

**深圳市递爱福公益基金会
信息公开制度**
**Rules on Information Disclosure of
the China DAF (Donor Advised Fund)
Charity**

**(2020年11月28日第一届第五次理事会予以修改和重述)
(Amended and restated by the first Board of Directors at its
fifth meeting on November 28th, 2020)**

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If you have any comments or suggestions on the content of this document, please send them to general-office@DAF-charity.org.cn. We value your feedback and help in improving this document. The English translation has been reviewed by native English speakers.

第一章 总 则

Chapter I: General Provisions

第一条 为规范本基金会信息公开行为，落实有关信息公开规定，保护捐赠人及相关当事人的合法权益，提升基金会公开透明运作水平，接受社会监督，根据《中华人民共和国慈善法》、《中华人民共和国公益事业捐赠法》《基金会管理条例》《基金会信息公布办法》《关于规范基金会行为的若干规定（试行）》《公益慈善捐助信息公开指引》《慈善组织信息公开办法》等规定和本基金会章程的规定，结合实际，制定本制度。

For the purposes of regulating information disclosure of the China DAF (Donor Advised Fund) Charity (hereinafter the ‘Charity’), implementing relevant governmental regulations regarding information disclosure, protecting the lawful rights and interests of donors and related parties of the Charity, enhancing the openness and transparency of the operation of the Charity, and accepting the supervision of the society, the Rules on Information Disclosure (hereinafter the ‘Rules’) are hereby formulated in accordance with the *Charity Law of the People’s Republic of China*, *Law of the People's Republic of China on Donations for Public Welfare*, *Regulation on Foundation Administration*, *Measures for the Information Disclosure of Foundations*, *Several Provisions on Regulating Behavior of Foundations (For Trial Implementation)*, *Information Disclosure Guidelines for Public-Welfare and Charitable Donations*, *Measures for the Information Disclosure of Charitable Organizations*, and other relevant

regulations, as well as the Articles of Organization of the Charity, and in consideration of both the Charity's own situation and the prevailing practices in the industry.

第二条 本制度所称信息公开,是指基金会依照有关法律法规的规定,将本基金会的 basic information、内部治理信息、慈善项目信息和日常动态信息等通过民政部提供的统一信息平台等方式向社会公布的行为和其他信息公开行为。

The term 'information disclosure' herein refers to the Charity's disclosure of its basic information, internal governance information, charitable project information, daily dynamics, etc. to the public through the unified information platform provided by the Ministry of Civil Affairs, as well as other forms of information disclosure in accordance with the provisions of relevant laws and regulations.

第三条 本基金会依法履行信息公开义务,信息公开应当真实、完整、及时。本基金会应对信息的真实性负责,不得有虚假记载、误导性陈述或者重大遗漏,不得以新闻发布、广告推广等形式代替应当履行的信息公开义务。

The Charity shall perform its obligations of information disclosure and disclose information in a truthful, complete, and timely manner in accordance with the law. The Charity shall be responsible for the authenticity of the disclosed information. False information, misleading statements, major omissions, and the use of press releases or advertisement as substitutes for information disclosure are prohibited.

第二章 信息公开内容

Chapter II: Content of Information Disclosed

第四条 基金会应当及时向社会公布以下信息：

The Charity shall promptly disclose the following information to the public:

- (一) 基金会基本信息。包括经民政部门核准的章程，决策、执行、监督机构成员信息（如本基金会的理事长、副理事长、执行理事长、秘书长、执行秘书长、理事、监事的基本情况），下设的办事机构、分支机构、代表机构、专项基金和其他机构的名称、设立时间、存续情况、业务范围或者主要职能，发起人、排序前五名的主要捐赠人、与本基金会存在控制、共同控制或者重大影响关系的个人或者组织（以下简称“重要关联方”），本基金会的联系人、联系方式，以本基金会名义开通的门户网站、官方微博、官方微信或者移动客户端等网络平台等；

Basic information of the Charity, including the Articles of Organization as approved by the Civil Affairs Department; information on members of the decision-making, executive and supervisory bodies (such as basic information on the Chairman of the Board, Vice Chairman of the Board, Executive Chairman of the Board, the Secretary-General, Executive Secretaries-

General, Directors and Supervisors of the Charity); the name, date of establishment, standing, business scope or main functions of the administrative offices, branch offices, representative offices, special funds and other offices established under the Charity; founders, top five major donors, and other individuals or organizations that control, jointly control, or significantly influence the Charity or are either controlled, jointly controlled, or significantly influenced by the Charity (hereinafter ‘Important Related Parties’); the contact person and contact information of the Charity, the web portals, official Weibo account, WeChat Official Account, mobile apps, and other network platforms launched in the name of the Charity.

- (二) 基金会财务信息。包括年度财务会计报告、年度预算决算报告、重大资产变动、重大投资、重大交易及资金往来信息;

Financial information of the Charity, including annual financial reports, annual budget and final accounting reports, major changes in assets, major investments, and major transactions and movements of funds of the Charity.

- (三) 基金会年度工作报告。内容包括:

Annual work reports of the Charity, including:

- ① 登记事项、网址和联系电话等基本信息;

Registration items, website, contact number and

other basic information;

- ② 接受捐赠以及大额捐赠情况、公益慈善活动支出和管理费用情况、实施慈善项目情况、慈善财产的管理使用情况、本基金自行设计、管理、运营的慈善项目（如迪爱福公益培训工程）的实施情况等、慈善财产保值增值情况、关联方关系及交易情况、承接政府购买服务情况、工作人员工资福利情况等业务活动情况；

The business activity situations of contributions acceptance and large contributions acceptance, expenditures and administrative expenses for charitable activities, the implementation of charitable projects, the management and use of charitable assets, the implementation of charitable projects designed, managed and conducted by the Charity (such as the DAF-Giving Charitable Training Projects), the preserve or increase of the value of the charitable assets, related party relations and their transactions, undertaking government procurement of services, salaries and benefits of staff, etc.

- ③ 理事、监事、工作人员信息以及领取报酬情况，理事会召开和决策情况等机构建设情况；

Information of Directors, Supervisors and staff members and their remuneration, the convening and

decision-making of the Board of Directors and other institutions;

④ 注册会计师审计报告;

Audit report of certified public accountants;

⑤ 接收检查和评估的结果,收到表彰、处罚的情况,获得公益性捐赠税前扣除资格、有关税收优惠资格等情况;

The results of examination and evaluation received, the situation of commendation and punishment attained, the situation of charitable donation pre-tax deduction status and related tax preference qualification procured;

⑥ 监事意见;

Supervisors' opinions;

⑦ 履行信息公开义务的情况;

The fulfillment of the obligation to disclose information;

⑧ 登记管理机构要求的其他信息

Other information required by the registration authority;

(四) 慈善项目相关信息。项目名称、项目内容、实施地域、受益人群及其遴选程序、项目的支出情况,项目终止时的实施情况及剩余财产处理情况(如有),招募志愿者情况,以及支持慈善项目运作的慈善信

托的名称(如有), 包括本基金会自行设计、管理、运营的慈善项目(如迪爱福公益培训工程范围内的慈善项目);

Information on charitable projects including the projects that are designed, managed and operated by the Charity (e.g., charitable projects within the scope of the DAF-Giving Charitable Training Projects), such as the name, contents, geographical area of the projects, beneficiaries and their selection processes, project expenditures, progress and disposal of residual assets (if any) when projects terminate, volunteer recruitment, and the names of charitable trusts (if any) which support the operation of charitable projects.

(五) 慈善信托相关信息。包括本基金会担任慈善信托受托人时信托事务处理情况及财务状况;

Information regarding charitable trusts, including the entrusted matters and the financial situation of the charitable trusts for which the Charity acts as the trustee.

(六) 基金会理事会换届审计、法定代表人离任审计、重大公益项目专项审计的审计报告, 应当按照登记管理机关要求及时向社会公布;

Audit reports on the Board of Directors at its re-election, exit audit reports on the legal representative, and special audit reports on major charitable projects shall be promptly disclosed to the public in accordance with the

requirements of the registration authority of the Charity.

(七) 根据《深圳市社会组织评估指南》对于“信息公开要求”的规定，公开本基金会如下信息：

According to the information disclosure requirements stipulated in the *Shenzhen Non-Governmental Organization Assessment Guide*, the Charity discloses the following information:

① 基金会捐助至及资助受益人的项目内容(慈善项目实施周期超过六个月的,至少每三个月公开一次项目实施情况,项目结束后三个月内应当全面公开项目实施情况和募得款物使用情况);

The contents of the projects to which the Charity contributes and subsidizes the beneficiaries (If the implementation period of a charitable project is more than six months, the Charity shall disclose the implementation of the project at least every three months and the implementation of the project and the use of the funds and materials shall be fully disclosed within three months after the completion of the project);

② 接受捐赠和募集资金的情况;

The situations of receiving contributions and raising funds;

③ 是否具有慈善信托备案项目;

Whether there is a charitable trust filing project;

④ 是否具有公益性捐赠税前扣除票据资格；

Whether there is a charitable donation pre-tax deduction qualification;

⑤ 是否享受税收优惠及资助补贴；

Whether the Charity enjoys tax incentives or subsidies;

⑥ 是否具有承接政府转移职能、授权、委托和购买服务事项的情况；

Whether the Charity undertakes the transfer of government functions, government authorization, government entrustment, or government procurement of services;

⑦ 是否具有行政许可事项、接受检查及评估的情况；

Whether there are administrative licensing items, or situations of receiving examination and evaluation;

⑧ 是否有表彰及处罚情况；

Whether there are situations of being commended or punished;

⑨ 涉及社会公共利益的内部管理制度等。

The internal management system that involves social public interest, etc.

(八) 法律法规要求公开的其他相关信息。

Other information that shall be disclosed in accordance with laws and regulations.

第五条 在履行信息公布义务的基础上，本基金会为进一步公开透明运作，自行公开更多如下信息：

On the basis of fulfilling its obligations of information disclosure, the Charity will take the initiative to disclose other information in order to promote openness and transparency in its operation, such as:

(一) 本基金会对合格受赠组织的入库资格审核流程、入库资格审核标准。如果本基金会管理人员的利害关系人或慈善账户持有人/慈善账户顾问的利害关系人作为本基金会合格受赠组织时，本基金会将主动公开披露；

The processes and standards for the (qualification) vetting of qualified grantees of the Charity: If the qualified grantee is an interested party of the Charity's management staff or an interested party of the charitable account holder or charitable account advisor, the Charity shall disclose relevant information on its own initiative.

(二) 本基金会的内部授权文件，如《深圳市递爱福公益基金会职务任命及授权书》或《深圳市递爱福公益基金会特别授权书》；

Internal authorization documents of the Charity, including the Letters of Appointment and Authorization of the China DAF Charity or the Letters of Special

Authorization of the China DAF Charity.

(三) 基金会认为需要公开的其他信息。

Other relevant information that the Charity considers necessary to be disclosed.

第六条 本基金会应建立向捐赠人公布信息的机制和模式，根据项目开展情况及时向捐赠人公布项目资金的使用情况和项目成效。本基金会开展定向募捐的，应当及时向捐赠人告知募捐情况、募得款物的管理使用情况。

The Charity shall establish a mechanism and mode for disclosing information to donors and disclose to donors the use of project funds and the results of the project according to the implementation of the project in a timely manner. Where the Charity carries out targeted fund-raising, the Charity shall promptly inform the donors of the situation of the fund-raising and the management and use of the funds and materials raised.

第七条 本基金会应向受益人告知其资助标准、工作流程和工作规范等信息。

The Charity shall inform the beneficiaries of its funding standards, working procedures, and work specifications, etc.

第八条 本基金会应在办公场所和服务场所公开机构及服务信息。

The Charity shall disclose its organization and service information in its offices and service places.

第三章 信息公开方式和时限

Chapter III: Method and Period of Information Disclosure

第九条 为了丰富信息公开渠道，构建多样的信息建设平台，基金会可通过民政部门提供的统一信息平台、基金会出版物(年报、通讯等)、官方网站、大众媒体(网站、电视、报纸、电台、杂志等)、定期邮寄或电子邮件、微信、微博，以及其他方式公开信息。本基金会在其他渠道公布的信息，应与本基金会在民政部统一信息平台上公布的信息相一致。

In order to enrich the channels of information disclosure and build a diverse information construction platform, the Charity may use the following methods to disclose information: unified information platforms provided by the Ministry of Civil Affairs, the Charity's publications (annual reports, newsletters, etc.), the official website, social media outlets (websites, television, newspapers, radio, magazines, etc.), mail or e-mail, WeChat, Weibo, and other methods. Information disclosed by the Charity through other channels shall be consistent with the information disclosed by the Charity via the unified information platform provided by the Ministry of Civil Affairs.

第十条 本基金会应当自下列基本信息形成之日起 30 日内，在统一信息平台上向社会公开：

The Charity shall disclose information to the public using the unified information platform within 30 days from the formation of the basic information listed below:

(1) 经民政部门核准的章程；

The Articles of Organization approved by the Civil Affairs Department.

(2) 决策、执行、监督机构成员信息；

Information on the members of the decision-making, executive and supervisory bodies of the Charity.

(3) 下设的办事机构、分支机构、代表机构、专项基金和其他机构的名称、设立时间、存续情况、业务范围或者主要职能；

The name, date of establishment, standing, business scope or main functions of the administrative offices, branch offices, representative offices, special funds and other offices established under the Charity.

(4) 重要关联方的基本信息；

Basic information of Important Related Parties involved.

(5) 本基金会的联系人、联系方式、以本基金会名义开通的门户网站、官方微博、官方微信或者移动客户端等网络平台；

The contact person and contact information of the Charity, the web portals, official Weibo account, WeChat Official Account, mobile apps, and any other network platform launched in the name of the Charity;

(6) 本基金会的信息公开制度、项目管理制度、财务和资产管理制度。

The information disclosure rules, project management rules, and the financial and asset management rules of

the Charity.

第十一条 本基金会根据规定在每年4月30日前,向登记管理机关报送上一年度的年度工作报告及年度财务会计报告,年报和财务会计报告内容真实。在登记管理机关审查通过后30日内,按照统一的格式要求在民政部统一信息平台及基金会官方网站上公示全文和摘要。

In accordance with relevant regulations, the Charity shall send its annual work report and financial reports of the previous year, that their truthfulness is guaranteed, to the registration authority before April 30th of the current year. The Charity shall disclose relevant documents and abstracts on the unified information platform of the Ministry of Civil Affairs and its official website in accordance with the uniform format requirements within 30 days of the approval by the registration authority.

第十二条 年度报告或财务会计报告需修改的,应重新报送并书面说明修改理由,并向社会公开。基金会在报送年报和财务会计报告后或重新报送修改后的年报和财务会计报告后,应将年报和财务会计报告公布在登记管理机关指定的媒体上,接受公众查询、监督。

Where the annual reports or financial reports need to be modified, the Charity shall re-send them to the registration authority and explain in writing the reasons for revision, and disclose to the public. After the Charity sends the annual reports and financial reports or re-sends the revised annual reports and financial reports,

the Charity shall publish the annual reports and financial reports in the media designated by the registration authority to be inquired and supervised by the public.

第十三条 为加强与社会公众的互动交流，本基金会应当利用多种有利契机开展形式多样的信息公开活动。

For the purpose of enhancing interaction with the public, the Charity shall use various opportunities to conduct information disclosure activities.

第四章 信息公开管理

Chapter IV: Information Disclosure Management

第十四条 基金会指定专人负责信息公开工作。

The Charity shall designate specific persons to be responsible for information disclosure.

第十五条 基金会将设立新闻发言人制度，关于新闻发言人的具体职权等内容，将在《深圳市递爱福公益基金会新闻发言人制度》中予以详细规定。

The Charity will establish rules pertaining to its spokespersons. The authorities and functions of the spokespersons will be provided in detail in the Spokesperson Rules of the China DAF Charity.

第十六条 信息公布的工作流程、规范：

The procedures of information disclosure:

(一) 本基金会理事会制定本制度，由秘书长办公会按照

本制度及有关管理办法的规定，进行信息披露。

The Rules are formulated by the Board of Directors. The Secretary-General's Staff Meeting shall disclose information in accordance with the provisions of the Rules and relevant regulations.

- (二) 本基金会秘书长办公会负责对所有须公开信息进行统一审核、管理，并承办信息公开工作；对于已经公开的信息，制作信息公开档案并妥善保存。

The Secretary-General's Staff Meeting shall have unified responsibilities for the review and management of all information that shall be disclosed and shall take charge of information disclosure. For the disclosed information, the Secretary-General's Staff Meeting shall establish corresponding files and ensure their safe custody.

- (三) 本基金会各管理部门负责保存、整理和上报其在工作中产生的各类信息，未经基金会秘书长办公会批准，各管理部门不得擅自公开信息。

All management departments of the Charity shall preserve, organize, and report all information generated during their work, and they shall not disclose any information without the approval of the Secretary-General's Staff Meeting.

- (四) 秘书长办公会对信息公开后的公众反应进行及时监测。信息一经公开，不得随意更改，确需更改的

应当严格履行信息公开的审批流程后重新公布,并说明更改理由,同时声明原公开信息作废。

The Secretary-General's Staff Meeting shall closely monitor public responses to the disclosed information. The disclosed information shall not be revised at will. If the disclosed information must be revised, the revised information shall go through strict review and approval procedures concerning information disclosure before being re-disclosed. Explanations on the revision and a declaration that the original disclosure is no longer valid shall be given in conjunction with the review and approval procedures.

第十七条 基金会信息公布所使用的媒体应当能够覆盖基金会的活动地域。所有公开的信息应当注明基金会的基本情况和联系、咨询方式。

The media used for information disclosure shall be available across the geographical area of the activities of the Charity. All disclosed information shall indicate the basic information, contact information, and methods of consulting of the Charity.

第十八条 对于公共媒体上出现的对基金会造成或者可能造成不利影响的消息,基金会应及时公开说明或澄清。

The Charity shall provide timely explanations or clarifications on public media platforms regarding any information that has or may have an adverse impact on the Charity.

第五章 信息公开监督

Chapter V: Supervision of Information Disclosure

第十九条 基金会是信息公开的义务人，对公开信息内容的真实性、准确性、完整性和及时性负责，保证捐赠人、受益人和社会公众能够方便、快捷地查阅公开的信息，主动接受捐赠方、政府部门和社会公众的监督，及时回应捐赠人和公众质疑。

The Charity is the entity responsible for information disclosure, and is responsible for the authenticity, accuracy, completeness of the information content, and the timeliness of disclosure. The Charity shall ensure that its donors, beneficiaries, and the public can look up the disclosed information conveniently, and it shall take the initiative to accept supervision from its donors, governmental departments, and the public and to timely respond to donors' and the public's queries.

第二十条 基金会将信息公开情况如实反映在年度报告中，接受登记管理机关监督检查。

The Charity shall provide truthful reports on its information disclosure in its annual work reports and accept supervision by the registration authority.

第二十一条 本基金会对外公开有关机关登记、核准、备案的事项时，应当与有关机关的信息一致。本基金会公布的信息相互之间应当一致。本基金会在其他渠道公布的信息，应当与其在统一信息平台上公布的信息一致。

The disclosure of information regarding the Charity's

registration, approval and record-filing with relevant governmental departments shall be consistent with the records filed with the relevant governmental departments. Information disclosed via other methods shall be consistent with such records on the unified information platform.

第二十二条 涉及国家安全、个人隐私、商业秘密的信息以及捐赠人、志愿者、受益人、慈善信托的委托人不同意公开自己的姓名、名称、住所、通讯方式等信息，将不予公开，但应当接受登记管理机关等政府相关职能部门的监督审查。

The following information shall not be disclosed: information concerning national security, privacy, commercial secrets, and other information that shall not be disclosed according to laws and regulations such as personal information that donors, volunteers, beneficiaries, and settlors of charitable trusts refuse to disclose, (e.g., their name, address, contact information, etc.). However, the aforementioned information shall be subject to supervision and review by the registration authority and other relevant departments of the government.

第六章 附 则

Chapter VI: Supplementary Provisions

第二十三条 本制度未尽事宜或与有关规定不一致的，按有关规定执行。

Matters not covered in the Rules or provisions in conflict with laws and regulations shall be settled by those laws and regulations.

第二十四条 本制度自 2018 年 9 月 20 日理事会审议通过,自公布之日起实施执行,并于 2020 年 11 月 28 日第一届第五次理事会予以修改和重述。

The Rules came into force following approval by the Board of Directors on September 20th, 2018. The Rules were amended and restated by the first Board of Directors at its fifth meeting on November 28th, 2020.

第二十五条 本制度解释权归基金会理事会执行委员会。

The Executive Committee of the Board of Directors is responsible for the interpretation of the Rules.

第二十六条 本文本用中英文书写,如有不一致之处,以中文为准。

The Rules are written in both Chinese and English. In case of inconsistency, the Chinese version shall prevail.