

ICT Board of Directors Policy on Gift Acceptance Guidelines

Updated December 12, 2023

The International Campaign for Tibet, a not for profit organization organized under the laws of the District of Columbia, encourages the solicitation and acceptance of gifts to International Campaign for Tibet (hereinafter referred to as the ICT) for purposes that will help ICT to further and fulfill its mission. The following policies and guidelines govern acceptance of gifts made to ICT or for the benefit of any of its programs.

Mission

The International Campaign for Tibet (ICT) is a monitoring and advocacy group dedicated to promoting human rights and democratic freedoms for the people of Tibet. ICT works to keep pressure on the U.S. government and other governments to support Tibet, advocate for Tibetans imprisoned for their political and religious beliefs, provide humanitarian assistance to Tibetans in exile, and promote a peaceful resolution of the occupation of Tibet through negotiations between China and the Dalai Lama. ICT supports the right of self-determination for the Tibetan people and thus does not take a position on any particular form of self-determination such as independence or autonomy. Founded in 1988, ICT is a tax-exempt, non-profit organization with offices in Washington, Amsterdam and Berlin.

I. Purpose of Policies and Guidelines

The board of directors of International Campaign for Tibet and its staff solicit current and deferred gifts from individuals, corporations, and foundations to secure the future growth and missions of the ICT. These policies and guidelines govern the acceptance of gifts by ICT and provide guidance to prospective donors and their advisors when making gifts to ICT. The provisions of these policies shall apply to all gifts received by ICT for any of its programs or services.

II. Use of Legal Counsel

The International Campaign for Tibet shall seek the advice of legal counsel in matters relating to acceptance of gifts when appropriate. Review by counsel is recommended for:

- 1) Closely held stock transfers that are subject to restrictions or buy-sell agreements.
- 2) Documents naming the International Campaign for Tibet as Trustee.
- 3) Gifts involving contracts, such as bargain sales or other documents requiring the International Campaign for Tibet to assume an obligation.
- 4) Transactions with potential conflict of interest that may invoke IRS sanctions.
- 5) Other instances in which use of counsel is deemed appropriate by the gift acceptance committee.

III. Conflict of Interest

The International Campaign for Tibet will urge all prospective donors to seek the assistance of personal legal and financial advisors in matters relating to their gifts and the resulting tax and estate planning consequences. ICT will comply with the *Model Standards of Practice for the Charitable Gift Planner* promulgated by the National Committee on Planned Giving. ICT Board Members also sign a conflict of interest statement annually.

IV. Corporate Gift Acceptance

The International Campaign for Tibet recognizes the potential conflict between receiving corporate donations and fulfilling our humanitarian mandate.

A corporate donor must not be in conflict with the principles of the ICT Articles of Incorporation and mandate.

The organization will not accept contributions from corporations/industries and their respective corporate foundations whose core activities may be in direct conflict with the goals of ICT, or in any way limit ICT's ability to carry out its programs.

ICT should not accept funds from a particular industry if accepting the gift prevents ICT from achieving greater benefits for the Tibetan people.

V. Restrictions on Gifts

ICT will accept unrestricted gifts, and gifts for specific programs and purposes, provided that such gifts are not inconsistent with its stated mission, purposes, and priorities. ICT will not accept gifts that are too restrictive in purpose. Gifts that are too restrictive are those that violate the terms of the Articles of Incorporation, gifts that are too difficult to administer, or gifts that are for purposes outside the mission of ICT. All final decisions on the restrictive nature of a gift, and its acceptance or refusal, shall be made by the Gift Acceptance Committee of ICT. In drafting instruments for the gift of restricted funds to ICT, donors and their advisors shall be encouraged to use language that would permit application of the gift to a more general purpose if, in the opinion of the board, the designated purpose is no longer feasible.

VI. The Gift Acceptance Committee

The gift acceptance committee shall consist of:

- 1) the president of ICT;
- 2) the executive director of ICT; and
- 3) the finance committee of the ICT Board of Directors.

The gift acceptance committee is charged with the responsibility of reviewing all restrictive and/or complex gifts made to ICT, properly screening and accepting those gifts, and making recommendations to the board on gift acceptance issues when appropriate.

VII. Types of Gifts

The following gifts are acceptable:

- Cash
- Tangible Personal Property
- Securities
- Real Estate
- Remainder Interests in Property
- Life Insurance
- Charitable Gift Annuities
- Charitable Remainder Trusts
- Charitable Lead Trusts
- Retirement Plan Beneficiary Designations
- Bequests
- Life Insurance Beneficiary Designations
- Donor Advised Funds
- Crypto Currency

The following criteria govern the acceptance of each gift form:

- 1) **Cash.** Cash is acceptable in any form. Checks shall be made payable to the International Campaign for Tibet and shall be managed according to ICT's Gift Processing Procedure.
- 2) **Tangible Personal Property.** All other gifts of tangible personal property shall be examined in light of the following criteria:
 - Does the property fulfill the mission of ICT?
 - Is the property marketable?
 - Are there any undue restrictions on the use, display, or sale of the property?
 - Are there any carrying costs for the property?

The gift acceptance committee of ICT shall make the final determination on the acceptance of other tangible property gifts.

- 3) **Securities.** ICT can accept both publicly traded securities and closely held securities.

Publicly Traded Securities. Marketable securities may be transferred to an account maintained at one or more brokerage firms or delivered physically with the transferor's signature or stock power attached. As a general rule, all marketable securities shall be sold upon receipt in accordance with the *Policy on Investment Guidelines for the International Campaign for Tibet* unless otherwise directed by the Gift Acceptance Committee. In some cases marketable securities may be restricted by applicable securities laws; in such instance the final determination on the acceptance of the restricted securities shall be made by the gift acceptance committee of ICT.

Closely Held Securities. Closely held securities, which include not only debt and equity positions in non-publicly traded companies but also interests in limited partnerships and limited liability companies, or other ownership forms, can be accepted subject to the approval of the gift acceptance committee of ICT. However, gifts must be reviewed prior to acceptance to determine:

- there are no restrictions on the security that would prevent ICT from ultimately converting those assets to cash;
- the security is marketable; and
- the security will not generate any undesirable tax consequences for ICT.

If potential problems arise on initial review of the security, further review and recommendation by an outside professional may be sought before making a final decision on acceptance of the gift. The gift acceptance committee of ICT and legal counsel shall make the final determination on the acceptance of closely held securities when necessary. Every effort will be made to sell non-marketable securities as quickly as possible.

- 4) **Real Estate.** Gifts of real estate may include developed property, undeveloped property, or gifts subject to a prior life interest. Prior to acceptance of real estate, ICT shall require an initial environmental review of the property to ensure that the property has no environmental damage. In the event that the initial inspection reveals a potential problem, ICT shall retain a qualified inspection firm to conduct an environmental audit. The cost of the environmental audit shall generally be an expense of the donor.

When appropriate, a title binder shall be obtained by ICT prior to the acceptance of the real property gift. The cost of this title binder shall generally be an expense of the donor.

Prior to acceptance of the real property, the gift shall be approved by the gift acceptance committee of ICT and by ICT's legal counsel. Criteria for acceptance of the property shall include:

- Is the property useful for the purposes of ICT?
- Is the property marketable?
- Are there any restrictions, reservations, easements, or other limitations associated with the property?
- Are there carrying costs, which may include insurance, property taxes, mortgages, or notes, etc., associated with the property?
- Does the environmental audit reflect that the property is not damaged?

- 5) **Remainder Interests in Property.** ICT will accept a remainder interest in a personal residence, farm, or vacation property subject to the provisions of paragraph 4 above. The donor or other occupants may continue to occupy the real property for the duration of the stated life. At the death of the donor, ICT may use the property or convert it to cash. Where ICT receives a gift of

a remainder interest, expenses for maintenance, real estate taxes, and any property indebtedness are to be paid by the donor or primary beneficiary.

- 6) **Life Insurance.** ICT must be named as both beneficiary and irrevocable owner of an insurance policy before a life insurance policy can be recorded as a gift. The gift is valued at its interpolated terminal reserve value, or cash surrender value, upon receipt. If the donor contributes future premium payments, ICT will include the entire amount of the additional premium payment as a gift in the year that it is made.

If the donor does not elect to continue to make gifts to cover premium payments on the life insurance policy, ICT may:

- continue to pay the premiums;
- convert the policy to paid up insurance; or
- surrender the policy for its current cash value.

- 7) **Charitable Gift Annuities.** ICT may offer charitable gift annuities. The minimum gift for funding is \$5,000. ICT's President may make exceptions to this minimum. The minimum age for life income beneficiaries of a gift annuity shall be 55. Where a deferred gift annuity is offered, the minimum age for life income beneficiaries shall be 45. No more than two life income beneficiaries will be permitted for any gift annuity.

Annuity payments may be made on a quarterly, semi-annual, or annual schedule. ICT's President may approve exceptions to this payment schedule.

ICT will not accept real estate, tangible personal property, or any other illiquid asset in exchange for current charitable gift annuities. ICT may accept real estate, tangible personal property, or other illiquid assets in exchange for deferred gift annuities so long as there is at least a 5-year period before the commencement of the annuity payment date, the value of the property is reasonably certain, and the president of ICT approves the arrangement.

Funds contributed in exchange for a gift annuity shall be set aside and invested during the term of the annuity payments. Once those payments have terminated, the funds representing the remaining principal contributed in exchange for the gift annuity shall be transferred to ICT's general endowment funds, or to such specific fund as designated by the donor.

- 8) **Charitable Remainder Trusts.** ICT may accept designation as remainder beneficiary of a charitable remainder trust with the approval of the gift acceptance committee of ICT. ICT will not accept appointment as trustee of a charitable remainder trust.
- 9) **Charitable Lead Trusts.** ICT may accept a designation as income beneficiary of a charitable lead trust. The board of ICT will not accept an appointment as Trustee of a charitable lead trust.
- 10) **Retirement Plan Beneficiary Designations.** Donors and supporters of ICT will be encouraged to name ICT as beneficiary of their retirement plans. Such designations will not be recorded as gifts to ICT until such time as the gift is irrevocable. When the gift is irrevocable, but is not due

until a future date, the present value of that gift may be recorded at the time the gift becomes irrevocable.

- 11) **Bequests.** Donors and supporters of ICT will be encouraged to make bequests to ICT under their wills and trusts. Such bequests will not be recorded as gifts to ICT until such time as the gift is irrevocable. When the gift is irrevocable, but is not due until a future date, the present value of that gift may be recorded at the time the gift becomes irrevocable.
- 12) **Life Insurance Beneficiary Designations.** Donors and supporters of ICT will be encouraged to name ICT as beneficiary or contingent beneficiary of their life insurance policies. Such designations shall not be recorded as gifts to ICT until such time as the gift is irrevocable. Where the gift is irrevocable, but is not due until a future date, the present value of that gift may be recorded at the time the gift becomes irrevocable.

VIII. Miscellaneous Provisions

Securing appraisals and legal fees for gifts to the International Campaign for Tibet. It will be the responsibility of the donor to secure an appraisal (where required) and independent legal counsel for all gifts made to ICT. Prospective donors shall be strongly encouraged in all cases to consult with their own independent legal and/or tax advisors about proposed gifts, including tax and estate planning implications of the gifts. No representative of ICT shall provide legal or tax advice to any donor or prospective donor.

Valuation of gifts for development purposes. ICT will record a gift received by ICT at its valuation for gift purposes on the date of gift.

Responsibility for IRS Filings upon sale of gift items. ICT's accountant is responsible for filing IRS Form 8282 upon the sale or disposition of any asset sold within two years of receipt by ICT when the charitable deduction value of the item is more than \$5,000. ICT must file this form within 125 days of the date of sale or disposition of the asset. Form 8282 with Filing Instructions is attached as an appendix to these policies.

Acknowledgement of all gifts made to ICT and compliance with the current IRS requirements in acknowledgement of such gifts shall be the responsibility of the board of ICT. IRS Publication 561 Determining the Value of Donated Property and IRS Publication 526 Charitable Contributions are attached to these policies as an Appendix.

Any exceptions to these Gift Acceptance Policies may be made only in exceptional circumstances, on an individual basis, and shall require the approval of the Gift Acceptance Committee.

Refunds

We are grateful for all donations and support of the organization. Requests for refunds are not granted. Donations may be redirected from a restricted fund to general operating expenses.

IX. Changes to Gift Acceptance Policies

These policies and guidelines have been reviewed and accepted by the gift acceptance committee of the International Campaign for Tibet. The gift acceptance committee of the ICT must approve any changes to, or deviations from, these policies.