



Guidelines for Conducting
Special Events, Benefits or Promotions to Benefit
Susan G. Komen for the Cure Memphis-Midsouth Affiliate

Thank you for your interest in benefiting Susan G. Komen for the Cure Memphis-Midsouth Affiliate (“Komen Memphis-Midsouth Affiliate”). Donations to the Komen Memphis-Midsouth Affiliate are an important vehicle in advancing our mission of eradicating breast cancer as a life-threatening disease through the advancement of research, education, screening, and treatment.

Below are guidelines that may be useful as you consider conducting an event, benefit or promotion (“event”) to benefit the Komen Memphis-Midsouth Affiliate. It will be necessary for you to first complete and submit an application giving us certain information about the proposed event.

Please note that while the Komen Memphis-Midsouth Affiliate may be able to provide guidance for your event, we are unable to provide administrative or logistical assistance for the event (e.g., distributing invitations, compiling RSVP’s, selling tickets, sitting on steering committees, etc.). If the event is approved, you should be prepared to provide all of the support necessary to organize and conduct the event, including committing all funds required for the event.

Things to consider before you submit an application...

- As a responsible steward of public funds, the Komen Memphis-Midsouth Affiliate works to keep our expenses at or below 25% of our gross revenue as we advance our mission to eradicate breast cancer as a life-threatening disease. Likewise, we expect any individual or organization that organizes and conducts an event to benefit us to ensure that the expenses incurred in connection with the event do not exceed 25% of the gross revenue generated by the event. Exceptions may sometimes be made for first-year events, on a case-by case basis.
- A Letter of Agreement must be negotiated and signed by both you and the Komen Memphis-Midsouth Affiliate before you can begin planning or promoting the event.
- You will be responsible for obtaining any necessary permits for the event, and for obtaining general liability insurance for your event. The following entities must be named as additionally insured on the liability insurance for the event:

Susan G. Komen for the Cure
5005 LBJ Freeway, Suite 250
Dallas, TX 75244

Susan G. Komen for the Cure Memphis-Midsouth Affiliate
6685 Poplar Ave., Suite 205
Germantown, TN 38138

- If you conduct an athletic or sporting event, you must require all participants to sign a waiver/release and must retain those waivers/releases for an agreed-upon period of time following the event.
- All products or other item(s) that will be sold at or in connection with the event must be non-controversial in nature and approved in advance by the Komen Memphis-Midsouth Affiliate.
- The Komen Memphis-Midsouth Affiliate works with various underwriters and sponsors in connection with events that we conduct. In order to ensure that there is no conflict with our sponsors or underwriters, you must inform us of any potential event sponsors or underwriters for your event before you secure them.

Other things to keep in mind. . .

- You must obtain written permission from the Komen Memphis-Midsouth Affiliate to use Komen's name, logo and/or trademarks. **Completion of the Application for Special Events, Benefits, or Promotions does not constitute permission from the Komen Memphis-Midsouth Affiliate to use Komen's name, logo or trademarks.** If your application is approved, a Letter of Agreement will be negotiated and signed by both parties. Permission to use the organization's name will usually be granted for Third-party fundraisers that guarantee a contribution of \$100 or more.

Permission to use the Affiliate logo is reserved for Third-party fundraisers that projects a contribution of \$1,500 or more and is subject to approval.

Third parties may not transfer this privilege to their own customers, members or other entities that are associated with the primary organization or individual. All references to the Komen organization in publicity and promotional materials, on tickets, invitations, or other materials related to the promotion should say:

- Susan G. Komen for the Cure Memphis-Midsouth Affiliate (for the first reference)
- Komen Memphis-Midsouth Affiliate (This is acceptable for subsequent references.)
- You will need to be prepared to create and disseminate all publicity for the event.
- All publicity material related to the event must be reviewed and approved by the Komen Memphis-Midsouth Affiliate ***before it is printed or distributed***. This includes, but is not limited to, invitations, press releases, newspaper or newsletter articles, merchandise, etc.
- In accordance with the Better Business Bureau Wise Giving Alliance's guidelines for charitable promotions, all advertising and promotional materials for your event must clearly disclose to the public the specific amount of money from the consumer's

purchase that will be donated to the Komen Memphis-Midsouth Affiliate (e.g., “\$10 of each ticket purchased,” “10% of the sales price of this product,” etc.).

Making your donation...

- It will be necessary for you to provide us with a check for the event proceeds, along with an accounting of those proceeds, within an agreed-upon time (e.g., 60 days) following conclusion of the event.
- Sponsors, underwriters, attendees and participants must make their payment for the event directly to you, as the individual or organization conducting the event. **You cannot offer sponsors, underwriters, participants or attendees the option of writing their checks for the event directly to the Komen Memphis-Midsouth Affiliate for tax purposes, or otherwise allow them to make their event payment directly to the Komen Memphis-Midsouth Affiliate.** You also may not make any other statement or take any action which would imply that those payments are tax-deductible.
- If a sponsor, underwriter, attendee or participant is interested in making a donation directly to the Komen Memphis-Midsouth Affiliate (separate and apart from the event fee), we will be pleased to accept and acknowledge those donations.
- We sincerely appreciate your desire to support the Komen Memphis-Midsouth Affiliate and our Promise: To save lives and end breast cancer forever by empowering people, ensuring quality care for all and energizing science to find the cures.

IRS Regulations

There are several rules and guidelines for 3rd Party Events which **must be followed in order to comply with IRS regulations.**

A 3rd Party Event is an event, activity or promotion that:

- Benefits the Affiliate
- Is conducted or promoted by an individual or organization unrelated to the Affiliate
- Is separate from the Affiliate, Affiliate activities and Affiliate resources

Examples: Product or Store Promotion, Sporting Event, Entertainment Event

The 3rd Party should be primarily responsible for ALL aspects of the Event including:

- **Organizing**
- **Operations/logistics**
- **Promotion/Publicity/Advertising**
- **Legal liability and insurance**
- **Financial liability**

The Affiliate may passively promote the event by:

1. Including the event on the calendar of upcoming events that will benefit the Affiliate

2. Acknowledge the event, but cannot promote or solicit participation
3. Link the website to the home page of the 3rd Party's website:
 - a. Use of a hyperlink to a 3rd Party website is allowable
 - b. Komen website links should be passive, a mere acknowledgement
4. Providing resources for a breast health table at the event (and staffing the table)
5. Serving as a guest speaker, emcee the event
6. Providing a representative at the event for a check presentation
7. Providing volunteers to help at the event, subject to certain limitations listed below
8. Accepting and acknowledging individual donations made directly to the Affiliate (donation checks written directly to the Affiliate which are separate from event fees)

The Affiliate cannot actively promote the event by:

1. Mailing invitations to Affiliate's constituents
2. Allowing 3rd Party to use Affiliate mailing lists
3. Soliciting sponsorships or donations for the event
4. Endorsing the event, organizers or product
5. Allowing the 3rd Party to use its tax ID number (EIN) to avoid sales tax on purchased items
6. Paying the event expenses
7. Reimbursing the 3rd Party for event expenses
8. Providing insurance for the event
9. Opening a bank account for the event or allow a 3rd Party to open a bank account in the Affiliate's name
10. Allowing event fees or sponsorships to be paid directly to Komen.
11. Allowing any other activity that implies payments are tax-deductible to the participant
12. Issuing acknowledgement letters to anyone other than the 3rd Party
 - a. Unless the donation is made directly to the Affiliate and is separate from the event participation fee
 - b. The Affiliate cannot acknowledge event fees or sponsorships, since these are paid directly to the 3rd Party
13. Providing volunteers to:
 - a. Serve on event organizing/planning committees
 - b. Serve in a leadership role at the event
 - c. Have decision making authority at the event or over event operator
 - d. Sell tickets, accept admission fees or otherwise handle event proceeds