

Policy number	4	Version	3.0
Update by	Deirdre Looney	Approved by Board on	25/05/2023
Responsible person	AMS Board	Scheduled review date	02/09/2024

Introduction

Australian Marist Solidarity (AMS) is the international development arm of the Marist Brothers Star of the Sea Province and the Marist Association of St Marcellin Champagnat. It has a particular focus on empowering young people to transform their lives and community. Promoting the dignity of the human person, as safeguarded by internationally recognised human rights conventions, is a core value of AMS.

AMS recognises that the nature of our operations, which includes transferring funds overseas, could make us vulnerable to terrorism financing. AMS is committed to having adequate processes in place to ensure funds and resources are not being used directly or indirectly to support terrorist groups or activities.

Purpose

The purpose of this policy is to reduce the risk of AMS funds being misused for the purposes of terrorism and to reduce the risk of AMS becoming involved with persons or organisations advocating or engaging in terrorist activities or money-laundering activities.

Context

AMS strongly rejects all forms of terrorism and terrorist-related activities as incompatible with the goals and philosophy of sustainable development and the upholding of universal human rights.

Scope

This policy applies to AMS Board directors, committee members, employees, volunteers, partners and other stakeholders who operate under the auspices of AMS.

Definitions

- **Counter-terrorism** – the practice, techniques and strategy used to combat or prevent terrorism.
- **Financial Wrongdoing** – behaviour that is illegal or immoral with regards to financial transactions. Includes bribery, corruption, fraud, money-laundering, terrorism financing and violation of sanctions imposed by the Australian government.
- **Money-Laundering** – the process of concealing the origin, ownership or destination of illegally or dishonestly obtained money and hiding it within legitimate economic activities to make them appear legal.
- **Terrorism Financing** – intentionally providing or collecting funds and being reckless as to whether those funds would be used to facilitate or engage in a terrorist act.
- **Bribery** - the offering, promising, giving, accepting or soliciting of an advantage as an inducement for an action which is illegal, unethical or a breach of trust. Inducements can take the form of gifts, loans, fees, rewards or other advantages.
- **Corruption** - the abuse of entrusted power for private gain.
- **Fraud** – Dishonestly obtaining a benefit, or causing a loss, by deception or other means.

Policy

1. Ensure that potential supporters and partners do not appear on any database of recognised terrorist individuals or groups (checks are made against the DFAT 'Consolidated List' of persons and entities subject to targeted financial sanctions, and the Australian National Security 'Listed Terrorist Organisations.').
2. Ensure that AMS does not provide support to individuals and organisations associated with terrorists, or contravene Australian sanctions and anti-money-laundering laws.
3. Terminate project partnerships immediately if there is well-founded suspicion or demonstration of links with any organisations or individuals associated with terrorism or terrorist-related activities.
4. Act with due diligence to know the partners who are carrying out AMS activities or supporting AMS with funds and asset transfers.
5. Ensure that the risks unique to AMS, including the risk of terrorist financing in locations where it operates, are clearly understood.
6. Conduct financial transactions where possible through regulated financial institutions.
7. Conduct background checks of management, staff and volunteers.
8. Keep appropriate records of funds sent to project partners.
9. Obtain confirmation where possible to ensure funds were delivered as intended.
10. Report suspicious activity to the Australian Federal Police.

Implementation

The implementation of this policy will be guided by the AMS Operations Manual.

Reporting and Review

All cases of a suspected breach of this policy by anyone must be reported immediately to the Chief Executive Officer (CEO), (ams.ceo@marists.org.au). The CEO is responsible for managing the investigation process and reporting to the Board and external bodies as required (in consultation with the governing body). If the CEO is implicated, or the CEO has a conflict of interest, the Board Chair (or delegate) will manage the process.

Monitoring & Review of Policy

AMS will undertake a review of this policy in accordance with the AMS Policy Review Process, or sooner if required. This review will be undertaken initially by the Chief Executive Officer and AMS staff and then reviewed by the AMS Finance, Audit and Risk Committee and Board of Directors.

Related Documents

- AMS Operations Manual
- AMS Fundraising and Donations Policy
- AMS Procurement & Supply Chain Policy
- AMS Risk Management Policy
- AMS Financial Wrongdoing Management Policy
- AMS Development Policy
- AMS Complaints Management Policy
- AMS Code of Conduct
- AMS Delegations Policy
- AMS Whistleblowing Policy
- AMS Transparency Policy

- <https://www.acnc.gov.au/tools/reports/national-risk-assessment-not-profit-sector>
- <https://www.acnc.gov.au/for-charities/manage-your-charity/governance-hub/acnc-external-conductstandards>
- <https://www.acnc.gov.au/for-charities/manage-your-charity/checklist-protecting-your-charity-against-risk-terrorism-financing>
- <https://acfid.asn.au/good-practice-toolkit>
- <https://www.ag.gov.au/national-security/australias-counter-terrorism-laws>
- <https://www.legislation.gov.au/Details/C2019C00011>
- Listed terrorist organisations (nationalsecurity.gov.au)
- <https://www.dfat.gov.au/international-relations/security/sanctions/Pages/consolidated-list#list>

Authorisation



Michael Sinclair

Signature of Company Secretary

Name of Company Secretary

May 2023

Date of approval by the Board