

Legal Compliance – Overseas Operations Policy

BUENE HOPE FOUNDATION LTD

Organisation: BUENE HOPE FOUNDATION LTD (ABN 90 692 932 139)

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1. Purpose

This policy explains how the organisation ensures it complies with Australian laws when operating overseas, particularly in high-risk contexts such as the Democratic Republic of Congo (DRC). It sets mandatory standards for financial integrity, sanctions compliance, safeguarding, proper recordkeeping, and prevention of unlawful or harmful conduct.

2. Scope

Applies to all directors, the Manager, the Financial Manager, staff, volunteers, and contractors engaged in overseas activities or financial decisions.

3. Anti-Money Laundering & Counter-Terrorism Financing (AML/CTF)

- All overseas transfers must have a documented charitable purpose.
- Cash use is minimised; prefer bank transfer/mobile money.
- Suspicious activity (unusual requests, third-party payments, coercion) must be escalated to the Manager immediately.
- Funds may not be transferred to unknown or unverifiable parties.

4. Sanctions Compliance (simple DFAT-aligned process)

- Before any payment to a supplier or service provider, search the DFAT Consolidated List.
- If the name is not listed → proceed.
- If there is any possible match → escalate to the Financial Manager.
- A screenshot or written note of the search result must be saved to the procurement file.

5. Child Protection & Sexual Offences Compliance

- All activities involving children follow BUENE HOPE's Safeguarding Policy.
- Any suspicion or allegation of child harm must be reported within 24 hours to the Safeguarding Lead.
- Criminal record checks (or best-available local equivalents) apply to relevant personnel.

6. Modern Slavery, Human Trafficking & Slavery-Like Practices

- Zero tolerance for forced labour, child labour or exploitation.
- Suppliers must be legitimate and reputable; avoid suppliers known for exploitative labour practices.
- Staff must report any suspected trafficking or exploitation immediately.

7. People Smuggling Prohibition

- BUENE HOPE will not facilitate unlawful migration, transport, or false documentation.
- Any such request is escalated to the Manager and Board immediately.

8. Taxation & Recordkeeping Compliance

- All overseas expenditure must be documented with receipts and approvals.
- Financial records must be retained for at least 5 years.
- Registers must be maintained for beneficiaries, assets, incidents, and distributions.

9. Breaches of this Policy

Breaches may result in disciplinary action, termination, and referral to authorities if required.

