



Wildcare Gift Fund Operating Procedures

**Version 3.0
24 August 2019**

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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 As a Registered Environmental Organisation, Wildcare must have a Public Fund to receive donations which must be separate from its operating funds. The Public Fund is called the WILDCARE Gift Fund.

1.1.5 The WILDCARE Gift Fund 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.

1.1.6 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.

1.1.7 The governing body of WILDCARE is the WILDCARE Board of Management 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).

2. THE WILDCARE GIFT FUND

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 Gift Fund Committee must not be a member of the Wildcare Board.
- 2.1.4 The WILDCARE Gift Fund 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 Gift Fund Committee is the management committee appointed by WILDCARE.
- 2.1.6 The WILDCARE Gift Fund Account receives all tax-deductible gifts of cash, shares and property made to WILDCARE to support its primary objectives.
- 2.1.7 Australian taxation law governs the acceptance and assessment of tax-deductibility of gifts, donations and bequests.
- 2.1.8 The Gift Fund does not receive money generated by sponsorship, sales and other commercial activities, proceeds from raffles, charity auctions and dinners
- 2.1.9 The WILDCARE Gift Fund has been formally recognized, 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 Gift Fund 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 are created in response to a request from a significant donor (Natural Partner), a beneficiary organisation or as an initiative of the WILDCARE Board of Management.
- 2.2.3 The WILDCARE Board of Management approves the creation of a Natural Partner Fund and the criteria assigned to that Natural Partner Fund.
- 2.2.4 The initiative of Natural Partners in requesting and negotiating a Natural Partner Fund is recognised in a variety of ways by WILDCARE, including on the web site and in publications.
- 2.2.5 Natural Partners work cooperatively with WILDCARE to promote giving to the Natural Partner Fund through their promotion networks and processes.
- 2.2.6 The WILDCARE Board will review the causes listed within the Wildcare Gift Fund annually.

2.3 The WILDCARE Gift Fund Account

- 2.3.1 All donations to the WILDCARE Gift Fund, including the Natural Partner Funds, must be deposited in the WILDCARE Gift Fund Operating Bank Account.
- 2.3.2 The WILDCARE Gift Fund Account is administered by the WILDCARE Board of Management through the CEO and Wildcare Office.
- 2.3.3 The CEO and WILDCARE Office will thank donors in accordance with agreed processes.
- 2.3.4 The WILDCARE Gift Fund Account has a separate set of financial accounts from the WILDCARE Account which holds non-donation income.
- 2.3.5 Donations can be made on-line at www.wildcaretas.org.au, through direct bank deposit by arrangement with the WILDCARE Office, or by cash or cheque. A receipt indicating tax deductibility will be provided for all eligible donations to the WILDCARE Gift Fund.

3. THE WILDCARE GIFT FUND COMMITTEE

3.1 Creation

The WILDCARE Gift Fund 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 Gift Fund, including the criteria of the listed Gift Fund causes and Natural Partnerships.

Assess, select and approve suitable projects for funding from submissions received as a result of a call by the WILDCARE Board of Management.

Inform the WILDCARE Board of Management 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 of Management, through a formal nomination and selection process.
- 3.3.2 Membership of the WILDCARE Gift Fund 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 Federal Department of Environment and Energy for assessment as 'responsible persons'.
- 3.3.4 In addition to 'responsible persons' requirements, the WILDCARE Board of Management has identified a set of desirable skills and expertise for Gift Fund 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 of Management for additional terms, based on an Expression of Interest from the member.
- 3.3.8 The WILDCARE Board of Management may choose to do 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 of Management may, by decision at a Board Meeting, terminate the appointment of a Gift Fund Committee member if it believes that the member is acting to the detriment of WILDCARE or the WILDCARE Gift Fund, 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 and management of the Parks and Wildlife Service,
 - (c) Represent WILDCARE and the WILDCARE Gift Fund at public events, at the request of the Board of Management. The Chair may on occasions delegate this role to other Gift Fund 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 company or trust. Committee members must notify the Committee Chair as soon as he or she becomes aware of the possibility of conflict.
- 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 of Management.
- 3.5.5 Committee members should always act in a manner that promotes the public profile and integrity of the WILDCARE Gift Fund and WILDCARE
- 3.5.6 Members have a duty to act in good faith in the best interests of the objects of WILDCARE and the WILDCARE Gift Fund.
- 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 Gift Fund.
- 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 or the WILDCARE Gift Fund.

- 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 Gift Fund insolvent.
- 3.5.11 Members have a duty to protect and preserve the WILDCARE Gift Fund 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 of Management.

3.6 Meetings

- 3.6.1 All members of the Committee will be notified by the Chair of any meeting of the Committee at least 14 days prior to the meeting.
- 3.6.2 The quorum for the meetings is at least two thirds of the membership.
- 3.6.3 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.
- 3.6.4 The Committee will meet when it is required to perform its Primary Roles.
- 3.6.5 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 can direct their donations to –
 - a) the general objectives of the Gift Fund,
 - b) the specific criteria encapsulated by the listed causes, including Natural Partnerships
 - c) in unusual circumstances, a special purpose agreed to by the WILDCARE Board of Management, that is compatible with the environmental objectives of WILDCARE.
- 4.3 Donors 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.
- 4.5 Donors may be acknowledged and thanked through media events and through Wildcare publications and through the issue of Certificates.

5. BENEFICIARIES

- 5.1 The primary beneficiaries of the WILDCARE Gift Fund are WILDCARE branches and the organisations that have responsibility for managing 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 Gift Fund.
- 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 Gift Fund.

6. CALLING FOR SUBMISSIONS

- 6.1 The WILDCARE Board of Management, through the CEO, has responsibility for calling for project submissions to the Gift Fund, in line with the primary objectives of WILDCARE and the Gift Fund or specific criteria as identified by the Natural Partner Funds. The Board of Management has three options for calling for submissions:
 - a) Direct call to beneficiaries
 - b) Public call for submissions
 - c) Direct submission from the Board
- 6.2 The Board of Management may indicate a funding focus for a call for submissions.
- 6.3 The Board of Management 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 Biodiversity Conservation Branch.
- 6.4 All submissions to the WILDCARE Gift Fund will be made on an Application Form that has been developed and approved by the WILDCARE Board of Management in consultation with the Committee.
- 6.5 Submissions received by the WILDCARE Office will be forwarded to the Committee for assessment and decision.
- 6.6 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 Board.
- 7.2 The WILDCARE Gift Fund may formulate assessment criteria, processes and conditions to assist submission assessment and deliberations.
- 7.3 The WILDCARE Gift Fund may apply approval conditions to the allocation of funds.

8. DISBURSEMENT OF FUNDS

- 8.1 The Committee approves disbursements from the WILDCARE Gift Fund Account
- 8.2 The WILDCARE Board of Management notifies both successful and unsuccessful applicants of the decisions made by the Committee.

9. WILDCARE GIFT FUND DECISION MAKING PROCESS

- 1) WILDCARE Board of Management establishes a bi-annual timetable, in consultation with land managers and the Committee, for opening of the Wildcare Gift Fund and notifies all stakeholders of the dates. Meeting dates of the Committee are established to align with the opening dates.
- 2) WILDCARE Board of Management 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 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 WILDCARE Gift Fund Committee, at the next meetings.

Document Version History

Version 3.0

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Version 2.a

Issue Date: Recommended to WILDCARE Board for approval via email on 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 Number: 2.0

Approved: 9 August 2019

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

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Approved: Adopted by the Wildcare Board in 2008
