

***Association Statute***

**CONSTITUTION- AIM- SEAT**

**Article 1**

A non-political, voluntary Association is established, operating with no sake of gain and carrying on its activities according to this statute and, for everything not included in it, according to law rules on the subject, named

ASSOCIATION FRIENDS INDIAN MISSIONS (AMI )

NON PROFIT ORGANIZATION WITH A SOCIAL UTILITY

The last expression might be replaced by the acronym "ONLUS" and should always be used in the name and in any distinctive mark and communication to the public.

**Article 2**

The aim of the organization is to encourage solidarity, both with local initiatives and with exchanges with other countries, particularly operating in favor of the minors in difficulties. The association mainly operates in the following fields:

- a) SENSITIZATION: it has the aim of studying and make the public opinion know, through the widest and most various initiatives, the problems contemplated by the Association and particularly those related with the relationship between different cultures and realities and with the minors' situation;
- b) ECONOMICAL SUPPORT: it devotes itself to finding Italian families which help to maintain minors and youths in other countries who should otherwise interrupt their studies. This help wants to allow minors and youths in a state of need not to leave their our surroundings;
- c) HELPS: it has the task of studying and estimating initiatives and development projects and of finding the funds for their realization; it systematically organizes the dispatch of food, medicines, surgical and technical instruments in the countries where they are demanded;
- d) ENTRUSTMENT AND ADOPTION: it provides technical, moral and psychological support to Italian couples wishing to attain entrustment and/or adoption of foreigner minors in a state of abandonment.

**Article 3**

The Association has its seat in Buccinasco (Milan), via Aldo Moro n°3 and can establish offices in other towns.

**ASSOCIATES - STRUCTURE**

**Article 4**

All citizens with no distinction of culture, social class, religion, nationality and races can join the Association.

The admission of new members must be proposed by at least three associates and the relative request must be forwarded to the Council. In the request of admission the applicant must declare to accept all the rules contained in the present statute.

The Council gives its opinion on the request of admission to the Association and deliberates with a majority of two thirds of the presents.

The Associates engage themselves to respect the present Statute and the resolutions taken in its respect by the Organs of the Association. The Associates also engage themselves to lend their own contribution to the Association, in the spirit of solidarity, for the fulfillment of its institutional aims.

## **Article 5**

The Association is based on the personal, spontaneous and free work of its members who can be:

- a) ORDINARY, who, besides the payment of an annual fee, engage themselves within their possibilities to personally take part in the activities of the Association;
- b) SUPPORTERS, who financially contribute to the activities of the Association without subscribing any social fee;
- c) HONORARY, who are named by the Assembly on Council's proposal for particular merits or distinctions as regards the Association.

## **Article 6**

In its peripheral levels the Association is organized in area seats operating in the same operating sectors as described in Article 2.

## **Article 7**

The capacity of associate is lost by exclusion or withdrawing.

Exclusion may come because of serious non-fulfillment of statute obligations.

The same is declared by the Council with a majority of two thirds of the presents and communicated, in writing, by means of registered letter to the associate.

Appeal can be presented towards such decision by means of registered letter by the party concerned to the Council, within 30 days on receiving the communication of exclusion. Within the following 30 days the Council will summon the Assembly, in the terms and forms stated in Article 9, which will definitively state as regards the exclusion. Both exclusion and withdrawing give no right to the refund of the paid shares.

## **Article 8**

The magazine SHANTHI is the official organ of the Association, it is sent freely to all members and symphatizers.

## **ASSEMBLY**

## **Article 9**

The Assembly of Associates is summoned by the President by means of registered letter containing the agenda, sent twenty days before the day stated for the meeting.

The Assembly summons as a rule once a year. For the Assembly's meetings current provisions of the law are valid.

Honorary members, supporters and ordinary members can take part in the Assembly. The last only if they have effected the payment of their annual fee- if they are members of the Association on the moment when summoning to the Assembly is sent.

The Assembly elects, through secret ballot, the members of the Council in the respect of what foreseen in Article 12. The Assembly also names the College of Auditors of Accounts and deliberated on:

- criteria and working terms of area seats
- the President's report on the activity carried out by the Association in the elapsed year
- the final administrator account and its respective report
- the estimated budget for the current year and the amount of the association fee

Furthermore it is Assembly's concern to set the main points of the Association's activities and to resolve about proposals of changes to the present statute.

## **Article 10**

Every honorary member or supporter has a right to vote. Ordinary members have a right to vote, in ordinary and extraordinary meetings, only if they have effected payment of their annual fee.

The assembly is held by the President who will be replaced, in case of absence, by the Vice-President and, in default, by the eldest councilor.

The Assembly's meetings are valid, on first summoning, by intervention of as many associates representing, of their own or by proxy, at least half of the votes due to all associates, regardless the number of the votes represented.

Every associate has the right to be represented in the Assembly, with effect on the second summoning too, by another associate by means of a written proxy; the number of proxies conferred to every associate cannot grant the delegate more than five votes.

Resolutions are validly undertaken with the absolute majority of the votes granted to the associates present in the Assembly. Resolutions of the Assembly are to be accompanied by a report, signed by the secretary, named by the Assembly and by the President.

The report of extraordinary Assemblies will have to be drawn by a Notary.

## **Article 11**

As regards resolutions concerning changes in the Statute or dissolution of the Association, the Assembly is validly established by the presence of as many associates, on their own or by proxy, to represent at least three quarters of the votes due to all associates.

In any case such resolutions must be taken:

- for changes in the Statute, with the favorable vote of as many associates to represent the majority of the associates present or represented in the Assembly;
- for dissolution of the Association, with the favorable vote of as many associates to represent, on their own or by proxy, at least three quarters of the votes due to all associates.

## COUNCIL- EXECUTIVE COMMITTEE- COLLEGE OF AUDITORS

## **Article 12**

The association is held by a Council that grants the ordinary and extraordinary administration of the Association.

It is duly appointed the widest powers, with the only exception of the powers that are granted by law to the Assembly.

The Assembly states the number of the members who make up the Council, in an odd number anyway, between a minimum of five up to a maximum of eleven.

They are in charge for two years and can be re-elected. No retribution is due to the members of the Council, who have anyway the right to a refund of the expenses held in the exercise of their duties.

## **Article 13**

The Council, in its first meeting, names:

- within itself, the President and a Vice-President;
- a treasurer and a secretary who can be chosen among the counselors themselves or among the members of the Association.

The President legally represent the Association in front of thirds and on trial at any degree, and attends the execution of the resolution of the Assembly and of the Council.

## **Article 14**

The Council sits, on President's summon, ordinarily once in three months as rule to:

- check the trend of the different initiatives;

- co-ordinate area activities;
  - plan the line of action for the following months;
- and extraordinarily any time it is necessary or is requested by at the least three counselors.

As a rule the summon is made by the President by means of registered letter containing the agenda, sent at least ten days before the day of the meeting.

Council's meetings are held by the President and in his/her absence or impediment by the Vice-President and, in default, by the eldest counselor.

Council's summon are considered as valid when the majority of the Counselors in charge are present.

Vote being equal in resolutions the President's vote prevails.

In secret ballots the equality of votes involves rejection of the resolution.

## **Article 15**

The Council can name an Executive Committee composed of three to five of its members; it sets its powers and ways of operating.

The President, Vice-President and Treasurer are members of right.

The Executive Committee, in case of particular urgency can take any resolution pertaining to the Council; such deliberations will nevertheless be communicated to the Council in its first meeting.

## **Article 16**

The Assembly names a College of Auditors, composed of three active members and two supply members, chosen among professionals enrolled in the Register of Auditors of Account, in the Roll of Accountant Consultants or Doctor Accountants.

The Auditors verify the administration of the Association, watch over the observance of the law and of the Statute and check the regular keeping of accountancy. They write a report of their meetings; they relate to the Executive Committee and to the Council, during the first useful meeting, possible remarks come out during the verifications; they set forth the annual report of the Assembly, called to approve the final balance of the management.

## **PATRIMONY AND SOCIAL EXPENSE**

## **Article 17**

The patrimony is made of:

- personal property and real estate which will become property of the Association;
- possible reserve funds from the budget surplus;
- possible assignments, donations and legacy;
- ordinary social fees;
- profit from cultural demonstrations organized by the Association itself;
- any other income that concurs to increase the social assets;
- a "Tied up Association Fund" equivalent to £(Italian lira) 100.000.000 (a hundred million) that could be invested in State Bonds or Warranted by the State and whose annual income might be used by the Association to reach its own aims up to a limit of 50% of the same.

The Association cannot assign even in directly profits or management remainders as well as reserve or capital funds unless the destination is ordered by law or is made in favor of other ONLUS (no-profit associations with a social utility).

The Association has the duty to use all its profits or the management remainders for the fulfillment of its institutional activities and of those indirectly connected.

## **Article 18**

The financial exercise is equivalent to the solar year.

Within forty-five days from the end of every exercise ( which is within February 15<sup>th</sup> every year ) the Council will prepare the final balance and the estimated balance which will be subject to the Assembly's resolution as specified in Article 19.

## TERM - DISCONTINUANCE

### **Article 19**

The term of the Association is unlimited.

In case of liquidation of the Association, the Assembly names one or more liquidators.

In case of dissolution, for any reason, of the Association the Management, after consulting the control body as described in Article 3, paragraph 190, law December 23<sup>rd</sup>, 1996 n° 662, will transfer the Association's patrimony to other non-profit organizations of social utility or to a public use.

## FINAL DISPOSITIONS

### **Article 20**

As regards everything not precisely regulated by the present Statute, dispositions contained in Book 1. Title II of the Civil Code are applied.

Signed: SILVANO CALDANA

Signed: PASQUALE LEBANO Notary

The present copy is true to the original enclosure sub. A to the certificate drawn by Notary Pasquale Lebano dated October 30<sup>th</sup>, 1997 n° 199037/23265 of the inventory and is issued for the uses granted by the law.

Milan 11<sup>th</sup> October, 1999

Roberta Cocchia Assistant

Republic's Solicitors Office in Milan

Checked- the signature of Mrs. Roberta Cocchia, Assistant to Mr. Lebano, Notary in Milan is authenticated.

Milan, October 14<sup>th</sup>, 1999

Mrs. ADA RIZZI, Republic's Solicitor General