



Overseas Activities and Donations (ACNC¹ External Conduct Standards)

A. Introduction:

From 1st July 2019 there are new rules (Standards) for overseas activities or donations to overseas groups.

This includes:

- a) Sending money overseas (no matter how small and even if through a 3rd party)
- b) Sending goods overseas
- c) Sending staff, volunteers or members overseas
- d) Conducting activities or working overseas
- e) Buying goods and services from overseas suppliers (including online purchases unless intended to benefit people in Australia)
- f) Working with individuals or organisation located overseas (e.g. support to students studying overseas)

Ignoring or not complying with these rules is wrong and puts people at risk.

B. The Rules (Standards)

1/ Standard 1: Activities and control of resources (funds, goods/products and services/volunteer work)

The first rule requires you to take **reasonable steps** to ensure that:

- a) Overseas activities/resources are in line with your church's purpose
- b) Resources you provide are used in a way that is in line with your church's purpose
- c) Resources used by third parties are used in line with your church's purpose.
- d) Resources/activities comply with Australian Laws

To meet Standard 1, you need to at least do the following:

- a) Obtain Church Council approval for overseas activities or funding requests
- b) Check reputation of overseas partners by reading their websites and any other documentation to ensure they are who they say they are. Check if they are:
 - a. Listed as members of Australian Council for International Development; or
 - b. Registered with the Australian Charities and Not for Profit Commission (ACNC).
- c) Monitor overseas work – ask for regular reports and provide these to church council.
- d) Have a written agreement with overseas partners that set out the functions and responsibilities of everyone involved.
- e) Have thorough recruitment procedures for staff and volunteers that include appropriate background checks.
- f) Make sure you have a process that allows people to report suspected wrongdoing without fear, retaliation or disadvantage.

Just because people are well-intentioned doesn't automatically mean they are ok! They may be doing the wrong thing such as, stealing funds or supporting terrorism or child slavery etc.

The safest option is to donate to charities that are registered in Australia.

¹ The Australian Charities and Not-for-Profit Commission is the national regulator of registered charities
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2/ Standard 2: Annual Review of overseas activities and record-keeping

You must keep records listing activities and related expenditure on a country by country basis (Register).

This needs to include:

- 1) Record a list of all international donations or support including
 - a. type of activity
 - b. how it meets your purpose
 - c. expenditure; and

Must be complete, accurate, legible, prepared in a timely manner, in English, stored safely and kept for 7 years.

A suggested example of a Register is attached.

3/ Standard 3: Anti-Fraud and Anti-Corruption

You must take reasonable steps to:

- a) Minimise risk of corruption, fraud, bribery and other financial impropriety by employees, volunteers and third parties outside Australia
- b) Identify and document any conflict of interests by employees, volunteers and third parties outside Australia

The measures outlined in other Standards will support in reducing this risk.

4/ Standard 4: Protection of vulnerable individuals

You must take reasonable steps to ensure the safety of vulnerable individuals overseas. As a Church, the safety of people is important and it is wrong to put vulnerable people at risk. Steps should include:

- a) Create a policy that commits the staff, volunteers, third parties and visitors to protecting vulnerable individuals.
- b) Have a Code of conduct outlining appropriate behaviour when working with vulnerable people.
- c) Have a procedure for confidential complaints that is accessible for all vulnerable persons, staff, volunteers and third parties. Deal with complaints appropriately, sensitively and promptly.

C. What if we don't comply?

The ACNC has powers to investigate and take enforcement action if a registered charity does not comply with the law. In extreme cases, the ACNC may revoke a charitable registration which would remove its tax exempt status.

D. Further information

Attached are the following forms: "External Funding and Activities Register" and "International Activities and Giving Review and Approval Form".

For further information on External Conduct Standards refer to: www.acnc.gov.au/esc

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