

PHILANTHROPIC GIFTS POLICY

SCOPE

This policy applies to staff engaged in soliciting, accepting and administering philanthropic gifts (herein referred to as 'gift' or 'gifts') to benefit Monash campuses and causes in Australia.

POLICY STATEMENT

This policy ensures gifts are sourced and used in a responsible and ethical manner that supports the University's mission, preserves its academic freedom, protects its reputation and Deductible Gift Recipient (DGR) status, while observing the interests of donors.

The University actively seeks gifts from individuals and organisations worldwide to foster excellence in education and research, critical enquiry and debate, and positive community engagement with the University.

This policy does not apply to:

- [gifts, benefits and hospitality](#) offered to individual employees by external entities (e.g. dignitaries, collaborators, companies);
- grants;
- fundraising activities (e.g. [events](#), [charity auctions](#)) or activities that fall under the Gambling Regulation Act 2003 (e.g. raffles, lotteries);
- sponsorship arrangements where there is a material benefit to the sponsor (e.g. advertising or promotion).

1. Public trust and ethical conduct

Monash University will:

- 1.1 abide with all applicable laws (see Governance below) relating to gifts;
- 1.2 protect and preserve the University's integrity, autonomy, academic freedom and reputation;
- 1.3 maintain the highest standards of fiduciary integrity and ethical conduct;
- 1.4 undertake appropriate due diligence of prospective donors and gifts;
- 1.5 only accept gifts that are consistent with the legislative objects of the University (as set out in the [Monash University Act, 2009](#)), as well as the University's mission and strategic goals (as set out in [Focus Monash, Strategy Plan 2015-2020](#));
- 1.6 not act as a conduit to collect gifts for external entities.

2. Professionalism

Monash University will:

- 2.1 adopt a consistent and integrated approach to sourcing and securing gifts, coordinated by External Relations, Development and Alumni (ERDA);
- 2.2 observe the highest standards of personal and professional conduct when interacting with donors and prospective donors.

3. Financial accountability

Monash University will:

- 3.1 meet its legal obligations as a DGR;
- 3.2 provide for consistent and transparent receipt and acknowledgement of gifts;

- 3.3 receipt tax deductible gifts in accordance with Australian Taxation Office requirements;
- 3.4 use all gifts, when undesignated, for purposes as the University judges best;
- 3.5 take the greatest care to honour donor intentions for the use of designated gifts;
- 3.6 endeavour to discuss with donors or their representatives alternative uses for their gift, should circumstances render the University unable to direct the gift to the purpose originally intended;
- 3.7 produce factual and accurate reports on the use and management of gifts, as required.

4. Donor interests

Monash University will:

- 4.1 protect donor interests and expectations;
- 4.2 keep donors informed about the impact of their philanthropy;
- 4.3 recognise donors publically, where appropriate, and where they have given consent to do so;
- 4.4 respect donors' rights to privacy, where they have sought to remain anonymous, and fully comply with relevant privacy laws (see Governance below);
- 4.5 build enduring relationships of mutual trust with donors and/or their representatives, treating them with the highest level of care, transparency and respect.

DEFINITIONS

Deductible Gift Recipient (DGR)	An entity endorsed by the Australian Tax Office to receive tax deductible gifts.
Designated Gift	A gift where the donor has indicated a preference for how it should be used (e.g. scholarships, research, and programs).
Donor	An individual, entity, or estate who makes a gift to the University. In the case of bequests, donors may also be referred to as bequestors or testators.
Due Diligence	The range of practical steps taken by the University so it is reasonably assured of the origin of the gifts and its prospective donors, and is able to identify and manage associated risks.
Gift	<p>The transfer of money, property or other assets to the University, made with philanthropic intent, where:</p> <ul style="list-style-type: none"> • the transfer is made voluntarily; • the transfer arises by way of benefaction; • no material benefit or advantage is received by the donor by way of return; and • the money, property or other assets will be owned in full by the University once received. <p>Gifts may be financial (i.e. gifts of monetary sum, including foreign currency, paid by cash, cheque, credit card or electronically) and non-financial (i.e. gifts of any asset other than cash, cheque, credit card including, but not limited to, property, shares and trading stock).</p> <p>Gifts may be designated for a specific purpose by the donor (e.g. scholarships, research, and programs) or undesignated.</p>
Material Benefit	The provision of benefits or advantages to the funder or sponsor. Including, but not limited to, logo acknowledgement, advertising or promotion, participation in promotional activities, rights to intellectual property, items of value.
Grant	Funding that does not meet all of the defining characteristics of a gift as per the above and is not tax deductible as a gift. Grants may or may not have a philanthropic purpose. The funding body may receive a material benefit as part of the funding arrangement which could attract GST (eg rights to research results or intellectual property). Grants could have specific acquittal requirements, and/or conditions such as mandating expenditure on a particular project, or requiring the return of unspent funds.
Philanthropy	A voluntary exchange in which the values and aspirations of donors are matched with the values and aspirations of those they benefit.

Philanthropic Recognition	A way to acknowledge philanthropy. This may take the form of publication of donor names and may include naming of physical entities, academic positions, scholarships or programs.
Solicitation	The act of requesting and negotiating a gift.
Sponsorship	The provision of money, goods or services for a specific activity or program in return for a material benefit.
Tax Deductible Gift	A gift for which the donor is entitled to a tax deduction in Australia. Taxation Ruling TR2005/13 <i>Income Tax: tax deductible gifts – what is a gift</i> explains what a gift is for the purposes of the gift deduction provisions under Division 30 of the Income Tax Assessment Act 1997 .
Undesignated Gift	A gift where the donor has not indicated a preference for how it should be used, thereby providing the University with the flexibility to use the gift where it is needed most.

GOVERNANCE

Supporting procedures	Bequests Procedure Philanthropic Gift Acceptance and Administration Procedure Gift Acceptance - Receipting Procedure (Australia)
Supporting schedules	Nil
Associated policies	Ethics Statement Policy Fraud and Corruption Policy Investment Policy Revenue Handling Policy (Australia) Tax – Global Taxation Policy
Policy owner	Vice-President (Advancement)
Legislation mandating compliance	A New Tax System (Goods and Services Tax) Act 1999 (Cth) Income Tax Assessment Act 1997 (Cth) Privacy Act 1988 (Cth) Fundraising Act 1998 (Vic) Privacy and Data Protection Act 2014 (No. 60 of 2014) (Vic) Tobacco Act 1987 (Vic) Monash University Act 2009 (Vic) Monash University (Statute and Regulations)
Category	Operational
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Content enquiries	donor.relations@monash.edu