



## FESTIVAL TRANSAMÉRIQUES DONATION ACCEPTANCE AND PROCESSING POLICY

This policy regulates the procedures around accepting and managing donations from a variety of sources, including companies, associations, foundations and individuals, in support of current or future Festival TransAmériques (FTA) projects.

The policy aims to ensure :

- informed decision-making regarding the acceptance of donations (as defined below) and compliance with legal requirements, particularly those set out in the Income Tax Act (R.S.C. [1985], c. 1 [5th Supp.]);
- the application of efficient administration and accounting practices in line with those in use at FTA;
- accurate reporting of donations received by FTA;
- the consistent application of policies and guidelines with regard to donors.

### 1. DEFINITIONS

For the purposes of this policy, the following definitions apply:

- A "gift" is a transfer of money or tangible property that grants no rights, privileges, benefits or advantages to the donor, nor does it come with an obligation to transfer results. The donation is made to Festival TransAmériques, and may be used for the general purpose of carrying out its mission, or for a specific program or project.
- A "gift of securities" is a gift other than cash associated with tangible property or real estate, such as, but not limited to, real estate (including land or a building), movable property (works of art, books, cultural property, etc.) or marketable securities (shares, bonds, term deposits, guaranteed investment certificates, etc.).
- The "donation agreement" is a document or instrument signed by the donor which acknowledges or accompanies a donation to Festival TransAmériques. The purpose of the donation agreement is to establish the terms and conditions of a transfer of property made as a donation. It includes or appends a summary of the conditions applying to the proposed donation and its acceptance. It specifies how the donation will be managed and how the donor will be kept informed of its impact.
- A "promise to give" is a commitment to voluntarily transfer a sum of money or tangible property at a specified future date.

### 2. DONATION ELIGIBILITY

The types of donations that can be accepted by FTA include, but are not limited to:

- 2.1 cash donations (made in cash, by cheque, credit card, electronic transfer or payroll deduction);
- 2.2 donations of securities (stocks, bonds, mutual fund units, etc.);
- 2.3 deferred gifts (bequests, life insurance, pension plan assets, charitable remainder trusts, etc.).

### 3. ACCEPTANCE OF DONATIONS

- 3.1 The Festival retains ownership of all donations made, whether they are earmarked to support its mission or for a specific program.
- 3.2 The Festival is free to accept or refuse any donation. In particular, the Festival may refuse a donation in the following cases:
  - 3.2.1 The donation is contrary to law or public order;
  - 3.2.2 The donation could compromise the integrity, mission or reputation of the Festival;
  - 3.2.3 The donation creates financial or other obligations that are deemed inappropriate or disadvantageous for the Festival.
- 3.3 All donations are forwarded to the philanthropy department, where they are processed and official receipts are issued.
  - 3.3.1 The decision to accept or refuse a donation valued at less than one hundred thousand dollars (under \$100,000) rests with the executive director. In the event that a donation involves a risk of litigation, the executive director must consult the Board of Directors' governance committee and any other person whose advice it deems relevant in the circumstances.
  - 3.3.2 The decision to accept or refuse a donation valued at over one hundred thousand dollars (over \$100,000) rests with the Board of Directors. In the event that a donation involves a risk of litigation, the Board of Directors must consult any person whose opinion it deems relevant in the circumstances.
- 3.4 Unless required by special circumstances, the negotiation and drafting of donation conditions is coordinated by the head of philanthropy and partnerships or by the executive director.

### 4. ISSUING OFFICIAL DONATION RECEIPTS

- 4.1 Festival TransAmériques is a registered charity (# 10178 7554 RR0001).
- 4.2 An official donation receipt will be issued for all donations of twenty dollars (\$20) or more.
- 4.3 Official donation receipts are issued in accordance with applicable tax laws.
- 4.4 Official donation receipts are issued solely in the name of the donor, whether a natural or legal person.
- 4.5 For a gift of securities, the value of the gift will be based on the fair market value (FMV) of the donated shares or bonds at the time they are received by FTA.

### 5. RECOGNITION PROGRAM

Recognition offered to the donor will be in accordance with the current FTA recognition program. The organization reserves the right to modify this program at any time.

In the event that the Festival's executive director deems that association with a donor or corporate donor could be detrimental to the organization's reputation, management reserves the right not to offer all the acknowledgements set out in the recognition program, including the acknowledgement of the donor in its communications.

This policy was approved by the Board of Directors of Festival TransAmériques at a meeting held on December 12, 2023 in Montreal.



Michèle Lefaiivre  
Présidente



David Lavoie  
Secrétaire