

# BKFA 010 Third Party Fundraising Policy



## 1. Introduction

The BKFA appreciates the efforts of individuals and groups assisting with fundraising because it relies substantially on voluntary donations from members of the public who participate in a variety of fundraising activities. This policy is provided to assist those individuals or groups wishing to fundraise for the BKFA.

## 2. Purpose

The purpose of this policy is to ensure BKFA encourages and assists third parties who carry out fundraising activities:

- to comply with legal requirements;
- to maximise the potential benefit to BKFA's cause in the short and long term;
- to enhance the public perception of BKFA and do not result in BKFA being associated with questionable organisations or activities;
- to avoid misrepresenting or overstating the outcomes of BKFA activities;
- to comply with the ACFID Code of Conduct and the ACFID Fundraising Charter.

***This policy is not intended to cover corporate donations and sponsorships.***

## 3. Fundraising Policy

### 3.1 Fundraising activities by third parties

Proposals by individuals or groups must be made to the General Manager.

Fundraising proposals may be approved or declined at the discretion of the BKFA General Manager. The General Manager will maintain a list of pre-approved individuals and groups who may undertake further fundraising without seeking approval, subject to adherence to the guidelines set out in this policy. The pre-approved list includes Lions Clubs of Australia, Zonta and Rotary. All other individuals and groups should seek approval from the General Manager so that fundraising guidelines and marketing material can be provided to them by BKFA.

Approved fundraising proposals will be subject to BKFA fundraising guidelines as stated below.

## 4. Guidelines

### 4.1 Responsibility for fundraising activity and associated liabilities

The fundraising activity will not be an official BKFA activity.

BKFA is unable to authorise individuals or groups to act on behalf of or as a BKFA agent and will not take responsibility for the management or conduct of the fundraising activity.

Key matters such as insurance, venue hire, health and safety, and safe collection of donations are the responsibility of the group or individual. BKFA is unable to provide direct assistance with these matters and BKFA insurance policies will not cover fundraising activities.

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## 4.2 Compliance with law

There are different applicable laws, including specific laws about fundraising, depending on which state or territory the fundraising takes place in. It is the responsibility of the individuals or group to ensure compliance with all applicable laws covering things such as: obtaining permits or licenses where necessary, providing accurate information to the public and ensuring that funds are remitted to BKFA promptly.

BKFA recommends that information provided by the Australian Tax Office is considered and that relevant regulators are contacted directly with any questions. The Australian Charities and Not-for-Profits Commission (ACNC) maintains an updated page for reference: [ACNC Fundraising and Consumer Law obligations](#).

### **In particular:**

If fundraising activity is connected with more than one state or territory, the legal requirements of each of these must be taken into account. For example, if fundraising takes place over the internet, then the laws of all Australian states and territories may be applicable.

Some states and territories impose restrictions on children being involved in collecting funds.

Some municipal and shire councils impose local government requirements (for example, on door-to-door or street collections) which may be relevant if fundraising activity takes place within their municipal areas.

There are state and territory gaming laws which need to be considered when planning a raffle, lottery, competition or similar gaming activity.

There are restrictions on the tax deductibility of donations associated with the supply of goods or services, including charity auctions and ticketed events. See the ATO website about this.

## 4.3 Advertising resources in support of fundraising activity

The BKFA name may be used in stating that the proceeds from the fundraising activity will be directed to "BKFA".

A BKFA 'Proud Supporters' logo is available for use.

Approved BKFA photography, marketing materials, presentations, copy and/or film may be requested and made available.

If materials are to be made available, BKFA will provide a 'permission to use' statement for signature which will outline agreed conditions of use.

All promotional or marketing materials in which BKFA is referenced must be provided to BKFA for formal approval prior to publication.

BKFA will be responsible for ensuring that content provided for approval is truthful, ethical and fair.

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## 4.4 Communication in support of fundraising activity

Communications about the fundraising activity should clearly specify:

The purpose of the fundraising activity. For example, "To support training programs".

The amount of funds raised that will be donated to BKFA. For example, "All proceeds from the sale of door tickets will be donated to BKFA".

Some states have legal requirements about what information must be disclosed to prospective donors. Please refer to the information provided by the relevant regulator.

It must be clearly stated that BKFA is not involved in the organisation of the fundraising activity by including the following statement:

*[Your name] supports the work of BKFA [by raising funds for xxxxxxx]. BKFA is grateful for the support of [your name] but is not involved in this fundraising initiative.*

## 4.5 Collection and management of donations

### Collection of donations

BKFA recommends that the risks associated with collecting cash are carefully considered and that, where possible, donations are made directly to BKFA online.

BKFA is not able to provide collection tins for fundraising activities.

### Receipts

Tax receipts will be issued to the Fundraiser for all donations over \$2. It should be noted that some state and territory fundraising laws also require that a general receipt is issued to the donor at the time funds are received. This is the responsibility of the fundraiser and a receipt book from BKFA may be requested.

### Provision of funds to BKFA

Funds should be delivered to BKFA as soon as is practicable.

### Use of funds by BKFA

Donations to BKFA are tailored to best meet the needs of the communities and the organisational priorities supported. Tax-deductible donations will support the work of BKFA, so gifts may contribute to the supply of Birthing Kits, to one of BKFA's community development programs, or to the management and delivery of other projects such as research, technology, and monitoring and evaluation initiatives.

The BKFA Annual Report provides a summarised statement of income and expenditure for the full year and is available on the BKFA website, [www.bkfa.org.au](http://www.bkfa.org.au).

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## 4.5 Reporting

Compliance with this policy lies with the General Manager, who reports regularly to the Board.

### References

ACFID Code of Conduct - A Quick Guide

[www.ato.gov.au](http://www.ato.gov.au)

Australian Charities and Not for Profit Commission (ACNC): ACNC on Charitable Fundraising

[ACFID Fund Raising Charter](#)

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<b>Nature of changes for this version:</b> 20 March 2018 The policy has been fully revised in respect of fundraising by third parties with BKFA as beneficiary. 19 March 2019 Revised to refer to ACFID fundraising charter & add 4.5 Reporting	<b>Policy first developed:</b> February 2008