



GIFT AND DONATION ACCEPTANCE POLICY

1. RATIONALE

- 1.1. The University of Saint Joseph (the University), as a Catholic University carrying the four-hundred-year legacy of Catholic tertiary education in Macau, is committed to excellence in internationalized teaching, academic research and community services.
- 1.2. As a not-for-profit, or non-profit, private university serving the public interest, the University welcomes donations from individuals and organizations to advance teaching and research and improve its service to the community. This Policy sets forth a framework of terms and conditions for the acceptance of donations by the University's Executive Council, as required by article 15.1.e) of the university's Charter.
- 1.3. The University values and safeguards its integrity, autonomy and academic freedom, in line with the Magna Charta *Universitatum* and the relevant laws of Macau Special Administrative Region, and accepts only those donations that do not compromise those principles and norms.

2. PURPOSE

- 2.1 The Gifts and Donations Policy of the University of Saint Joseph is established to govern and administer the solicitation, acceptance, reporting and crediting of all gifts and donations made to the University in a financially prudent and efficient manner.

3. DEFINITION

- 3.1 Terms and definitions identified below are specific to this policy:
 - i. *Donation*: a gift in the forms of cash or property granted to the University by either a natural or a legal person for charitable purposes and/or to benefit a cause, without return consideration;
 - ii. *Donor/Benefactor*: an individual, corporation, foundation, or organization that has made a gift/donation to the University without return consideration.

4. TYPES OF DONATIONS

- 4.1 Gifts and donations may be in the form of:
 - i. *bequests*: bequests made to the University qualify as donations if the terms and conditions of the bequest are acceptable to the University. The value of this type of donations shall be expressly stated in the donor's will and/or verified through appropriate procedures;
 - ii. *endowed fund*: the University accept securities as donations. A donation of this type will not be considered complete until the securities are fully assigned and held by the University. For marketable securities, such as stocks and bonds, the value of the donation is determined by the market value of the security at the close of business on the day the security is received by the University. For non-marketable securities, the value of the donation shall be determined by an agreement between the donor and the university based on a mutual assessment or by a mutually agreed external appraisal;
 - iii. *gift-in-kind*: (*real estate, equipment, art, documents*): the University welcomes donations of properties. The value of this type of donation shall be determined by an agreement between the donor and the University, based on market value or external appraisal;
 - iv. *monetary donations*: monetary donations given to the University shall be given in bank notes, cheques, money orders and/or currencies;



- v. other types of donations: Donors may choose to make other types of donations, so long as the terms and conditions are acceptable to the University under the University's Donation Acceptance Policy (ECL-516-0117-01. The value of such donations shall be determined by agreement between the donor and the University or by external appraisal.
- vi. *planned gift*: a donor may make an absolute assignment of the death benefits of his or her insurance policy to the University. The value of this type of donation depends on an assessment of facts such as whether the policy is paid up and if the donor shall continue to make premium payments;
- vii. *pledge or commitment*: a contract between a donor and the University in which the donor promises to make a contribution in the future;

4.2 Designated and Undesignated Donations

- i. Donations may be either designated or undesignated. Designated donations are used expressly for the purposes for which they are given, or in the case of an endowment, in support of the identified purpose or object of endowment. A donor may decide to make a donation to USJ for the designated purpose of supporting a particular faculty, department, teaching programme, research project, scholarship, award, service or activity at the university. The purposes of a designated donation shall be clearly stated by the donor in writing.

5. POLICIES AND PROCEDURES

5.1 General Policy

- i. The University welcomes donations and engages in philanthropic activities with a range of sources including individuals, companies, charitable trusts and foundations and its association of Friends, locally and around the world to seek financial support to meet the University current and future strategic objectives;
- ii. this document sets out the University's Gifts and Donation and Ethical Fundraising Policy to define standard procedures for the solicitation and acceptance of philanthropic donations to support the University;
- iii. as stipulated in this Policy, any charitable donations received by the University or its representative must be for exclusively charitable purposes and in furtherance of its objects and shall not improperly influence and decisions or actions made by or on behalf of the University;
- iv. this policy is intended for prospective donors and their advisers, providing assurance that all donors are treated equitably;
- v. this policy is not intended to cover gifts and hospitality offered to individual members of the University, which is covered in a separate policy;
- vi. with the exception of naming rights, the University delegates authority to the Advancement Office (AO) to evaluate, negotiate and decline gifts, and create and execute gift agreements with prospective donors in keeping with this policy.

5.2 Acceptance/Rejection of Gifts/Donations Regulations

- i. The university will make every effort to accommodate and accept all charitable contributions from donors. While most gifts offered to the University are helpful and acceptable, the University reserves the right to decline a gift/donation where there is credible evidence that:
 - it has derived in whole or in part from illegal or unethical activity;
 - it requires any illegal or unethical inquiry;



- there is compatibility between the intent of the donor and the University's use of the gift;
- it has the potential to cause significant damage to the reputation of the University or its relationships with its constituencies, including donors, alumni, staff, current students, parents or other stakeholders;
- it has the potential to create unacceptable conflicts of interest;
- it is subject to environmental or other regulatory restrictions.
- it will discourage future gifts
- could improperly benefit any individual or organization;
- requires an arrangement to conduct business with a specified individual or organization or future employment;
- is financially unsound;
- could expose the University to uncertain and potentially significant liability or unacceptable risk;
- may require work or resources to sustain the donation that is disproportionate to the size or benefit of the donation;
- has terms and conditions that may otherwise conflict with the University's interest, policies, guidelines, ethical standards or priorities of strategic development.

5.3 Donation/Gift Acceptance Process

- i. The following guidelines outline the processes undertaken in administering philanthropic income once accepted and received:
 - AO will ensure that the University complies with relevant legislation with regards to fundraising include the submission of required reports;
 - AO is responsible for the solicitation and management of any philanthropic income received, as well as the necessary stewardship of the individuals and the organizations that donate;
 - AO should check that the funds in question come from a legitimate source (i.e. that they are not the product of illegal activity) through a due diligence report;
 - AO shall report in writing to the Executive Council within 7 working days after a gift/donation has been accepted or declined.
 - all fundraisings must receive approval from the Director of AO and favored by the Executive Council;
 - AO shall strictly comply with clause 4.4 of this Policy;
 - all philanthropic gifts/donations received by the University will be recorded as charitable income and accounted for in accordance with the University's financial accounting procedures;
 - if AO considers a donation sensitive, the Head shall report to the Executive Council and seek its decision on the acceptance or declination of the donation;
 - AO shall seek guidance from the Executive Council for gifts/donations that fall outside of this policy.
 - AO shall report monthly on gift acceptance activities to the Executive Council;
 - any donations received where the donor is known will be formally acknowledged within three days of receipt in an appropriate manner as determined by the AO;



- a gift/donation agreement will be signed with major donors (over MOP 100,000).

5.4 Approval Authority Acceptance Limits for philanthropic gifts/donations

- MOP1 – MOP 499,999: Director of AO;
- MOP500,000 – MOP999,999: Rector;
- MOP1,000,000 and over: The Executive Council;

6. ETHICAL STANDARDS AND PROCEDURES

In accordance with its mission and values, AO's activities must conform to the highest ethical standards:

- all funding accepted shall support the University's strategic mission and be in keeping with its values, including academic freedom, accountability and integrity;
- be truthful and accurate in all its fundraising and reporting activities;
- adhere to the spirit as well as the letter of all applicable laws and regulations;
- conduct its fundraising and reporting activities in compliance with applicable laws and University policies and procedures;
- not accept donation/gifts that are used for purposes outside of the mission and goals of the University;
- not consider a gift to qualify as a charitable donation if the donor shall receive any academic or financial benefit, or obtain investment return;
- not consider any gift/donation that requires work or resources to sustain the donation;
- not accept philanthropic gifts/donations if this is not clearly understood and accepted by all parties.
- strictly safeguard privacy rights and confidential information
- respect the expressed preferences of donors and prospects about the method and timing of fundraising approaches
- honor donors' requests to remain anonymous to the greatest extent allowed under law in respect to being publicly identified as a supporter of the University; and/or having the amount of their contribution publicly disclosed.
- do not sell, exchange, or rent the University donor lists with other organizations.
- report transgressions and/or unethical activities to the appropriate authority in order that the University take the necessary action.

7. REFUND POLICY

- 7.1 By making a charitable gift to the University, the donor understands that charitable donations are not refundable, unless there is the University breaks any of the conditions of the gift/donation agreement.

8. RECEIPT AND ACKNOWLEDGEMENT

- 8.1 AO shall issue an official receipt for any donation, and indicate that it qualifies as a charitable gift when appropriate and acknowledge with an adequate show of gratitude all donations.



9. ACCOUNTABILITY AND REPORT

- 9.1 AO is accountable for the proper use of donations, and for that purpose keep detailed records of what was received and how it was used.
- 9.2 Donor shall not have signing authority over the use of their donations, but AO shall provide an annual report on the acceptance and use of donations and if a donor requests additional information, it shall be provided within reason.

10. CONFIDENTIALITY AND TRANSPARENCY

- 10.1 Anonymity may be requested by the donor, and AO willfully respect the right to privacy concerning personal information. The terms or conditions governing the reception and use of donations will however be publicized, and a list of all donations will be made available for government authorities when and in the terms required by the law.

11. RESPONSIBILITY

- 11.1 The Executive Council for the University of Saint Joseph approves these policies. In its discretion, the EC may depart from one or more of these policies based on the circumstances of a particular gift/donation, and the Executive Council retains its right to refuse any gift/donation.

12. LAWS AND REGULATIONS

- 12.1 This policy applies to all philanthropic giving and conferral of external honors across all campuses of the University. Corporate, foundation, and charitable entity revenue in support of sponsored research is not part of this policy.
- 12.2 For those matters concerning the reception of donations not determined in this Policy, AO shall follow generally recognized standards and acknowledged good practices, the Regulations of the university and the laws of the Macau SAR.
- 12.3 The right to interpret the provisions in this Policy rests with the USJ's Executive Council.

Author: Administrator

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