



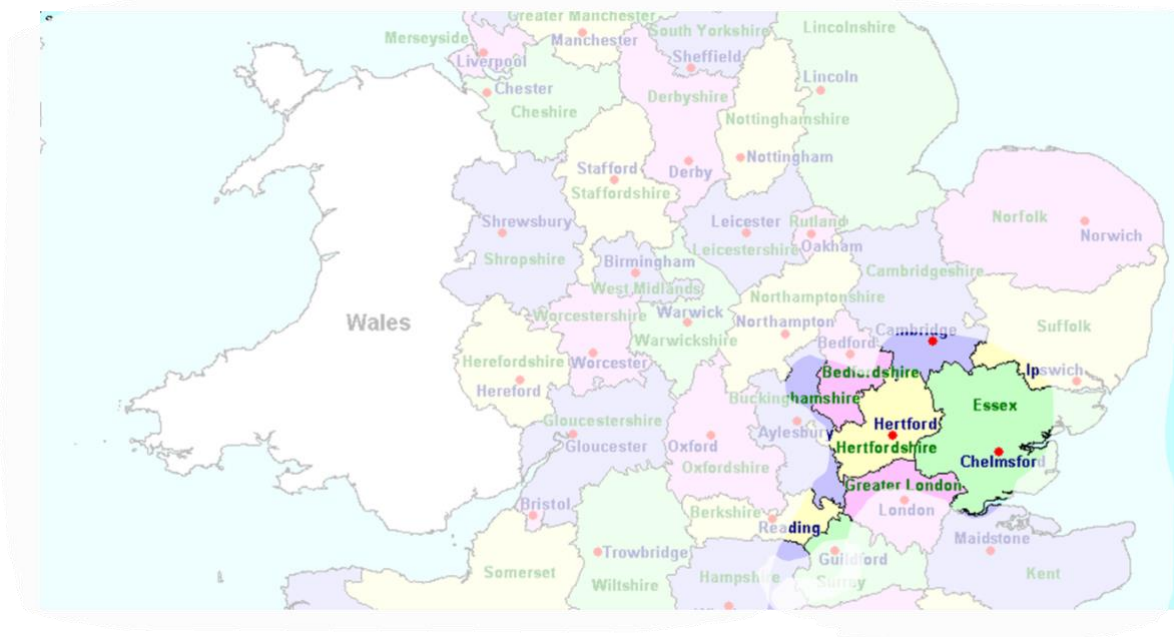
The Mac's Hart Trust Donation and Nomination Assessment Policy

Abstract

The Mac's Hart Trust ("Mac's Hart") is delighted that individuals associated with partnership pubs (the "*Donors*") wish to raise funds for charitable endeavours through Macs' Hart. The purpose of this policy is to set out the basis on which Mac's Hart accepts donations including those funds offered subject to the nomination of a destination 3rd party charity.

Introduction

Mac's Hart is a registered charity (number 1172802) supporting charitable causes particularly, though not exclusively, focused within area highlighted on the map below.



Mac's Hart is governed by a board of trustees (the "*Trustees*") who ensure proper governance of the handling of funds by having a clear and transparent process for the acceptance (or otherwise) of funds from Donors.

Mac's Hart aims to simulate effective charitable engagement by enabling Donors to contribute to its charitable funds and to have transparency of the outcomes.

The principal funding mechanism is a restricted fund. This applies where Donors nominate a destination 3rd party charity and where, subject to this policy and the sole discretion of the Trustees, the funds are granted to this nominated charity. Restricted funds may be contributed a single or several times during the years with the grant

making approved in accordance with the Grant Making Process. Donations into restricted funds can be from individuals, family group or groups of Donors sharing a common interest, for example pub customers and staff.

A secondary type of fund is the unrestricted fund where a Donor's contribution to Mac's Hart is without nomination of a 3rd party destination charity.

Legal status of funds

A fund at Mac's Hart is not a distinct legal structure. It is an administrative process for enabling Donors' wishes (subject to the overarching Trustee discretion) without the administrative or regulatory requirements that would be required of a separately constituted charity.

Assets donated to funds at the Macs Hart are irrevocable gifts. They become Mac's Hart property (unless otherwise provided herein) and the Trustees have the legal responsibility for ensuring that donations are used for charitable purposes in line with any restrictions agreed with Donors. Gifts are held as cash and treated entirely as revenue to support nominated charities in the year.

Subject to compliance with HMRC regulations, cash donations from UK taxpayers are eligible for Gift Aid, which means that Mac's Hart can claim an additional 25% of the value of the gift (at current rates). Gift Aid received is added to funds alongside the original donation. Higher-rate taxpayers may be able to claim additional tax relief on their donations.

For Mac's Hart to claim Gift Aid, and for Donors to benefit from other tax advantages relating to charitable gifts, the Donor must part with ultimate control over the donated asset. Actual or perceived direct control by Donors may jeopardise the basis on which gifts are made and the charitable status of Mac's Hart. Donors cannot receive any direct private benefit from support from their funds.

Advice for Donors

Mac's Hart seeks to engage Donors living, working or interested in the mapped area. It recognises that Donors have a range of interests, and wants them to make informed choices about their giving. However, Mac's Hart focuses support on charitable giving that benefits local causes, and it promotes the case for doing so through the listing of charities on the Macs Hart website. Mac's Hart will attempt to stimulate accountability from grant receiving charities and will enable access, via the website, to any subsequent reports detailing achieved charitable outcomes.

Prospective individual Donors may wish to consider independent professional legal and/or financial advice regarding any proposed gift.

Accepting a donation

For restricted funds Mac's Hart will accept cash of any amount as an outright gift. Mac's Hart can also accept planned gifts that take effect on the Donor's death.

For unrestricted funds Mac's Hart welcomes the following types of outright gifts:

- money of any amount;
- publically traded shares at fair market values where the Trustees will have full discretion over the sale of any gifted shares;
- land and buildings as long as at the Trustee's discretion they may be sold and/or generate revenue for charitable purposes surplus to any costs; and
- personal property, as long as the items are saleable, and at a value which will offset any costs Mac's Hart incurs in selling.

Mac's Hart will not accept a donation if:

- it would be unlawful to accept it, for example if the Trustees suspected the donation comprises proceeds of crime; and
- accepting the donation would, after the consideration of the benefits to the charity, be detrimental to the achievement of the charitable objects of Mac's Hart as set out in the Trust Deed; or
- in the case of a restricted fund, the Trustees are unable to accept the nomination, by the Donor, of the destination charity or other restrictions and conditions.

Funds remain the legal property of the Donor until their donation and, where applicable, nomination is accepted by the Trustees and will be returned to the Donor where rejected.

Known individual Donors who make one-off or regular gifts to support restricted or unrestricted funds will receive a thank-you letter. Groups of Donors will be acknowledge on the Macs Hart website. Donors may remain anonymous if they prefer. All donated funds accepted by Mac's Hart will be capable of being tracked via the website and charitable outcomes communicated where provided by the grant receiving charities.

Donated cash funds will be held in the Mac's Hart bank account until the next applicable grant making meeting. Donations will not be held long enough or in such reserves to justify longer term investment analysis.

Accepting a nomination

The Trustees will only accept nominations, and by default donations, where:

- the nominated destination charity is a UK registered charity;
- the donation to the nominated destination charity does not conflict with the achievement of Mac Hart's charitable objects;
- there is no restriction on protected groups under equality legislation;
- the costs of delivering the restriction are reasonably acceptable.

The Trustees are unlikely to accept nominations where the charity is under Charity Commission investigation or, in the reasonable opinion of the Trustee is likely to come under investigation.

If the Trustee are unable to accept an initial nomination from a Donor they will seek further discussion but shall not accept any restricted funds until discussion are concluded to mutual satisfaction. Alternatively they may suggest that the Donor donate the funds on an unrestricted basis or donate the funds to the nominated charity directly. Any funds banked before acceptance will be returned to the Donor.

Topping up

The Trustees may, in their absolute discretion approve the topping up from unrestricted funds of the donated restricted or unrestricted funds. Topping up is unlikely to be made available to nominated funds accepted for a charity whose focus is not in the mapped area below.



Fundraising

Mac's Hart itself does not undertake direct fundraising activities. Fundraising by Donors should be pre-approved by Mac's Hart as it will require the use of its name and charity number. Mac's Hart cannot reimburse Donors for expenses relating to fundraising activities they undertake.

Ultimate responsibility and resolution of disputes

The Trustees have the ultimate responsibility for awarding grants and for the management of donated assets once given.

Variations to this policy

The Trustees may vary the terms of this policy from time to time.

Version 1 approved by the Trustees on 9th October 2018