

上海纽约大学教育发展基金会制度

NYU Shanghai Education Development Foundation

POLICY

名称: 信息公开制度

Title: Information Disclosure Policy

生效日期: 2020年10月9日

Effective Date: October 9, 2020

取代: 不适用

Supersedes: Not Applicable

发布授权人: 理事长

Issuing Authority: Chairman

负责人: 秘书长

Responsible Officer: Secretary

相关制度: 无

Related Policies: None

第一章 总则

Chapter I General Provisions

第一条 为进一步规范上海纽约大学教育发展基金会（以下简称“基金会”）的信息公开工作，扩大基金会工作的透明度，提高基金会社会公信力，保障捐赠人、受益人及基金会的合法权益，基金会根据相关法律法规的规定，结合基金会实际情况，特制定信息公开制度（以下简称“本制度”）。

Article 1. To further regulate the information disclosure work of the NYU Shanghai Education Development Foundation (hereinafter referred to as "the Foundation"), expand the transparency of the Foundation's work, increase the Foundation's social credibility, and protect the rights and interests of donors, beneficiaries and the Foundation, the Foundation therefore formulates an Information Disclosure Policy (hereinafter referred to as "the Policy") in accordance with the relevant laws and regulations and combined with the actual situation of the Foundation.

第二条 本制度所称信息公开，是指基金会按照相关法律法规和本制度的规定，将基金会内部信息和业务活动信息通过网站、媒体、多媒体刊物等形式向社会公开的活动。基金会应当以真实、完整、及时为披露信息的基本原则，最大限度地披露与本基金会相关的信息，但依法不予公开的除外。

Article 2. The term “information disclosure” in this Policy refers to the activities of the Foundation in accordance with relevant laws and regulations and the provisions of this Policy to disclose the internal information and business activities of the Foundation to the public through websites, media, and multimedia publications. The Foundation shall use truthfulness, completeness, and timeliness as the basic principles of information disclosure, and disclose information related to the Foundation to the maximum extent, except for those that are not disclosed in accordance with the law.

第二章 信息公开的内容

Chapter 2 Content of Information Disclosure

第三条 基金会向社会公开的信息包括：

- （一）基金会基本信息。包括：简介、宗旨、业务范围、办公地点、联系方式等；
- （二）理事会情况。包括：理事会成员情况、理事会会议情况、监事会成员情况等；
- （三）内部管理制度。包括：基金会章程、基金会捐赠接收、管理、使用流程管理办法、实物捐赠管理办法、基金会文件档案、会计档案管理制度、《公益事业捐赠统一票据》管理制度、人事管理制度等；
- （四）基金会工作动态。包括：日常工作、对外合作、业务活动、项目开展、公益活动等相关情况；
- （五）财务信息。包括：年度审计报告等；
- （六）年度工作报告。包括年度工作报告全文及摘要；
- （七）接受捐赠信息。包括非匿名捐赠人姓名及接受捐赠的年份等；
- （八）基金会其它需要公开的信息。

Article 3. The information disclosed by the Foundation to the society includes:

1. Basic information of the Foundation. Including: Introduction, purpose, business scope, office location, contact information, etc.;
2. The situation of the Board. Including: members of the board of directors, meetings of the board of directors, members of the board of supervisors, etc.;
3. Internal management policies. Including: Foundation Charter, foundation donation acceptance, management, use process management method, in-kind donation management method, foundation document file, accounting file management system, "public welfare donation uniform bill" management system, personnel management system, etc.;
4. The work update of the Foundation. Including: daily work, foreign cooperation, business activities, project development, public welfare activities, etc.;
5. Financial information. Including: annual audit report, etc.;
6. Annual work report. Including: full text and summary of the annual work report;
7. Information of gift acceptance. Including: names of the non-anonymous donors and the year of gift acceptance, etc.;
8. Other information that the Foundation needs to disclose.

第四条 下列信息，不予公开：

- （一） 涉及国家秘密的信息；
- （二） 涉及商业秘密的信息；
- （三） 涉及个人隐私的信息；
- （四） 捐赠人不同意公开的姓名、名称、住所、通讯方式、捐赠内容等信息；
- （五） 涉及知识产权所有者的信息；
- （六） 阶段性信息：尚未确定捐赠的交流和谈判信息等；
- （七） 内部工作信息：内部通讯、个人建议等；
- （八） 根据法律法规规定不得公开的其他信息。

前款第（二）项、第（三）项、第（五）项所列的信息，经征得信息权利人同意公开的或事先约定可以公开的，可以予以公开。

权利人对是否同意公开的意见征询未向本基金会作答复的，视为不同意公开。

Article 4. The following information shall not be disclosed:

1. Information involving national secrets;
2. Information involving business secrets;

3. Information involving personal privacy;
4. The name, address, contact information, gift information and other information that the donor doesn't want to disclose;
5. Information concerning owners of intellectual property rights;
6. Periodic information: communications and negotiations concerning a gift that is still undetermined;
7. Internal work information: internal communications, personal advices, etc.;
8. Other information that shall not be disclosed in accordance with laws and regulations.

The information listed in items (2), (3), and (5) of the preceding paragraph may be disclosed if it is disclosed with the consent of the information right holder or agreed in advance.

If the right holder fails to respond to the Foundation's consultation on whether to agree to disclosure, it shall be deemed that he/she does not agree to disclosure.

第五条 捐赠人有权向基金会查询捐赠财产的使用、管理情况。对于捐赠人的查询，基金会应当及时如实答复。

Article 5. Donors have the right to inquire about the use and management of donated property from the Foundation. The Foundation shall reply truthfully and promptly to the donor's inquiry.

第三章 信息公开的方式及时限

Chapter 3 Method and Time Limit of Information Disclosure

第六条 基金会通过以下方式公开信息：

- (一) 官方网站；
- (二) 基金会微信公众号；
- (三) 主流媒体（电视、广播、报刊）；
- (四) 民政部指定媒体；
- (五) 基金会年报、宣传册、电子简报等刊物；
- (六) 定期向捐赠方邮寄或电邮项目报告。

Article 6. The Foundation discloses information through the following ways:

1. Official website;
2. The Foundation's WeChat account;

3. Mainstream media (TV, broadcasting, newsletters);
4. Media that designated by the Ministry of Civil Affairs;
5. Publications such as foundation annual reports, brochures, and electronic newsletters, etc.;
6. Regularly mail or email gift reports to the donors.

第七条 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，应当及时公开说明或者澄清。

Article 7. Any news on the public media that has caused or may have adverse effects on the Foundation shall be publicly explained or clarified in a timely manner.

第八条 信息公开的时限要求：

- （一）法律法规或基金会章程有明确的信息报送和公布时限要求的，按照时限要求公开信息；
- （二）凡属主动披露的信息且法律法规和基金会章程没有明确时限要求的，基金会当在该信息形成及时予以公开；
- （三）对于信息公开的查询和申请，能够当场答复的，基金会应当当场予以答复。不能当场答复的，基金会应该保留申请，并在收到申请之日起 15 个工作日内答复，不能满足上述公开时限的应予以说明。

Article 8. Time limit requirements for information disclosure:

1. Where laws and regulations or the Articles of Association of the Foundation have clear time limits for information submission and publication, the information shall be disclosed in accordance with the time limits;
2. If the information is voluntarily disclosed and there is no clear time limit required by laws, regulations and foundation Articles of Association, the Foundation shall disclose the information in a timely manner;
3. For information disclosure queries and applications that can be answered on the spot, the Foundation shall respond on the spot. If it is not possible to reply on the spot, the Foundation should retain the application and reply within 15 working days from the date of receipt of the application. If the above-mentioned disclosure time limit cannot be met, it should be explained.

第四章 附则
Chapter 4 Other Provisions

- 第九条** 本制度以中英文两种语言书写。如中英文版本产生歧义，以中文版为准。
- Article 9.** This Policy is written in Chinese and English. In the event of a conflict between the two versions, the Chinese version shall prevail.
- 第十条** 本制度由基金会秘书处负责解释。
- Article 10.** This Policy shall be interpreted by the Foundation's Office of the Secretary.
- 第十一条** 本制度自基金会理事会批准之日起生效并执行。
- Article 11.** This Policy shall come into effect upon approval by the Foundation's Board of Directors.