

BIATHLON CANADA

GIFT ACCEPTANCE POLICY

(June 2019)

Biathlon Canada is a Registered Canadian Amateur Athletic Association (RCAAA) which is defined as having the purpose “To develop, fund, promote and operate activities, programs and facilities for the purposes of governing, advancing and promoting the sport of biathlon in Canada on a nationwide basis, as its exclusive purpose and exclusive function.”

As such it can issue income tax receipts for charitable donations provided requirements established by the Canada Revenue Agency (CRA) are satisfied. These requirements must be satisfied and respected in order for Biathlon Canada to retain its RCAAA status. The purpose of this policy is to ensure that Biathlon Canada benefits from its status as an RCAAA while respecting and complying with the requirements of the CRA in order to protect this privileged status.

POLICY

- Donations are gifts - a voluntary transfer of property to a charity. The transfer should carry no expectation of benefit to the donor or to anyone designated by the donor. Contributions of services (time, skills, effort) are not considered property and do not qualify as gifts.
- Biathlon Canada seeks and may accept gifts in the form of cash or property.
- Where appropriate before acceptance, relevant information about the gift shall be ascertained, including a copy of, where appropriate/required an appraisal secured by the donor. Biathlon Canada reserves the right to secure and rely on its own appraisal. Refer to appraisal guidelines below
- A receipt will be issued to the donor in accordance with CRA guidelines. Receipts will be sent within 30 days of the receipt of funds.
- A receipt shall comply with the requirements of the *Income Tax Act* (Canada) and CRA guidelines.
- The fair market value of any advantage a donor may receive shall be taken into account when determining the eligible amount of a gift for receipting purposes.
- Donations can be directed to particular programs of a charity, provided that no benefit accrues to the donor or to any person connected to the donor, and the charity decides how to use the gift.
- Donors may indicate an intention that their donation be used for a purpose or program related to the national objectives and mission of Biathlon Canada. Biathlon Canada will make every effort to meet this intent but has sole discretion in the use of donated funds.
- A gift to Biathlon Canada must be made without any implied or express condition or understanding that it be transferred to a local club, division, athlete or other named beneficiary. Biathlon Canada will not lend its registration number to a member club or a division, or delegate the issuance of the receipt to those organizations.

- In the event funds are provided by Biathlon Canada to a local club or division, Biathlon Canada may require, as a condition of providing funds, such records and accounting from the local club or division as it deems appropriate.
- All fund agreements up to **[\$1,000]** requiring execution by Biathlon Canada shall first be reviewed and approved as to form and content by the General Manager. Fund agreements valued over **[\$1,000]** shall also be reviewed by the President. Where substantially the same agreement is used repeatedly, only the prototype needs to be approved.
- Biathlon Canada shall adhere to a Professional Codes of Ethics (see attached).
- In those cases where acceptance of the gift imposes a financial obligation on Biathlon Canada, or where financial evaluations are required in order to issue a receipt or determine future values, the gift will not be accepted without prior approval by the President.
- All records about donation amounts will be kept confidential. Any requests for anonymity will be respected.

DECLINING A GIFT

At times, Biathlon Canada may choose to decline a gift. The following conditions justify such an action:

- The gift constitutes a non-gift as per CRA;
- There are unusual features to the gift that are contrary to the objectives, values and goals of Biathlon Canada;
- The gift could financially or morally jeopardize the donor or Biathlon Canada;
- The gift or terms of the gift are illegal;
- Biathlon Canada is unable to honor the terms of the gift;
- An appropriate fair market value cannot be determined, or will result in unwarranted or unmanageable expense to Biathlon Canada;
- There are physical or environmental hazards to Biathlon Canada in accepting the offered gift;
- The gift should bear liens, caveats that result in unmanageable expense to Biathlon Canada;
- The gift could jeopardize Biathlon Canada's RCAA. The following is an example of a gift that would generate concern that CRA criteria are not being met, and hence would be unlikely to receive a tax receipt:
 - a donation directed to a club camp where a relative of the donor is one of 10 to 15 athletes participating (especially if the relative then received a reduction in the camp fee).
- The gift could be part of a tax shelter gifting arrangement as contemplated by the CRA;

- The gift could otherwise improperly benefit any individual; or,
- There are conditions attached to the gift or an understanding sought by the donor, which are unacceptable to Biathlon Canada.

The advice of a lawyer and/or other appropriate professional counsel will be sought when necessary to ensure compliance with existing legislation and applicable regulations.

APPRAISAL GUIDELINES

CRA requires satisfactory evidence of fair market value of gifts. Generally fair market value is the price highest price, expressed in dollars, that property would bring in an open and unrestricted market, between a willing buyer and a willing seller who are both knowledgeable, informed, and prudent, and who are acting independently of each other.

Biathlon Canada will deduct the fair market value of any advantage from the fair market value of gifts to determine the eligible amount of any gift for receipting purposes. When the fair market value at the time of donation, of either a non-cash gift or of an advantage cannot be determined, an official donation receipt cannot be issued.

For gifts whose value is thought to be over **[\$1,000]** and whenever else determined to be necessary, Biathlon Canada will seek an independent appraisal from a third party professional valuation specialist in determining the value for receipt purposes. Where property is appraised, the name and address of the appraiser will be included on the official donation receipt.

DONOR GRIEVANCES

Biathlon Canada provides a formal process to receive, document, and investigate complaints in a timely and equitable manner. The process outlined in this policy shall be the exclusive process to resolve complaints in respect of donations and gifts. This process will be communicated to donors and strictly adhered to. Complaints will be responded to within two (2) working days, employing the following:

- The General Manager is the designated staff person responsible for receiving and responding to donor complaints.
- Complaints will be investigated and addressed thoroughly, professionally and as quickly as possible.
- Donors may further appeal the initial disposition of the complaint to the Board of Biathlon Canada, who will consider the matter and render a decision in writing.
- Donors who remain dissatisfied with the resolution will be informed that they may write to the CRA. Address and phone number will be provided.
- The Board of Directors will be informed at least annually of the number, type and disposition of complaints received from donors or prospective donors.

INFORMATION TO DONORS

- All communication with donors and potential donors will include a statement outlining the purpose of the fundraising appeal, as well as sufficient information to facilitate further inquiries about Biathlon Canada.
- Where appeals for funds are made for general use, fundraising solicitations will clearly identify examples of Biathlon Canada's work.
- Biathlon Canada's legal name and charitable registration number will be used in all solicitations to identify the agency with the Charities Directorate of the Canada Revenue Agency.

DONOR RECORDS

To use and safeguard donor information, the following will be adhered to:

- Biathlon Canada will seek and record only information that is relevant to its fundraising efforts.
- Biathlon Canada will be truthful with regard to the identity of the agency and the purpose of all fundraising efforts.
- Confidential information pertaining to donors or prospective donors will be scrupulously protected, so that the relationship of trust between the donor and Biathlon Canada is upheld.
- Biathlon Canada will record all data accurately. Such information must be verifiable or attributable to its source.
- The collection and use of information will be done lawfully.
- Only information which is relevant and necessary to fundraising efforts will be maintained.

APPENDIX A

A DONOR BILL OF RIGHTS

Philanthropy is based on voluntary action for the common good. It is a tradition of giving and sharing that is primary to the quality of life. To assure that philanthropy merits the respect and trust of the general public, and that donors and prospective donors can have full confidence in the not-for-profit organizations and causes they are asked to support, we declare that all donors have these rights:

1. To be informed of the organization's mission, of the way the organization intends to use donated resources, and of its capacity to use donations effectively for their intended purposes.
2. To be informed of the identity of those serving on the organization's governing board, and to expect the board to exercise prudent judgment in its stewardship responsibilities.
3. To have access to the organization's most recent financial statements.
4. To be assured their gifts will be used for the purposes for which they were given.
5. To receive appropriate acknowledgment and recognition.
6. To be assured that information about their donations is handled with respect and with confidentiality to the extent provided by law.
7. To expect that all relationships with individuals representing organizations of interest to the donor will be professional in nature.
8. To be informed whether those seeking donations are volunteers, employees of the organization or hired solicitors.
9. To have the opportunity for their names to be deleted from mailing lists that an organization may intend to share.
10. To feel free to ask questions when making a donation and to receive prompt, truthful and forthright answers.

Developed by:

American Association of Fund Raising Counsel (AAFRC)
Council for Advancement and Support of Education (CASE)
Association for Healthcare Philanthropy (AHP)
Association of Fundraising Professionals (AFP)