

# Donation Acceptance Policy

## Introduction

ESMT European School of Management and Technology GmbH is an officially recognized non-profit organization, which operates ESMT Berlin, a private, state-accredited university. According to its statutes and in conformity with the German Tax Code (*Abgabenordnung*) ESMT GmbH promotes the following nonprofit purposes:

- Promotion of science and research
- Promoting popular and professional education including aid for students

ESMT is an NGO with an equivalency determination (ED) certification with [NGOsource](#).

## Scope

This policy applies to all philanthropic gifts (hereinafter “donations”) to ESMT regardless of which department acquired or secured the donation.

## What is a Donation?

Donations are typically gifts of money and items which are intended to support ESMT in pursuing its strategic goals and its further development. In no case may donations result in the donor receiving a material return.

## Differentiation from commercial sponsorship

Donations should not be confused with sponsorship. A donation is always given on the basis of altruism, where the donor derives no direct financial or non-financial benefit with a nominal value. No VAT is paid on donations, and in some instances, donations are tax-deductible for the donor. ESMT welcomes sponsorship and other commercial partnerships, but these are not the subject of this policy and would not usually be tax-exempt.

## Fundraising campaigns and projects

Charitable giving of any kind is not just about making a donation, it's about making a demonstrable difference. We are committed to working with donors to understand which areas of our work resonate most with their philanthropic ambitions.

Donors may choose to contribute to a specific campaign, to current or midterm projects, or may state that ESMT should allocate their donation where it is needed (unrestricted donation). Ongoing initiatives that can be supported by donors are listed [here](#) and are regularly updated.

In every instance ESMT will endeavor accurately to adhere to each donor’s expressed wishes, when allocating donated funds to an operational priority at ESMT. However, in the unlikely event that it becomes impossible, impractical, unfavourable, or illegal to do so, ESMT shall use its discretion to use donated funds in whatever available manner is deemed by the school be the most consistent with the donor’s original intent.

## Internal processes (due diligence)

In order to provide a responsible and transparent service to donors, and fulfil its obligations as a non-profit organization, the school will follow its internal “Procedure for the Acceptance of Donations to ESMT GmbH” on a discretionary basis, when accepting donations. This document describes in detail the procedures and serves as an annex to the binding Compliance Regulation of ESMT. Following this regulation is mandatory for all members of the ESMT community.

The processes by which donations may be assessed for their suitability for acceptance by the school are intended to ensure that the acceptance of a donation does not pose a legal or reputational risk to the school.

In each case, a donation will follow an approval process that includes the Managing Director, the Management Committee, and (in cases of doubt, or lack of unanimity) the school’s Ethics Committee and/or Advisory Committee. Details of the members of these committees may be found on the school’s website.

Where doubt or concern remains, following consultation with these bodies, the school may also involve the Chairperson of the Supervisory Board (who will themselves consult the Supervisory Board members) to take an executive decision.

In choosing to accept or decline to accept a donation, the school does not express an opinion or judgment on the donor(s) of the funds, solely upon its ability to accept the donation from a legal or reputational perspective, in each case. The school may sometimes enact a donation acceptance procedure preemptively, in anticipation of a specific future donation from a specific donor.

The complete internal process for accepting a donation is available from ESMT on request.

## Exclusions

Donations from individuals or organizations from whom ESMT has previously accepted a donation, having undertaken appropriate due diligence as necessary, will generally be excluded from the process above. If ESMT becomes aware of any change in circumstances that could alter its ability to accept a donation from an existing supporter, a new process will be undertaken.

ESMT will provide anonymity to any donor who wishes their donation to remain a private matter between themselves and the school. However, ESMT is not able to accept donations where the ultimate origin of the funds is obscure or unknown. Where ESMT receives a donation whose source cannot be identified (with the exception of small change/cash donated towards the Garden Fountain and similar projects, the donation will not be accepted.

ESMT will not usually accept donations from current or future students, current or future program participants, or the direct family members of either of these, which exceed a cumulative total of €1.000 in any calendar year. In exceptional cases, ESMT may accept larger donations from these donors, while taking specific steps to ensure the impartiality and probity of ESMT’s admission, examination, and teaching standards, by following the processes described in section 5 above.

## Tax deductions

Donations in Germany are tax-deductible under German law, and we will be in contact with tax-deductible receipts. If you are not located in Germany, your donation may still be tax-deductible. We recommend you check with a local tax professional for further details. Please note that tax deductibility only applies for donations. Any type of sponsoring and/or commercial partnership is not eligible for any tax deductions.

## Where to obtain further guidance

In the first instance, please contact [development@esmt.org](mailto:development@esmt.org)