

DIOCESE OF KOOTENAY

	This Item	Replaces
File:	5.2.6a	5.2.6a
Date:	Dec 2022	Mar 2015

Origin: Diocesan Council
Status: Policy
Distribution: All Parishes, Congregations and Worshipping Communities
Subject: Gift and Memorial Policy

1. Introduction

Diocesan Council believes that a uniform Gift and Memorial Policy for Parishes, Congregations, and Worshipping Communities is important to the overall life of the Diocese. Consistent practices are desirable in the avoidance of legal, financial, and emotional problems. This document is intended to set out such policies however where uncertainties may arise, the final determinations in such matters shall rest with the Administration and Finance Committee of Diocesan Council and the Bishop.

The Gift Policy is organized into sections, as follows: General Terms & Conditions, Memorials, Gifts in Kind including Real Property, and Gifts of Cash and Monetary Certificates.

2. General Terms & Conditions

A. Delivery of Gifts

Documents or Gifts in Kind may be delivered to the Parish, at a Church Committee meeting, or to a member of the Parish Executive (Incumbent or Priest-in-charge, Treasurer or Wardens). At the discretion of the Parish Officers, a gift may be given to, or picked up by, a member of the Parish. The Parish will normally not pay for the transportation of gifts.

B. Acknowledgement

Unless the donor of a gift requests anonymity, a Letter of Thanks or other suitable acknowledgment will be prepared and sent out by the Incumbent and/or Wardens as soon as possible after the gift is received.

C. General Conditions

Donors will understand and agree that:

- Gifts shall be without conditions, unless agreed to by the Church Committee.
- Gifts may not be claimed back at a future date.
- The Church Committee will not receive gifts that may result in a loss of Parish reputation, time, or money.
- The Parish will not accept Gifts that are unduly restrictive in purpose, difficult to administer, inconsistent with the Missions of the Parish or the Diocese, or are subject to donor control.
- The Church Committee may seek the advice of legal counsel, beginning with the legal assessors of the Diocese, in matters relating to gift acceptance where uncertainty exists. Utilization of legal counsel should not be construed as gift acceptance or rejection, and represents a means of responsible investigation of the appropriateness of the prospective gift. Similarly, the Parish shall commend all prospective donors to seek the assistance of independent legal and financial advisors in matters relating to their proposed gift, and resulting tax and estate planning purposes.

D. Care of Gifts

The Parish will maintain appropriate stewardship of qualified Gifts. Memorials will be acknowledged and maintained according to the Policy on Memorials (see below).

E. Investment and Other Vehicles

In addition to the above, the Parish will not usually:

- Accept gifts of closely held stock transfers that are subject to buy-sell agreements.
- Receive documents wherein the Parish is named as a Trustee.
- Receive gifts wherein the Parish would be required to assume an obligation.
- Receive Options, Futures Contracts, or other Investment Vehicles that would expose the Parish to undue risk.

F. Liquidation of Non-Cash Gifts

Unless specifically determined by the Parish and the Administration and Finance Committee of the Diocese, most non-cash gifts, including real property, will be liquidated at fair market value at the time of receipt. The Parish is not in a financial position to bear investment risk nor is it qualified to manage investments.

3. Memorials

Please refer to Canon 11 of the Synod of the Diocese of Kootenay.

4. Gifts in Kind

A. Sole Use

Subject to the above General Conditions, the Parish may receive Gifts in Kind. Such Gifts become the property of the Parish for its exclusive use.

B. Criteria of Acceptance

A Gift in Kind should be appropriate to the general use, mission, worship, instruction, or beautification of the Parish including its buildings. In agreeing to receive the Gift the Parish will specifically consider the following questions:

- Are there undue restrictions on the Gift?
- Are there costs in carrying the Gift?
- Is the Gift marketable and are there restrictions placed on the Gift that would prevent the Parish from readily converting the Gift to cash, if appropriate?

C. Disposition

- A Gift in Kind appropriate to the Parish's use should be acknowledged. This may be at a Service of the Parish at a reasonable time after the gift receipt.
- A Gift in Kind that is a Memorial will be subject to the policy for Memorials as noted above.
- A Gift in Kind not given as a Memorial but which is accepted for use in Worship should be acknowledged and consecrated at a reasonable time after its receipt. The Parish will respect any request for anonymity.
- If it is decided that the Gift in Kind is not appropriate for use in the services or facilities of the Parish, the Parish Officers will be responsible for the sale of the Gift, subject to the wishes of the

donor prior to the Gift's acceptance. The proceeds of such a sale shall be passed to the Treasurer of the Parish and the amount acknowledged in such a manner as to honour the donor, respecting any requests for anonymity.

- In the specific case of the receipt of a Gift of suitably qualified Real Property, the Parish shall notify and must receive the approval of the Administration & Finance Committee of the Diocese.

5. Gifts of Cash or Monetary Certificates

A. Reception

- The Parish may receive gifts of money & suitable certificates (see above). Such gifts become the property of the Parish and are applied for its benefit.
- A Letter of Thanks shall be sent as soon as possible

B. Disposition

- The Gift shall be deposited to the accounts of the Parish.
- If a Gift is directed to a specific program or other use of the Parish, and the condition is acceptable to the Parish, it shall be applied to that use at the earliest reasonable time.
- When the Gift is applied for the conditions of its use, there should be a suitable acknowledgment of the donor or donors involved.

6. Tax Receipts

If a donor requests an Income Tax receipt for the Gift of Property or other Gifts in Kind, a written appraisal or other certificate supplied by the donor or their agent should accompany the Gift, and a tax receipt will be issued on the basis of that appraisal.

Subject to the Income Tax Act, direct reimbursement with the issuing of a tax receipt is not permitted. A donor may request reimbursement from the Parish and subsequently donate an equivalent sum of money **as an undesignated donation** if a tax receipt is desired.

Gifts of cash will be acknowledged by Income Tax receipts prepared in the usual way for the Parish. Gifts of labour cannot be receipted for income tax purposes.

The Diocese of Kootenay acknowledges the Parish of St. Mark, Kaslo and Christ Church Cathedral in the Diocese of New Westminster for assistance with the content of this Policy.