



Restoring Dignity, Inspiring Change.

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Donation/Gift Acceptance Policy

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The International Catholic Migration Commission, Gift Acceptance Policy

The International Catholic Migration Commission (ICMC), seeks to further its mission to protect and serve uprooted people, Including refugees, asylum seekers, internally displaced people, victims of human trafficking, and migrants - regardless of faith, race, ethnicity or nationality, through the solicitation, acceptance, and administration of various kinds of gifts.

I. Purpose of Policy

This policy serves to clarify ICMC’s position on accepting donations from the corporate sector, individuals, foundations, and trusts and to ensure ethical considerations, based on traditional Catholic Church and other humanitarian values and principles, when seeking or accepting a gift and to secure the future growth and mission of ICMC.

In order to adopt a consistent approach, this policy outlines the types of gifts that are acceptable, furthers a consistent approach in soliciting and receiving donations from individual donors and when in outreach and establishment of potential partnerships with the business sector, and provides guidance to prospective donors when making gifts to ICMC.

II. Guiding Principles

a. Catholic Identity and Teaching

ICMC may accept donations from any source but may reject a gift from a donor whose objectives or activities appear to be Incompatible with ICMC's vision, mission, and values or is not in conformity with Catholic Church Teaching.

b. General Guidelines

- i. These policies apply to all donations to ICMC of any time and from any source.
- ii. For an Assessment of Gifts, see Appendix A: Gift Acceptance Questions.
- iii. All donations shall conform to applicable tax laws.
- iv. Donor Assessment: In considering acceptance of a gift from a corporation, a donor assessment will be conducted before accepting the first donation. Where there is an ongoing relationship with ICMC, the donor assessment will be repeated every three (3) years
 1. See Appendix A for questions on Donor Assessment
- v. ICMC, will make efforts to avoid any competition between its programs and will not proactively seek or accept donations from any sources that could be a detriment to a program's operations.
- vi. Changes to Gift Acceptance Policies: These policies and guidelines have been reviewed and accepted by the Governing Committee of ICMC, which also will be expected to review and approve any changes to, or deviations from, these policies.

Review: The Gift Acceptance Policy should be reviewed every five (5) years to ensure that it remains relevant and up to date.

c. Conflicts of Interest

ICMC, will routinely advise prospective donors to seek the assistance of an independent professional counsel such as legal or financial advisers in matters relating to their gifts, tax, and estate planning consequences.

If a member of the Governing Committee of ICMC, perceives a conflict of interest regarding whether or not ICMC, should accept a gift related to his/her own personal interests, this person will be requested to recuse himself or herself from the decision- or policy-making in the particular situation.

d. Outside counsel

ICMC, shall seek the advice of legal counsel in gift acceptance matters when appropriate. Review by counsel is recommended for:

- i. Closely held stock transfers subject to restrictions
- ii. Documents naming ICMC, as a Trustee
- iii. Gifts involving contracts or other documents requiring ICMC, to assume an obligation
- iv. Transactions with potential conflict of interest that may invoke IRS or other sanctions
- v. Other instances where the Secretary General deems such legal advice warranted.
- vi. Gift Acceptance

In the course of implementing this policy, members of the Governing Committee of ICMC, staff, and volunteers should consult with the Secretary General before accepting any donations that do not clearly conform to the provisions of this Policy.

The above-mentioned persons are expected to conform to the provisions of the ICMC Code of Conduct when offered personal gifts.

The Secretary General will review potential risk aspects related to the implementation of this policy, respond quickly to unusual gift offers, make timely decisions, and, when appropriate, will seek further consideration and recommendations from the Governing Committee of ICMC.

Should there be disagreement related to implementation of these policies in a specific donation-related matter, the Secretary General will retain the right to make any final decision, in consultation, when appropriate, with the Governing Committee of ICMC

III. Target Groups for cultivating donations and other appropriate gifts

- a. ICMC, will seek funding primarily from:
 - i. Institutional Donors
 - ii. Corporate Sector
 - iii. Trusts and Foundations
 - iv. Embassies
 - v. Dioceses
 - vi. Individuals
 - vii. Church related organizations
 - viii. Other philanthropic organizations
- b. ICMC may undertake fundraising in national press or other forms of communication, e.g., TV commercials, social media messaging, etc.
- c. ICMC may undertake fundraising on the internet or on social media e.g., Facebook ads.

IV. Prohibited Gifts and Restricted Gifts

ICMC may accept restricted gifts (gifts targeted to a particular ICMC project or programme) as long as they are consistent with ICMC's mission and in conformity with Catholic Church teaching, and where clearly outlined in a gift agreement letter. For gifts involving specific restrictions on ICMC use, donors will be urged to provide some flexibility should the purpose of the restriction no longer be appropriate or necessary.

- a. Prohibited Gifts: ICMC reserves the right to refuse a proposed donation for reasons including, but not limited to the following:
 - i. The gift, or gift transaction, involves an illegality.
 - ii. The gift, or gift transaction is in conflict with the missions or policies of ICMC, and/or is not in conformity with Catholic Teaching.
 - iii. The benefit of the gift is outweighed by the potential negative publicity if the gift is accepted.
 - iv. The benefit of the gift is insufficient in regard to the administrative and/or legal effort involved in its acceptance.
 - v. The donation restricts ICMC from seeking gifts from other donors.
 - vi. The restrictions on the gift are deemed unacceptable to ICMC.
- b. Acceptance of Gifts: ICMC will accept unrestricted donations, and donations for specific programs and purposes, provided that such donations are not inconsistent with its stated mission, purposes, and priorities.
- c. Restrictions on Gifts
 - i. ICMC will not accept:
 - 1. Gifts that are too restrictive in purpose ;
 - 2. Gifts that violate the mission of ICMC ;
 - 3. Gifts that are too difficult to administer ;
 - 4. Gifts that are beyond the scope of ICMC's policies, or
 - 5. Gifts that are for purposes outside the mission of ICMC.
- d. All final decisions on the potentially prohibitive or restrictive nature of a gift, and its acceptance or refusal, shall be made by the Secretary General.

V. Forms of Gifts

The following forms of gifts may be accepted insofar as they conform with ICMC's policies and mission, and thus there is no reason to refuse the donation in accordance with the principles and rules set out at above.

- a. Cash
- b. Publicly Traded Securities
 - i. As a general rule, all marketable securities shall be sold upon receipt unless otherwise directed by the Secretary General.
 - ii. In some cases, securities laws may restrict marketable securities. In this case, the Secretary General shall make a determination on the acceptance of the gift.

- iii. Transfer process
 - 1. Stock in bank or brokerage firm: donor shall direct their broker to make a gift by electronic transfer directly to an ICMC account.
 - 2. Stock Certificate: the donor shall endorse the stock certificate and deliver it to the ICMC office.
 - 3. The ICMC Development Officer shall be notified in advance of any transfer of
 - a. The donor's name,
 - b. The name of the stock
 - c. The number of shares,
 - d. The date and time of the anticipated transfer.
 - 4. ICMC will send a receipt, in a timely manner, to the donor which will note:
 - a. Name of the stock
 - b. Number of gifted shares
 - c. Date the stock was received
 - d. If any goods or services were provided by ICMC in exchange for the gift.
 - e. The stock's high and low value on the day of transfer.
- c. Restricted or Closely Held Securities
 - i. Closely held securities Including debt and equity positions in non-publicly traded companies, interests in limited partnerships, and limited liability companies, or other forms of ownership may be accepted on the approval of the Secretary General.
 - ii. The Secretary General will take into account but not be limited to:
 - 1. Any restrictions on the security that would prevent ICMC from converting the assets to cash,
 - 2. If the security is marketable, and
 - 3. That the security will not generate any undesirable consequences (such as taxes) for ICMC.
 - iii. If issues arise on the review of the security, outside legal counsel should be sought. The Secretary General shall make a final determination on the acceptance of the gift, duly taking into account the advice of outside counsel.
 - iv. Closely Held Stock
 - 1. Gifts of this nature will only be accepted after a review of the restrictions with the stock and approval of the Secretary General.
 - 2. Donor will be made aware that ICMC is free to sell the stock whenever and to whomever it sees fit.
 - 3. Gifts will be credited at the per-share cash purchase price of the most recent transaction, which is normally the buy-back transaction of the donor. If this does not apply, an independent appraiser may determine the value.

- v. Prior to acceptance of any restricted or closely held security:
 - 1. The Secretary General shall try to determine the fair market value of the gift.
 - 2. The Secretary General will explore options for the sale of the non-marketable security, which would then be sold as quickly as possible.
 - vi. ICMC will send a receipt in a timely manner to the donor which will note:
 - a. Name of the stock
 - b. Number of gifted shares
 - c. Date the stock was received
 - d. If any goods or services were provided by ICMC in exchange for the gift.
- d. Real estate: The Secretary General must approve any gift of real estate.
- i. Gifts may include developed or undeveloped property.
 - ii. A site visit shall be conducted by an ICMC representative to physically inspect and document the property.
 - iii. ICMC shall conduct an environmental review to ensure no damage that could hinder a sale.
 - iv. Prior to acceptance, ICMC shall determine:
 - 1. If the property is useful for ICMC purposes,
 - 2. If the property is marketable,
 - 3. If there are any restrictions, liens, reservations, easements, or other limitations on the property,
 - 4. If there are any boundary, zoning, or property issues,
 - 5. The carrying costs on the property. For example, insurance, property taxes, mortgages, repairs, upkeep, security, notes, and staff time etc. associated with property.
 - v. Remainder interests may be accepted in a personal residence, farm, or vacation property, subject to the examination above.
 - 1. Where ICMC receives a gift of a remainder interest, expenses for maintenance, repair, taxes, insurance, and any property debts must be paid by the donor or primary beneficiary.
 - 2. An annual inspection of the property shall be completed at a mutually convenient time.
 - 3. ICMC will obtain insurance for its separate interest.
 - 4. The life tenant and ICMC can mutually choose to sell the property and will agree on the mechanism used to value the remainder interest prior to accepting the gift.
 - vi. If the property is given by will or trust, ICMC will request the executor to sell the property directly from the estate or trust, with ICMC as the beneficiary of the funds of the sale.
 - 1. If ICMC is required or chooses to take title of the property, the same examination as above will apply.

- vii. Leased property: Real estate subject to an existing rental agreement or lease can be accepted so long as the property is subject to an outright lease of a fixed amount per year.
 - viii. Bargain Sale: This type of gift will only be considered if the asset can be liquidated promptly after purchase or certain circumstances that the Secretary General permits. The Secretary General will determine if ICMC can accept such a gift.
 - ix. When ICMC accepts or holds real property, hazard and liability insurance will be obtained immediately in order to protect the asset.
- e. Oil, gas, and mineral interests: ICMC may accept oil, gas, and mineral interests as approved by the Secretary General.
- i. Prior to acceptance:
 1. ICMC will determine the value of the gift.
 2. ICMC will determine if there are any considerations which make the gift inappropriate.
 3. ICMC will conduct an environmental review on the property to ensure that ICMC will not face environmental liability.
 - ii. ICMC will resell the interest immediately after acceptance.
- f. Life insurance: ICMC may accept gifts of life insurance policies upon the death of the policyholder or when the premiums are paid in full.
- i. ICMC welcomes being named as the beneficiary of life insurance policies.
 - ii. ICMC shall be named as the beneficiary and irrevocable owner of an insurance policy before the life insurance policy can be recorded as an irrevocable gift.
 - iii. ICMC will also accept life insurance policies where additional premiums must be paid so long as the donor agrees to make annual contributions to ICMC to cover the premiums or pays the premiums directly.
 1. Gifts of this nature will be accepted only if ICMC has the right to cash out the policy when and if it sees fit.
 2. Should the donor decide to stop the payments to cover the premium payments, ICMC may:
 - a. Continue to pay the premiums,
 - b. Surrender the policy for its current cash value,
 - c. Cash out the policy,
 - d. Convert the current policy in exchange for a new policy,
 - e. Sell the policy to a life settlement company.
 - iv. After the receipt of a life insurance policy, ICMC shall obtain an "in force" illustration from the issuing insurance company to determine if the policy should be sold back to the company, kept until maturity, or sold via other means such as a life settlement agreement.
- g. Tangible and Intangible personal property:

- i. Gifts of personal property shall be examined with the following considerations
 - 1. Does the property fulfil the mission of ICMC?
 - 2. Is the property marketable?
 - 3. Can the gift be easily liquidated?
 - 4. Are there any restrictions on the use or sale of the property?
 - a. Do restrictions create a burden on ICMC?
 - 5. How much staff time is necessary to manage this gift?
 - 6. What, if any, are the other miscellaneous costs on the property?
 - ii. A gift of personal property will only be accepted if:
 - 1. There is a clear understanding on how it will be liquidated, who will be responsible for the disposal, and a realistic timeline set for the disposal.
 - iii. Gifts can also include patents, copyrights, trademarks, royalties, licenses, etc.
- h. Retirement plan beneficiary designations: Donors are encouraged to name ICMC as the beneficiary of their retirement plans.
 - i. The designation will be recorded when the gift is deemed irrevocable.
 - 1. When the gift is deemed irrevocable but is not until a future date, the present value of the gift may be recorded at the time the gift becomes irrevocable.
- i. Charitable Remainder (CRT) Trusts: ICMC may accept a designation as the remainder beneficiary of a charitable remainder trust upon approval of the Secretary General.
 - i. ICMC shall seek to have ICMC's legal counsel to review any CRT agreement in order to ensure no fatal flaws that could harm the Income and remainder (ICMC) beneficiaries.
 - ii. ICMC will not accept an appointment as a trustee of a charitable remainder trust.
- j. Charitable Lead Trusts: ICMC may accept a designation as Income beneficiary of a charitable lead trust.
 - i. ICMC may not serve as a trustee of a Charitable Lead Trust.
- k. Bequests: ICMC will encourage donors to make bequests to ICMC under their wills, living trusts, or other estate planning vehicles.
 - i. The designation will be recorded when the gift is deemed irrevocable.
 - 1. When the gift is deemed irrevocable but is not until a future date, the present value of the gift may be recorded at the time the gift becomes irrevocable.
 - ii. If the language of the bequest restricts the gift for a specific project or use, ICMC will strive to honour those wishes and the donor will be urged

to provide some flexibility. In the absence of any agreement about the intended use of the bequest, funds received will be used as determined by ICMC Governing Committee or ICMC policy.

- iii. No employee of ICMC shall serve as the executor of the estate in order to avoid conflicts of interest.

I. Miscellaneous Gifts of an unusual nature:

- i. Mutual Funds. ICMC may accept mutual funds.
- ii. Gold. ICMC may accept gold coins and other forms of gold.
- iii. Partnership Interests. ICMC may accept partnership interests, which must be reviewed by the Secretary General, and ICMC's legal counsel in regards to taxation and to avoid potential liability.

m. Matching Gifts: ICMC shall accept matching corporate or foundation gifts.

- i. ICMC shall encourage donors to make matching gifts to ICMC
- ii. The donor will receive confirmation that ICMC has received his or her matching gift request.
- iii. Corporations and foundations that have participated in ICMC's matching gift program will receive documentation at the end of each fiscal year listing all the gifts made to ICMC in addition to ICMC's annual report.

n. In-Kind Gifts: ICMC shall accept in-kind gifts.

- i. ICMC shall provide a receipt that describes the in-kind gift.
- ii. ICMC shall ask the in-kind donor to provide an estimated value of the gift.

VI. **Miscellaneous Provisions**

- a. It will be the donor's responsibility to secure an appraisal and independent legal counsel for gifts made to ICMC

VII. **Gift Recording and Stewardship:** ICMC shall maintain accurate records and provide appropriate receipts and documentation in order to allow donors to avail themselves of the tax benefits to which they may be entitled.

- a. Date: a gift is effective on the date the gift is unconditionally delivered to ICMC
 - i. Mail: postmark
 - ii. Electronic: date the gift was received in an ICMC account
- b. All donations accepted by the ICMC shall be recorded.
- c. Memorial and Tribute Gifts
 - i. When a donor gives a gift in memory of an individual, at the request of the donor, the ICMC will notify the family or specified representative, with no dollar amount mentioned.

- ii. When a donor makes a gift to honour an individual, at the request of the donor, ICMC will notify the honouree of the gift with no dollar amount mentioned.
- d. Donor Recognition Policy
 - i. Each donor will receive a personal letter of thanks acknowledging their gift, with a standard of one week, and maximum of three weeks from making the donation.
 - ii. Additional cultivation and stewardship actions will be taken. Such actions will include but not be limited to:
 1. Event invitations
 2. Newsletters
 3. Appeal updates
 4. Reports on effectiveness of donor gift and programme success
 5. Letters of thanks from programme managers
 6. Letters of thanks from programme/appeal recipients
 7. ICMC's Annual Report
 8. Telephone calls
 9. Emails
 10. Christmas cards
 11. Notes of congratulations or sympathy
- e. ICMC will document the identity of significant donors and respect the Donor Bill of Rights.
 - i. ICMC will adopt the Donor Bill of Rights see Appendix B

Appendix A : Gift Acceptance Questions

Question	Action Required
1. Is there any reason to believe the donor's (whether individual or business) activities are illegal?	If YES reject If NO proceed to Q2
2. Do the donor's objectives, activities, and working practices go against ICMC's mission, vision, and values and Catholic Teaching? Are the donor's activities, policies, or products likely to cause human suffering? Is there any evidence of discrimination against workers on the basis of race, gender, or religion?	If YES reject

<p>Is there evidence that the donor has direct or indirect involvement in the exclusion from land or other property previously owned or occupied by them?</p> <p>Is there any evidence that the donor is involved in unreasonable exploitation of employees as evidenced by their wages, working conditions, and opportunities?</p> <p>Are the donor's activities or policies harmful to the environment?</p> <p>Are there any other considerations to be taken into account?</p>	<p>If NO proceed to Q3</p> <p style="text-align: center;">Donor Assessment Questions</p>
<p>3. Is an association with the donor likely to cause damage to ICMC's integrity, public image, or professional reputation?</p>	<p>If YES reject</p> <p>If NO, prepare briefing Secretary General and/or ICMC Governing Committee.</p>

Appendix B: Donor Bill of Rights (Adapted)

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 committee, and to expect the committee 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.