

The “IBA Special Projects Fund”: Criteria For Use

In 2007 the IBA’s Management Board took the decision to place, on an annual basis, part of any year-end surplus which may arise into an “IBA Special Projects Fund”. The monies in this fund can be used to augment the Association’s work, over and above those items contained in its usual expenditure budgets.

The Management Board has established a committee to assess any requests made for deployment of these monies. This committee works within the pre-defined criteria as set out below. The committee is made up of the IBA Vice-President, the Vice-Chair and Treasurer of LPD, the Secretary Treasurer of the SPPI, the Chair of the BIC, the Co-chair of the HRI, and the Executive Director. The committee is authorised to approve requests of up to £50,000 without further consultation of the Management Board. Requests above this amount will be preliminarily reviewed by the committee for recommendation, but will be referred to the Management Board for final decision. The committee meets three times a year - at the early, mid-year and annual meetings.

The Association’s Committee members are actively encouraged to promote and sponsor new and innovative projects under the Special Projects Fund.

All project applications should have the written support of at least one Constituency

1. The objectives for the IBA Special Projects Fund are:

- 1.1. To give value back to members
- 1.2. To invest further in building the global presence of the Association.
- 1.3. To target issues of relevance to the membership, to the legal profession and to society as a whole
- 1.4. To involve a greater number of members in the proposed project

2. Criteria for how the IBA Special Projects Fund may be used are set out in bold below.

2.1 To increase investment – or the pace of investment – in responses to member needs identified by a Member Value Survey. For example, following from the most recent Survey, investment in the content and the usability of the IBA’s website, and/or investment in regional events, such as local receptions for members and prospective members.

2.2 To raise the profile of the Association as a whole (rather than any single part of it). This could include examples such as:

- Pan-Association events in strategically-targeted places, inviting “headline” speakers to our Annual Conference, or funding special promotional campaigns, as we have done in different ways with South African and Irish newspapers.

- New types of events to broaden the range of our outreach, and our own thinking on international legal issues, such as inviting like-minded global thinkers to lunches/dinners.

2.3 To support and/or enable a potential grant proposal to proceed, where funders require a contribution by the IBA, just as Macarthur Foundation did for our Hague office or OSISA for the Southern African Litigation Centre. (In both cases \$25k was given to each office and both Macarthur and OSISA looked upon this favourably).

3 The Fund should not be used:

3.1 For projects which have no end date. (Each project should be finite in date and cost and not be a pilot phase for what is intended to be a new permanent IBA offering, which will commit the whole association to providing future funding every year as part of its core cost base.) However, projects requiring ongoing short term support will be considered at the committee's discretion, with a view to financial support being withdrawn incrementally over a period of time as the project secures alternative funding.

3.2 To enable a conference with an insufficient market, and which would otherwise be loss-making, to proceed.

3.3 Where there is already money provided in the normal annual budget (ie, Committees should not apply to the IBA Special Projects Fund before exhausting their own Committee budget).

4 External Contractors:

4.1 When a committee is applying for funds that will include the appointment and management of a key supplier, the IBA procurement process (which ensures proper specification of the work and a selection process from a choice of potential suppliers and price quotes) **must** be followed, in which the IBA London Office Manager, Lowri Williams, should be involved. Where the expertise in selection is outside the core skills of the committee officers, the relevant skilled personnel in the IBA office **must** be engaged.

4.2 External contractors should be engaged when necessary for the success of the relevant project and when expertise of a similar nature has proved unreasonable to engage from within the Association, due enquiry having been made.

5. Repeat requests:

- The Committee will consider repeat requests on a case by case basis.

6 Conflict of Interest:

6.1 Special Project Fund committee members have a fiduciary duty to conduct themselves without conflict in the interests of the Association. In their capacity as Committee members, they must subordinate personal, individual business, third-party and other interests in the welfare and best interests of the Association.

6.2 A conflict of interest is a transaction or relationship which presents a conflict between a Committee member's obligations to the Association and the Committee member's personal, business or other interest.

7 Audits:

- All projects funded by the Special Projects Fund Committee may be subject to both programmatic and financial audits, at any time.

8 Changes to the Rules and Criteria:

It is possible to make an exception to the rules/criteria if the Management Board is in full agreement to do so.

Approved by the Management Board in Zagreb, May 2007 and, with further amendments, in Singapore, October 2007.

Name change and further amendments made in June 2013 – approval in Boston, October 2013.

Additional criteria added April 2014 – approved May 2014.

Further amendments made November 2016.

Amendments made November 2018 when conflict of interest language added.

Amendments made March 2019.

Preamble, and numbered paragraphs 1.3, 1.4 and 4.2 - Approved by Management Board, October 2021