1.1. As a Registered Environmental Organisation WILDCARE must maintain a Public Fund:

- (a) to which gifts of money or property for its principal purpose are made; and
- (b) to which any money received because of such gifts is to be credited; and
- (c) that does not receive any other money or property.

2.1.2 The Public Fund must have:

- (a) its own name;
- (b) its own management committee;
- (c) its own bank account (separate to the environmental organisation account);
and
- (d) its own operating rules.

2.1.3 The Public Fund must be managed by a management committee appointed by the organisation. It can be made up of members from the organisation's management committee or be a sub-committee of the organisation's management committee. It can also be a committee made up entirely of responsible persons from the community who are not members of the organisation. The Wildcare Constitution provides that the Chair of the management committee must not be a member of the Wildcare Board.

- 2.1.4 The WILDCARE TNCF is the Public Fund established by WILDCARE under the WILDCARE Gift Fund Operating Rules, in order to receive and disburse donation income to support the primary environmental objectives and purpose of WILDCARE.
- 2.1.5 The WILDCARE TNCF is a Registered Deductible Gift Recipient (DGR) and is entitled under the Income Tax Assessment Act 1997 item 6.1.1 of subsection 30- 55(1) to receive tax deductible donations.
- 2.1.6 The WILDCARE Grants Assessment Committee is the management committee appointed by the WILDCARE Board.
- 2.1.7 The WILDCARE TNCF Account receives all tax-deductible gifts of cash, shares and property made to WILDCARE to support its primary objectives.
- 2.1.8 Australian taxation law governs the acceptance and assessment of tax-deductibility of gifts, donations and bequests.
- 2.1.9 The TNCF does not receive money generated by sponsorship, sales and other commercial activities, proceeds from raffles, charity auctions and dinners
- 2.1.10 The WILDCARE TNCF has been formally recognised, through Divisional Policy, as the Preferred Gift Fund for the Parks and Wildlife Service.

2.2 Donations to Specific Causes

- 2.2.1 The WILDCARE TNCF has a list of causes within it, that provide an opportunity for donors to give to defined purposes associated with the environmental objectives of WILDCARE. Monies collected for these causes are referred to as “criteria” or “intent of the donation”.
- 2.2.2 Natural Partnerships may be created where there is alignment of purpose between WILDCARE and another organisation or person, a significant donor (Natural Partner) or a beneficiary organisation.
- 2.2.3 The WILDCARE Board approves the creation of a Natural Partnership.
- 2.2.4 Natural Partners work cooperatively with WILDCARE to promote giving to the TNCF through their promotion networks and processes.
- 2.2.5 The WILDCARE Board will review the causes listed within the Wildcare TNCF annually.

2.3 The WILDCARE TNCF Account

- 2.3.1 All donations to the WILDCARE TNCF must be deposited in the WILDCARE TNCF Operating Bank Account.
- 2.3.2 The WILDCARE TNCF Account is administered by the WILDCARE Board through the CEO.
- 2.3.3 The WILDCARE TNCF maintains a separate set of financial accounts to the WILDCARE Operating Account which holds non-donation income.

3. THE WILDCARE GRANTS ASSESSMENT COMMITTEE

3.1 Creation

The WILDCARE Grants Assessment Committee (the Committee) was created by WILDCARE, under the WILDCARE Rules. It is a requirement of registration as a Registered Environmental Organisation and complies with Australian taxation law relating to Deductible Gift Recipient (DGR) Registration and Public Funds.

3.2 Primary Roles

Ensure that donation income, and monies generated by that income, is spent in accordance with:

- the legislative requirements associated with being a Registered Environmental Organisation;
- the stated objectives of WILDCARE and the WILDCARE TNCF, including the criteria of the listed TNCF donation causes and Natural Partnerships.

Assess, select, and approve suitable projects for funding from submissions received.

Inform the WILDCARE Board of the outcomes of its deliberations, including any conditions placed on funding approval.

3.3 Membership

3.3.1 The Committee members are appointed by the WILDCARE Board, through a formal nomination and selection process.

3.3.2 Membership of the Committee is governed by clause 4(g) of the WILDCARE Constitution, as defined by the Register of Environmental Organisations Guidelines.

3.3.3 In giving effect to clause 4(g) of the WILDCARE Constitution, WILDCARE must submit Expressions of Interest on behalf of approved Committee members to the Commonwealth Department of Agriculture, Water and Environment for assessment as ‘responsible persons’.

3.3.4 In addition to ‘responsible persons’ requirements, the WILDCARE Board has identified a set of desirable skills and expertise for Committee members.

- Nature conservation
- Reserve management
- Legal (particularly in relation to not for-profit organisations and/or gift funds)
- Business and industry
- Marketing and public relations (particularly regarding philanthropy)

3.3.5 Membership of the Committee is wholly voluntary. No sitting fees are paid to members.

- 3.3.6 The term of appointment is three years.
- 3.3.7 A member may be re-appointed by the WILDCARE Board for additional terms.
- 3.3.8 The WILDCARE Board may choose to conduct a public call for expressions of interest for membership at any time, either to appoint additional members, or to fill a vacancy caused by resignation of a member or at the end of a term of appointment.
- 3.3.9 The WILDCARE Board may terminate the appointment of a Committee member if it believes that the member is acting to the detriment of WILDCARE or the WILDCARE TNCF, or in breach of these Rules.

3.4 Chair

- 3.4.1 The Chair of the Committee is selected annually by the membership of the Committee.
- 3.4.2 The role of the Committee Chair is to;
 - (a) chair the Committee meetings
 - (b) provide a primary contact for interactions between the Committee and the WILDCARE Board,
 - (c) represent WILDCARE at public events, at the request of the WILDCARE Board. The Chair may delegate this role to other Committee members.

3.5 Members Requirements and Duties

- 3.5.1 Committee members are expected to attend all meetings, either in person or electronically, subject to specific arrangement prior to the meeting, and to have read the papers.
- 3.5.2 Committee members are expected to be actively involved in the decision-making process at meetings.
- 3.5.3 Committee members are expected to avoid any conflict of interest with any personal interests or any conflicts in duty owed to another body, company or trust. Committee members must declare any ongoing conflicts within the Wildcare Register of Interests and manage one-off conflicts in accordance with the 'Working with Wildcare' document
- 3.5.4 Committee members must keep confidential the information learnt as a result of being a committee member. Disclosure of this information can only be made after consultation with the WILDCARE Board, through the CEO.
- 3.5.5 Committee members should always act in a manner that promotes the public profile and integrity of WILDCARE.
- 3.5.6 Members have a duty to act in good faith in the best interests of the objects of WILDCARE.

- 3.5.7 Members have a duty not to act for an improper purpose ie. not to exercise powers for any purpose other than for the objectives of the TNCF.
- 3.5.8 Members have a duty to act with care and diligence. The standard of care and diligence is that which a reasonable person would exercise if they were a member of the Committee and had the same responsibilities as that member.
- 3.5.9 Members have a duty not to improperly use their position on the Committee, or information gained as a result of their position. Improper use of position or information covers use for a personal advantage or for the advantage of someone else, or which causes detriment to WILDCARE.
- 3.5.10 Members have a duty to ensure that the decisions made by the Committee do not incur debts which would make the WILDCARE TNCF insolvent.
- 3.5.11 Members have a duty to protect and preserve the WILDCARE TNCF property.
- 3.5.12 Members have a duty to exercise discretionary powers in good faith, upon a real and genuine consideration and according to the purpose for which their position on the Committee was conferred.
- 3.5.13 Members cannot delegate their tasks and responsibilities except as permitted by the WILDCARE Board.

3.6 Meetings

- 3.6.1 The quorum for meetings is at least two thirds of the membership.
- 3.6.2 Decisions will on most occasions be made on a basis of consensus. However, should a vote be required then a motion is carried when a majority of the members present at the meeting vote for the motion. The need to vote and voting procedures will be determined by the Chair of the Committee.
- 3.6.3 The Committee will meet as required to perform its Primary Roles.
- 3.6.4 The Committee will meet at least twice each calendar year

4. DONORS

- 4.1 Donors may be large or small, corporate, or private.
- 4.2 Donors may direct their donations by choosing from the listed causes within the TNCF, or by specifying a new purpose or Natural Partnership, which may be considered by the Wildcare Board depending on alignment to Wildcare's values and also ability to achieve on-ground outcomes;
- 4.3 Donors may express a preference as to how donations are spent, however, have no influence over the decisions of the Committee.
- 4.4 Donors (large or small) receive no benefit, from WILDCARE or any third party, for their donation, other than tax deductibility.

5. BENEFICIARIES

- 5.1 The primary beneficiaries of the WILDCARE TNCF are WILDCARE volunteer groups and organisations that manage conservation reserves and biodiversity in Tasmania, eg. Department of Primary Industry, Parks, Water and Environment. Other land managers with conservation and bio-diversity responsibilities aligned to Wildcare's primary purpose may also be beneficiaries, eg local Councils.
- 5.2 Funds may be allocated to projects submitted by community groups working in partnership with beneficiary organisations, undertaking projects that meet the primary objectives of the TNCF.
- 5.3 Funds may be allocated to individuals, including private landholders, who are undertaking projects that contribute to the nature conservation objectives of the WILDCARE TNCF.

6. CALLING FOR SUBMISSIONS

- 6.1 The WILDCARE Board, through the CEO, has responsibility for calling for project submissions to the TNCF, in line with the primary objectives of WILDCARE or specific criteria as identified by the Natural Partner Funds.
- 6.2 The WILDCARE Board may indicate a funding focus for a call for submissions.
- 6.3 The WILDCARE Board may indicate a range of conditions on submissions to assist with developing those submissions and the collection of information to assist decision-making. This might include, for example, an indication of support for the project from Parks and Wildlife Service or evidence or appropriate permits being obtained.
- 6.4 Upon application from the WILDCARE Board, the Committee may also allocate money for the following purposes, in accordance with section 30-265(1) of the Income Tax Assessment Act 1997; -
 - transferring money or property to your organisation or to the fund for its current and continuing use
 - purchases of property or services for use by the fund or by your organisation for the principal purpose of the fund
 - reasonable costs of managing the fund – for example, bank charges, stationery, accounting, and audit fees for the fund
 - professional fees for fundraising
 - investment, if it is consistent with carrying out the principal purpose of the fund.

7. DECISION-MAKING

- 7.1 The Committee must undertake its deliberations and make decisions, in regard to assessment of applications received and disbursement of funds, without influence from donors or beneficiary organisations, other than information provided as part of a project submission. The documented decisions should be notified to the WILDCARE Board.
- 7.2 The Grants Assessment Committee may formulate assessment criteria, processes and conditions to assist submission assessment and deliberations and may apply conditions to the allocation of funds.

8. DISBURSEMENT OF FUNDS

- 8.1 The Committee approves disbursements from the WILDCARE TNCF Account.
- 8.2 The WILDCARE Board through the CEO notifies both successful and unsuccessful applicants of the decisions made by the Committee.

9. WILDCARE TNCF DECISION MAKING PROCESS

- 1) WILDCARE Board establishes a timetable, in consultation with land managers and the Committee, for opening of the Wildcare TNCF and notifies all stakeholders. Meeting dates of the Committee are established to align with the opening dates.
- 2) WILDCARE Board calls for project funding submissions with 6-week deadline.
- 3) The announcement will include information on any special criteria, or limitation on amount of funding being made available for allocation.
- 4) Submissions prepared by applicants and submitted to WILDCARE Office by deadline. WILDCARE Office checks completeness of submissions and liaises with applicants to fill any gaps.
- 5) WILDCARE Office provides submissions to Committee members.
- 6) Committee meets to assess and select projects for funding. Assessment is based on compatibility and contribution to overall Objectives, alignment with specific criteria, comparative rating, within funding limit, likelihood of success.
- 7) Committee Chair notifies the WILDCARE Board, through the CEO, of decisions reached.
- 8) WILDCARE CEO informs all applicants of outcomes and acquittal requirements and arranges payment of moneys.
- 9) WILDCARE CEO assesses publicity and communications opportunities, considering all potential channels.
- 10) Acquittals are followed up and assessed by the WILDCARE CEO and reported to the WILDCARE Board and Grants Assessment Committee, at the next meetings.

10. RELATED DOCUMENTS

TNCF Application form

TNCF Grant Guidelines

TNCF Grant Acquittal Form

Document Version History

Version 4.0

Approved: 14 November 2020 at WILDCARE Board meeting

Version 3.a

Issue Date: Recommended to WILDCARE Board for approval at meeting 14 November 2020

Description of Changes: Amendments throughout to update naming, to reduce duplication, remove unnecessary administrative inclusions and to better explain current practice.

Version 3.0

Approved: by WILDCARE Board via email 24 August 2019

Version 2.a

Issue Date: Recommended to WILDCARE Board for approval via email 22nd August 2019

Description of Changes: Amendments to section 3.3.2 and 3.3.3 to align the Gift Fund Operating Guidelines with the WILDCARE Constitution

Version: 2.0

Approved: 9 August 2019 at WILDCARE Board meeting

Version: 1.a

Issue Date: Recommended to Wildcare Board for approval on 9th August 2019.

Description of Changes: Amendments made by CEO, including consultation with Governance Working Group 2nd July 2019.

Version: 1.0

Approved: Adopted by the Wildcare Board in 2008
