

# Thanksgiving Australia Incorporated

ABN 13 696 899 427

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## Counter Terrorism Policy

### 1 Introduction

Thanksgiving Australia Incorporated is committed to complying with relevant laws and any contractual obligations applicable to us relating to counter-terrorism. This policy sets out our commitment and provides a guide for our personnel on what to do if there is actual or suspected non-compliance.

### 2 Scope of the Policy

This policy applies to:

- (a) all our personnel (being our Committee members, employees, volunteers and consultants);
- (b) all our partner organisations and sub-contractors, and their personnel, involved in implementing our projects or programs or involved in activities resourced by us; and
- (c) all funds and in-kind resources for our programs, projects or activities in Australia and overseas.

### 3 Policy Statement

- (a) We will exercise reasonable efforts to prevent our assets and resources (including funds) from becoming support, directly or indirectly, for any of the following entities and their activities:
  - (i) a terrorist (being a person, group or organisation who is listed in a Relevant List as defined below); and
  - (ii) any organisation or individual on whom Australia has imposed sanctions under the *Charter of the United Nations Act 1945* (Cth) and regulations made under that Act, the *Autonomous Sanctions Act 2011* (Cth) and regulations made under that Act or who is listed in a Relevant List.

A **Relevant List** is each of the following (or their replacements):

- list of proscribed entities of the Australian government, being:
  - The Department of Foreign Affairs and Trade's Consolidated List: <https://dfat.gov.au/international-relations/security/sanctions/Pages/consolidated-list.aspx>
  - The list of terrorist organisations under the *Criminal Code Act 1995* (Cth) maintained by Australian National Security: <https://www.nationalsecurity.gov.au/Listedterroristorganisations/Pages/default.aspx>
- a similar list published by the relevant country in which our program, project or activity is located; and
- The World Bank's List of Ineligible Firms and Individuals: <https://www.worldbank.org/en/projects-operations/procurement/debarred-firms>

- (b) We will take steps to ensure that we do not associate in any way with any person who is an individual or organisation of the type described in paragraph 3(a) above.
- (c) We will also take steps to ensure that obligations relating to counter-terrorism are also assumed by our partner organisations and sub-contractors where we work with them.

## **4 Policy in Practice**

### **4.1 Our personnel:**

- (a) We will screen prospective personnel in the relevant manner set out in the procedures below (see 4.3).
- (b) This policy will be embedded within our organisational culture and practices. We will create awareness amongst our personnel about terrorism risks and counter-terrorism measures by providing and explaining this policy to them.

### **4.2 Our partners and sub-contractors**

- (a) Awareness about terrorism risks and counter-terrorism measures will be a criteria when we assess the suitability of a prospective partner or sub-contractor.
- (b) We will take the relevant steps set out in the procedures below (see 4.3) in relation to our partners and sub-contractors.

### **4.3 Procedures**

- (a) **Pre-appraisal:** We will do the following as pre-appraisal of each prospective personnel before they are recruited and partner or sub-contractor before they are engaged in connection with the relevant programs, projects or activities with or for us.

- (i) Confirm their identity, credentials and general good standing through interviews and reference checks with reputable referees.
- (ii) Undertake screening as follows:
  - (A) In the case of individuals, check their own name against the Relevant Lists; and
  - (B) In the case of organisations, check the names of their key persons, that is:
    - those who are involved in their governance (for example, members of their board);
    - those in senior management (for example, their executives), financial management and control at the organisational level (for example, their chief financial officer, financial controller or finance manager); and
    - those responsible at the program, project or activity level (for example, project finance manager),

against the Relevant Lists.

Checking may also include use of screening software (such as the DFAT's Link Match Lite) and other methods of due diligence (such as reference checks).

We will not engage (or otherwise associate with) the individual or any organisation who has a key person whose name is on a Relevant List.

- (iii) Provide them with this policy and seek confirmation from them that they understand and can commit to complying with this policy and relevant laws relating to counter-terrorism.

(b) **Re-appraisal:** We will re-appraise:

- (i) our personnel by undertaking screening as set out in paragraph 4.3(a)(ii)(A) above every 5 years; and
- (ii) the key persons of partners and sub-contractors (in the manner set out in paragraph 4.3(a)(ii)(B) above) where our partnership or relationship with them has a term of over a year with the following frequency:

<b>Where the partner of sub-contractor <u>or</u> the program, project or activity is in a location with the following level of travel advice according to DFAT's Smart Traveller advice (<a href="http://www.smarttraveller.gov.au">www.smarttraveller.gov.au</a>):</b>	<b>Frequency:</b>
<ul style="list-style-type: none"> <li>● Level 1 location where:               <ul style="list-style-type: none"> <li>• the overall security environment is similar to that in a large Australian city, generally with a functioning law and order system and stable government.</li> <li>• terrorist attacks, civil unrest, violent crime, or unique health threats may occur.</li> <li>• overall, the risks are not significant.</li> </ul> </li> </ul>	Every 3 <sup>rd</sup> anniversary of the original appraisal
<ul style="list-style-type: none"> <li>● Level 2 location where:               <ul style="list-style-type: none"> <li>• there is a weak law and order system (where violent crime is prevalent) or deficiencies in public services (such as less responsive law enforcement agencies).</li> <li>• the security environment could change with little warning.</li> <li>• there is a passing event, such as political unrest or a short-term increase in location's domestic terrorism level.</li> </ul> </li> </ul>	Every 2 <sup>nd</sup> anniversary of the original appraisal
<ul style="list-style-type: none"> <li>● Level 3 location where:               <ul style="list-style-type: none"> <li>• there are serious and potentially life threatening risks.</li> <li>• there is ongoing threat of terrorism or kidnapping, frequent incidents of violent crime, ongoing civil unrest, widespread disease, or other safety risks.</li> </ul> </li> </ul>	Every 1 <sup>st</sup> anniversary of the original appraisal
<ul style="list-style-type: none"> <li>● Level 4 location where:               <ul style="list-style-type: none"> <li>• there is an extremely dangerous security situation.</li> <li>• a high threat of terrorist attack or kidnapping, ongoing armed conflict, violent social unrest, or critical levels of violent crime (often a combination of these).</li> </ul> </li> </ul>	Every 1 <sup>st</sup> anniversary of the original appraisal

We will cease engagement (or otherwise association with) the individual or any organisation who has a key person whose name is on a Relevant List.

- (c) **Retention of appraisal records:** We will retain records of all appraisals undertaken.
- (d) **Measures with partners and sub-contractors:**
  - (i) We will provide this policy to our partner organisations and sub-contractors and through our agreements with them, require them to apply this policy unless they have a commensurate or more comprehensive policy.
  - (ii) We will require our partner organisations and sub-contractors to require a similar commitment from any other organisation or person they engage in connection with the relevant programs, projects or activities with or for us.
  - (iii) We will work with our partner organisations and sub-contractors to:
    - (A) identify terrorism risks in relevant programs, projects or activities they undertake with or for us and identify and take the appropriate measures to prevent and minimise such risks eventuating. Depending on the context and the nature of the program, project or activity, the appropriate measures may include some or all the steps set out in the procedures to this policy and where necessary, additional steps.
    - (B) ensure their personnel are aware of counter-terrorism measures and take steps to mitigate against any of our resources becoming support for terrorists and their activities or us becoming associated with them:
  - (iv) We will monitor our partners' compliance with this policy and the undertakings in our agreements with them from time to time. In particular, we will ensure that regular checks undertaken to verify whether the controls set in this Policy are complied with.
- (e) **Transfer of funds:** Any transfer of funds must be done in compliance with our Transfer of Funds Policy.
- (f) **Incidents:** In the event of any incident where there has been, or suspected to have been, non-compliance with this policy or our obligations under a relevant law or any contract relating to counter-terrorism:
  - (i) personnel must inform our Public Officer immediately; and
  - (ii) our Public Officer must ensure that appropriate actions must be taken to address the incident including the following as appropriate:
    - (A) immediate cessation or suspension of resources (including funding) being provided (for example, to the relevant program, project or activity);
    - (B) investigation of the incident; and
    - (C) notification of the incident and steps taken to relevant authorities and to the other parties under the terms of a relevant contract (if and as required) and our Committee.

## 5 Ownership, monitoring and Review of Policy

Our Committee owns this policy. This means that:

- (a) Our Committee will be provided with regular reports (but in any event no less than two (2) reports in each calendar year) by our Public Officer about compliance with this policy and where any compliance issue is identified, our Committee will ensure that the issue is addressed appropriately and promptly.
- (b) If any exception or departure from this policy is proposed our Public Officer must be informed and our Public Officer will seek our Committee's prior approval to the exception or departure. No action will be taken (or inaction allowed) until our Committee has made its decision on the proposed exception or departure.
- (c) Our Committee is responsible for reviewing this policy regularly (minimum every two years).
- (d) Any updates and revisions to this policy must be approved by our Committee.

### Relevant laws:

- *Australian Charities and Not-for-profits Commission Act 2012* (Cth) and *Australian Charities and Not-for-profits Commission Regulations 2013* (Cth), in particular:
  - ACNC Governance Standards 1 and 3 (rr 45.5 and 45.15 of the above Regulations)
  - ACNC External Conduct Standards 1 and 3 (rr 50.20 and 50.30 of the above Regulations).
- *Charter of the United Nations Act 1945* (Cth)
- *Autonomous Sanctions Act 2011* (Cth)
- *Criminal Code Act 1995* (Cth)

### Related policies:

- Transfer of Funds Policy
- Fraud Risk Management Policy