



NATIONAL TRUST OF AUSTRALIA (TASMANIA)

HERITAGE CONSERVATION APPEALS POLICY

PURPOSE:

To allow for the management of the Heritage Conservation Appeals Program

SCOPE:

This policy applies to the National Trust of Australia (Tasmania)

POLICY:

Introduction

The National Trust of Australia (Tasmania) was established by Act Parliament. The current Act (National Trust Act 2006) establishes 6 objectives for the Trust including:-

- Acquiring, promoting or ensuring the preservation and maintenance for the public benefit of places and objects of beauty or that have a historical, scientific, artistic, architectural or cultural interest:
- Cooperating with the Crown or with any corporation, body or society, either within or outside of Tasmania, having objects wholly or substantially similar to the objects of the Trust, in promoting the objects of the corporation, body or society of the Trust.

The initial funding partnership agreement between Heritage Tasmania and the Trust recognises that an important role of the Trust will be the support of community heritage initiatives. State funding is specifically provided for:-

- Support and coordination of local heritage projects;
- Sponsoring projects for non-incorporated bodies; and
- Coordination of the tax deductible gift program.

Donations to the Trust for its purposes are allowable deductions to donors under the Income Tax Assessment Act 1936.

The National Trust has operated a program of administering Heritage Conservation Appeals for many years. It has encouraged the establishment of public appeals for donations for the conservation of heritage places which typically have been listed on the heritage building registers held by Commonwealth, State and Local Government authorities as well as the Trust's own register.

In order to manage Heritage Conservation Appeals there is a need to have in place a set of requirements and guidelines. These guidelines are designed to promote best practice conservation works, as well as ensuring that appropriate administrative and financial processes are followed.

It is also recognised by the Trust that certain guidelines may not need to be in place prior to the commencement of an appeal. For example, the establishment of a memorial fund or the need to launch an appeal at an early stage of planning, before statutory approvals are in place. The Trust is prepared to assess each appeal according to its circumstances.

Requirements and Guidelines

1. Any party seeking to establish a National Trust conservation appeal must submit in writing to the Trust the following information:
 - Identification and description of the place or item,
 - Details of the owner of the place or item,
 - The conservation work proposed for the place, including staged works. It is most appropriate for a conservation management plan to have been prepared,
 - Copies of appropriate documents confirming that all necessary consents and approvals have been obtained,
 - The estimate of cost of the proposed works and the proposed Appeal target,
 - Nominees for the committee to be established.
2. Depending upon the scale of the proposed Appeal, the Appeal Committee may include a representative of the National Trust of Australia (Tasmania)
3. Donations made in respect of the Appeal are donations to the National Trust of Australia (Tasmania) and once made cannot in any circumstances be returned to the donor.
4. The National Trust will establish a bank account to which all monies will be deposited and cheques drawn.
 - The Appeal Committee will collect and issue receipts for all monies. The National Trust will provide official receipt books.
 - Any interest earned by the bank account shall be retained in the bank account and utilised for the purpose for which the account was established.
 - Requisitions for all payments from the National Trust appeals account must be in the form of a tax invoice and be supported by formal certification setting out the nature of the expenditure and verifying that the expenditure has been carried out in accordance with the original documentation.
 - The requisition for payment must be signed by one authorised member of the Appeals Committee.
5. The Appeals Committee must ensure that records appropriate to satisfy GST audit requirements are maintained in good order and for the time specified by law.
6. The proposed Appeal is not to be publicized until its establishment has been approved in writing by the Trust. A draft of any literature, brochures, advertising or other material to be used in relation to the Appeal must be first submitted to the Trust for its approval. Such material must bear the heading and logo of the Trust and include such further wording as the Trust may require.
7. The National Trust administration fee shall be a first charge on funds held.
8. The administration fee will be set, up to maximum of 5% before GST, according to a Schedule of Fees approved by the Board of the National Trust. The National Trust may renegotiate the level of fees from time to time.
9. The required percentage fees plus an amount of GST at 10% thereon shall be deducted at the end of each quarter from the total of all monies received as donations and interest in that period. The fee shall be deposited in a bank account nominated by the National Trust.

10. All Conservation Appeals shall be reviewed annually. Where no deposits or withdrawals have been made from a Conservation Appeal account for a period of three (3) years, the National Trust may, following consultation with the Appeal Committee, close the Appeal.
11. The works carried out shall at all times meet the purposes of the Trust and be in accordance with conservation standards acceptable to the Trust. The Trust may monitor the progress and performance of such works. Where the place upon which conservation works are being undertaken is included in the Tasmanian Heritage Register, the National Trust recognises that such works have to be approved by the Tasmanian Heritage Council. In these circumstances, the National Trust defers to the legislative powers of the Tasmanian Heritage Council.
12. The National Trust accepts no liability for any action, proceedings, claims or demands howsoever arising whether pursuant to the terms hereof, the establishment or operation of a conservation Appeal as herein contemplated or otherwise including for any act of negligence by it or on its behalf and the owner, the Appeal Committee and its member hereby release and discharge the Trust accordingly and the owner agrees to indemnify and save the Trust harmless from any such action, proceeding, claim or demand.