Sovereign Hospitaller Order of St John of Jerusalem, Knights of Malta

(as Trustee for the Sovereign Hospitaller Order of St John of Jerusalem, Knights of Malta Benevolent Trust)

FUNDRAISING AND PARTNERSHIP CRITERIA

This document outlines the criteria for benevolent organisations seeking to partner with the Sovereign Hospitaller Order of Saint John of Jerusalem, Knights of Malta Benevolent Trust (The Benevolent Trust). Its purpose is to ensure that all funds raised are directed to partners whose missions and operations demonstrate compliance with the *Commissioner's Interpretation Statement: Public Benevolent Institutions*.[1]

CORE PRINCIPLES FOR PARTNER ALIGNMENT

To qualify for partnership, an organisation's mission and activities must align with the core principles of a Public Benevolent Institutions (PBI) as defined by the Australian Charities and Not-for-Profits Commission's (ACNC).

1. Public purpose: the partner organisation must provide benevolent relief to an appreciable section of the community that is in need. As per ACNC guidelines, this group of beneficiaries must be sufficiently wide and cannot be a restricted or exclusive class (such as members of a private club, employees of a specific company, or a very small, closed group of individuals). The criteria for selecting beneficiaries must be directly related to the need being relieved.
2. Benevolent relief: the partner organisation's activities must be for the relief of poverty, sickness, destitution, helplessness, suffering, misfortune, disability, or

[1] "Commissioner's Interpretation Statement: Public Benevolent Institutions", Australian Charities and Not-for-profits Commission (31 August 2023) <https://www.acnc.gov.au/tools/guidance/commissioners-interpretation-statements/commissioners-interpretation-statement-public-benevolent-institutions>.

distress. The condition being relieved must cause suffering that goes beyond the normal "pain and suffering of everyday life."

3. Legal and operational status: the partner organisation must be a legally registered and recognised body with the ACNC or an equivalent regulatory body.
4. Transparency and accountability: partners must be able to transparently report on the use of funds and demonstrate outcomes. This includes providing financial statements and other documentation as required by The Benevolent Trust.
5. Neutrality and impartiality: partners must operate without discrimination based on religion, race, origin, or any other factor. Their services must be available to all who meet the criteria for benevolent relief, subject to the organisation's capacity.

ELIGIBILITY CRITERIA FOR A PBI PARTNERSHIP

To be considered as a fundraising partner, an organisation must meet the following mandatory criteria:

1. ACNC registration: the organisation must be registered with the ACNC.
2. Mission alignment: the organisation's mission and goals must explicitly focus on providing benevolent relief as defined at 2 above.
3. Beneficiary group: the organisation must clearly demonstrate that its beneficiaries constitute an appreciable section of the community and not a private or closed group.[2]
4. Fund utilisation: all funds provided by The Benevolent Trust must be used exclusively for a specific, identifiable benevolent project. No portion of these funds should be allocated to general administrative or fundraising costs.
5. Reporting: the partner organisation must agree to provide regular reports and documentation to The Benevolent Trust, detailing how the funds have been used and the outcomes achieved.

[2] An ‘appreciable section of the community’ is a group of people linked by a shared, impersonal characteristic (such as a specific geographic location, a particular disability, or a shared circumstance like homelessness) rather than a personal relationship (such as being family members or employees of a particular company). While this group can be small, it must not be ‘numerically negligible’. The group must be open to all who meet the criteria, without an arbitrary test for admission: Fiona Martin, “Charities for the Benefit of Employees: Why Trusts for the Benefit of Employees Fail the Public Benefit Test” (2009) 5(1) Journal of Tax Research 59, 64-67; *Income Tax and Fringe Benefits Tax: Charities* (Taxation Ruling, No TR 2011/4, 12 October 2011), [136]-[149].

DECLARATION OF AGREEMENT TO CHARITY PARTNERSHIP CRITERIA – Declaration of Agreement

This section serves as a formal declaration for a representative of a partner organisation to confirm their agreement.

1. I have read, fully understand, and agree to abide by the *Fundraising and Partnership Criteria*, provided by the Sovereign Hospitaller Order of St. John of Jerusalem, Knights of Malta Benevolent Trust (The Benevolent Trust).
2. I certify that our organisation meets all the mandatory eligibility criteria outlined in this document.
3. I acknowledge that all funds provided by The Benevolent Trust must be used exclusively for the benevolent project as outlined in the *Charity Selection Application Form* and agree that no portion of these funds will be allocated to general administrative or fundraising costs.
4. I commit to providing the necessary reports and documentation to The Benevolent Trust as required, to ensure full accountability and transparency in the use of all funds received.
5. By signing below, I confirm that the information provided in our application is accurate and that we will operate in good faith to fulfill the terms of this partnership.

Full name of partner organisation:_____

Signature of authorised representative:_____

Printed name of authorised representative:_____

Role of authorised representative:_____

Date:_____