

Department of Higher Education and Training

Recommended

Control of Gifts, Donations and Sponsorship Policy for

Public CET Colleges



Department of Higher Education and Training
Community Education and Training Colleges
Recommended Control of Gifts, Donations and Sponsorship Policy
Annexure 11

TABLE OF CONTENTS		PAGE
1.	Legislative framework and best practice regulations	4
2.	Purpose	4
3.	Definitions, acronyms and abbreviations	4
4.	Scope	5
5.	General framework principles	5
6.	Internal controls over gifts, donations and sponsorships	6
7.	Adoption of policy	8
8.	Availability of control of gifts, donations and sponsorship policy	8
9.	Annual review of policy	9

Department of Higher Education and Training
Community Education and Training Colleges
Recommended Control of Gifts, Donations and Sponsorship Policy
Annexure 11

AMENDMENT AND APPROVAL RECORD

Amendment No.	Amendment description	Originator	Approved By	Date

Name of CETC:		
Control of Gifts, Donations and Sponsorship policy		
Department: Finance Responsibility : Accounting Officer		
<p style="text-align: center;">_____</p> <p style="text-align: center;">Prepared and submitted by the Accounting Officer to Council</p> <p style="text-align: center;">Date: _____</p>	<p style="text-align: center;">_____</p> <p style="text-align: center;">Adopted by Council (Signed by Chairperson obo Council)</p> <p style="text-align: center;">Date: _____</p>	<p>Implementation Date:</p>

1. Legislative framework and best practice regulations

Key principles contained in the following legislation and best practices were applied to develop this policy:

- a) CET Colleges Act No.16 of 2006 (as amended) (formerly the ABET Act);
- b) Public Finance Management Act, 1999 (Act No 1 of 1999, as amended by Act 29 of 1999) (PFMA);
- c) National Treasury Regulations of March 2005;
- d) National Treasury Regulations Gazetted 30 November 2012; and
- e) Public Service Regulations, 2001

2. Purpose

To provide a regulatory framework within which gifts, donations and sponsorships occur in a controlled environment for the ultimate benefit of the College.

3. Definitions, acronyms and abbreviations

For the purpose of this policy, unless the context indicates otherwise, the following definitions, acronyms and abbreviations are set out for the terms indicated:

- 3.1 **“Accounting Officer”** – is the College Principal.
- 3.2 **“Act”** – is the CET Colleges Act No.16 of 2006, as amended.
- 3.3 **“Assistant Director: Finance”** – is a senior Finance post as recommended on a Standard College organogram by DHET and sometimes referred to as the Finance Manager, reporting directly to the Deputy Principal Finance.
- 3.4 **“Campus Manager”** – is the College campus head who provides leadership in directing the flow and support to all students, faculty, and staff at the designated campus.
- 3.5 **“College”, “CETC”** – is a Public Community Education and Training College.
- 3.6 **“Cost centre”** – a distinctly identifiable department, division or unit of the College, where managers or Heads of departments are responsible for all its associated costs both direct and indirect, and for ensuring adherence to its budgets.
- 3.7 **“Department”; “DHET”** – is the Department of Higher Education and Training.

Department of Higher Education and Training
Community Education and Training Colleges
Recommended Control of Gifts, Donations and Sponsorship Policy
Annexure 11

- 3.8 **“Employee”** – is any official, employed by the College, irrespective of grade, full-time or part-time, Council or Departmental appointed, and paid on a salaried or an hourly/daily individual basis.
- 3.9 **“Minister”** – is the Minister of the Department of Higher Education and Training.
- 3.103.9 **“Unit Manager”** – is anyone whose duties in the main involve responsibility for the work of others. The term includes not only those who are usually referred to as managers because they are members of the so-called “management echelon” but also all first-line supervisors.

4. Scope

- 4.1 The Accounting Officer and the duly appointed Campus and Unit managers have significant roles to play in the control of gifts, donations and sponsorships.
- 4.2 The policy is applicable to all Employees of the College.

5. General framework principles

- 5.1 Granting of gifts, donations and sponsorships
- 5.1.1 The College Council must approve, as College expenditure, the granting of gifts, donations and sponsorships, if the College is convinced that such gift, donation or sponsorship is in the interest of the College.
- 5.1.2 The Minister’s approval must be obtained before the College may offer any gifts or donations of immovable property to comply with Act requirements.
- 5.1.3 All moveable assets and cash donations must also be approved by the College Council.
- 5.1.4 Gifts, donations and sponsorships must firstly be budgeted for, before being incurred.
- 5.1.5 The College Cost centre Marketing Unit must be informed about granting any gifts, donations and sponsorships, to maximize the publicity obtainable from such events.

Department of Higher Education and Training
Community Education and Training Colleges
Recommended Control of Gifts, Donations and Sponsorship Policy
Annexure 11

5.1.6 The Accounting Officer may not delegate any responsibility received from Council, attached to the granting gifts, donations and sponsorships.

5.2 Acceptance of gifts, donations and sponsorships

5.2.1 College Employees appointed by the Department shall adhere to Public Service Regulations and the confines of all other relevant prescripts, whilst College Employees appointed by Council will observe the best practices dictated by the Public Service Regulations.

5.2.2 The Accounting Officer must approve the acceptance of any gift, donation or sponsorship to the College, whether such gifts, donations or sponsorships are in cash or kind.

5.2.3 The Minister's approval must be obtained before the College may accept any gifts or donations of immovable property, to align the College with PFMA best practice as required by PFMA Section 76(1)(k) and (l).

5.2.4 The College Cost centre Marketing Unit must be provided with details and any specifications by the donor regarding recognition required and/or branding rights for any gift, donation or sponsorship received by the College.

6. Internal controls over gifts, donations and sponsorships

6.1 Granting of gifts, donations and sponsorships of moveable assets or cash

6.1.1 Submissions shall be forwarded via the Accounting Officer to the College Council for approval and shall include the following:

- a) motivation as to why it is in the interest of the College to grant a gift, donation or sponsorship;
- b) details of the recipient of the gift, donation or sponsorship;
- c) the cost of the gift, donation or sponsorship;
- d) the benefit to the College, if any, and the link to its strategic focus/plan;
- e) details regarding the availability of funds; and
- f) any other relevant information that would enable the College Council to decide whether or not such gift, donation or sponsorship should be granted.

Department of Higher Education and Training
Community Education and Training Colleges
Recommended Control of Gifts, Donations and Sponsorship Policy
Annexure 11

- 6.1.2 This submission must, on final approval, be submitted by the relevant Campus or Unit manager to the Deputy Principal: Finance to ensure the budget is adjusted accordingly.
- 6.1.3 Payment of the relevant gift, donation or sponsorship shall be effected against the appropriate budgetary allocation.
- 6.1.4 The Deputy Principal Finance shall maintain a proper record of all gifts, donations or sponsorships for reporting purposes. The following information shall be included in the records:
- a) date of gift, donation and/or sponsorship;
 - b) rand value or estimation of the market value in case of movable assets;
 - c) date of approval by the Council; and
 - d) name of recipient and position held.
- 6.2 Acceptance of gifts, donations and sponsorships by the College
- 6.2.1 The acceptance of any gift, donation or sponsorship is subject to a submission by the relevant Campus manager or unit manager prior to approval by the Accounting Officer.
- 6.2.2 The submission must include:
- a) comprehensive details of the purpose or use of the gift, donation or sponsorship;
 - b) details of the donor;
 - c) the amount of the gift, donation or sponsorship;
 - d) the benefit to the College, if any and the link to its strategic focus/plan; and
 - e) any other relevant information.
- 6.2.3 This submission must, on final approval, be submitted by the relevant Campus to the Deputy Principal: Finance to ensure that the accounting records are updated accordingly.
- 6.2.4 All cash gifts, donations or sponsorships must be paid into the relevant College bank account.
- 6.2.5 Where it is not apparent for what purpose a gift, donation or sponsorship should be applied, the College Council may decide how it must be utilized.
- 6.2.6 When a donor or sponsor requests to remain anonymous, the Accounting Officer must obtain a certificate from both the Public Protector and the Auditor- General, which states that the identity of

Department of Higher Education and Training
Community Education and Training Colleges
Recommended Control of Gifts, Donations and Sponsorship Policy
Annexure 11

the donor or sponsor has been revealed to them, and that they have noted it and have no objection. These details must also be disclosed to the Department.

- 6.2.7 A register, detailing each gift, donation and sponsorship accepted on behalf of the College, should be kept for audit purposes in the office of the Accounting Officer and submitted annually to the Council for review. The following information shall be included in the register:
- a) date of gift, donation and/or sponsorship;
 - b) rand value or estimation of the market value in case of movable assets;
 - c) date of approval by the Accounting Officer;
 - d) name of individual recipient and position held.

6.3 Gifts or donations of immovable property

- 6.3.1 The College Council and the Minister's approval shall be obtained before the College offers or accepts any gifts or donations of immovable property.
- 6.3.2 The Accounting Officer shall submit to the College Council and the Minister the reasons for and the conditions under which the gift or donation of immovable property is offered or accepted.
- 6.3.3 The Deputy Principal: Finance shall keep a proper record of all such approved gifts or donations of immovable property for reporting purposes.
- 6.3.4 A register detailing each gift and/or donation of immovable property accepted or offered on behalf of the College should be kept in the office of the Accounting Officer for audit purposes and submitted annually to the Council for review.
- 6.3.5 The following information shall be included in the register:
- a) date of gift, donation and/or sponsorship;
 - b) estimation of the market value;
 - c) date of approval by the College Council and Minister; and
 - d) name of individual recipient and position held.

7. Adoption of policy

This policy is effective from the date on which it is adopted by the Council.

8. Availability of control of gifts, donation and sponsorship policy

Department of Higher Education and Training
Community Education and Training Colleges
Recommended Control of Gifts, Donations and Sponsorship Policy
Annexure 11

A copy of this policy and other relevant documentation should be made available on the College website.

9. Annual review of policy

This policy will be subject to an annual review by College management to ensure its relevance. Colleges should forward any inputs and recommendations to the CET Branch of the Department for possible consideration during the annual review process.

Any recommended changes agreed by the CET Branch of DHET to the Control of Gifts, Donations and Sponsorship policy should be presented to the College Council for adoption.