



Herberton Mining Centre Gift Fund Advisory Committee Terms of Reference

1. Intent

- 1.1 To advise Council on the allocation of tax-deductible contributions and gifts to the Herberton Mining Centre.

2. Scope

- 2.1 The terms of reference apply to Councillors, committee members and staff of Tablelands Regional Council (TRC).

3. Powers of the committee

- 3.1 This committee is an advisory committee to Council under Section 264(b) of the *Local Government Regulation 2012*.
- 3.2 The [Advisory Committees Policy](#) applies to this advisory committee.

4. Purpose

- 4.1 Approve the allocation of tax-deductible contributions or gifts to the amount or equivalent value of less than \$5,000.
- 4.2 Provide advice and recommendations to Council for the allocation of tax-deductible contributions or gifts worth more than \$5,000.
- 4.3 Endeavour to carry out the requests and/or instructions of the donor when allocating funds or providing advice and recommendations to Council. Should the requests and/or instructions of the donor not be able to be carried out, the committee will record the reasons for this.
- 4.4 Consider the Charter of the Herberton Mining Centre when providing advice and recommendations to Council.
- 4.5 Ensure adequate and appropriate consideration of and consultation with relevant stakeholders when allocating funds or providing advice and recommendations to Council.
- 4.6 Attract and encourage donations and gifts for the benefit of the Herberton Mining Centre.
- 4.7 Decline or otherwise refuse to accept contributions or gifts which:
- are not for the benefit of the Herberton Mining Centre
 - do not fit within the Charter of the Herberton Mining Centre

5. Membership

- 5.1 Members must be committed to and actively involved in the Herberton Mining Centre.

- 5.2 Members:
- 5.2.1 Secretary (TRC Officer)
 - 5.2.2 TRC Councillor or their delegate (Chair)
 - 5.2.3 Information Centre Officer, Herberton Mining Centre (non-voting member)
 - 5.2.4 Three community skills-based positions (appointment is subject to General Manager approval)
- 5.3 The committee may seek the advice of persons with a specialist knowledge and invite them to attend a meeting.

6. Committee term

- 6.1 The term of the committee is two years.
- 6.2 By Council resolution, the committee may be renewed with the same membership or expressions of interest called for positions.

7. Meetings

- 7.1 Meetings will be held at least once a year at the Herberton Mining Centre.
- 7.2 The committee will receive a report which demonstrates that all gifts and contributions, transfers from the fund, and investment returns to the fund are recorded separately and accounted for.

8. Reporting

- 8.1 The committee, through the Council Officer, will provide a report to Council at the end of each financial year including actions and outcomes, and when recommendations require Council endorsement.

9. Winding up

- 9.1 If the Herberton Mining Centre ceases to operate, or the endorsement as a deductible gift recipient is revoked, the committee will recommend to Council that any surplus assets of the gift fund remaining after the payment of all liabilities attributable to it, shall be transferred to a fund, authority or institution to which income tax deductible gifts can be made.

10. Evaluation of performance

- 10.1 The committee will undertake an annual assessment of performance against the Terms of Reference.

11. Responsibility

Council is responsible for the adoption, amendment and repeal of the Terms of Reference and the Chief Executive Officer is responsible for the development and amendment of any associated procedures and guidelines.

12. Review

It is the responsibility of the Chief Executive Officer to monitor the adequacy of the Terms of Reference and recommend appropriate changes. This Terms of Reference will be formally reviewed every three years or as required by Council.

This Terms of Reference is to remain in force until otherwise amended/repealed by resolution of Council.