



# Overseas Activities and Donations (ACNC<sup>1</sup> External Conduct Standards)

## A. Introduction:

External Conduct Standards (Standards) were established by the ACNC for overseas activities or donations to overseas groups, taking effect from 1 July 2019.

This includes:

- a) Sending money overseas (no matter how small and even if through a 3<sup>rd</sup> 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 Standards is wrong and puts people at risk.**

## B. The Standards

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

The first Standard 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:
  - a. Are listed as members of Australian Council for International Development; or
  - b. Are registered with the Australian Charities and Not for Profit Commission (ACNC).
  - c. Have appropriate registrations and licences to conduct activities with vulnerable people, and that they meet required standards.
- c) Use secure, monitored services when transferring funds (e.g. formal banking systems) and ask recipients to confirm receipt of the funds.
- d) Monitor overseas work – ask for regular reports and provide these to church council.
- e) Have a written agreement with overseas partners that set out the functions and responsibilities of everyone involved.
- f) Have thorough recruitment procedures for staff and volunteers that include appropriate background checks.

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<sup>1</sup> The Australian Charities and Not-for-Profit Commission (ACNC) is the national regulator of registered charities.



- g) Make sure you have a process that allows people to report suspected wrongdoing without fear, retaliation or disadvantage.
- h) Keep a register of the charity's equipment and monitor its use, and make sure the equipment is stored securely.

**Just because people are well-intentioned does not 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.***

## **2/ Standard 2: Annual Review of all 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.
- d) Ensure staff and volunteers working overseas have access to suitable housing, food, insurance, medical services and communications.
- e) Establish an emergency exit plan for staff and volunteers working in conflict zones, or other dangerous locations.

## **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](http://www.acnc.gov.au/esc)

#### **E. Contacts**

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