

(Translation)

-1-

**Regulations**

**BAN KITTISARO FOUNDATION**

**Section 1**

**Name, Symbol, and Office**

Clause 1 This foundation is named “BAN KITTISARO FOUNDATION”

Abbreviation is “BKF”

English Name is “BAN KITTISARO FOUNDATION”

English Initial is “BKF”

Clause 2 The symbol of this foundation is the seal of the foundation.

As the picture shown below.

(Official seal affixed)

(Seal affixed)

Clause 3: The foundation’s head office is located at the 4-storey building No. 18 8 / 3 (only the 1<sup>st</sup> floor), Ban Lam Pho-Wat Si Khet Nantharam Road, Village No. 5, Lam Pho Sub-district, Bang Bua Thong District, Nonthaburi Province.

/Section 2

No. DCADEQB-003  
18 AUG 2023



SEEN AT THE MINISTRY OF FOREIGN AFFAIRS

A handwritten signature in black ink, appearing to read 'Nattawut'.

MR. NATTAWUT SUPAWIT  
Legal Officer, Practitioner Level  
Ministry of Foreign Affairs of Thailand

DCA20230725-217

E 0200469

(Translation)

- 2 -

## SECTION 2

### OBJECTIVES

**Clause 4** The objectives of this Foundation are as follows:

4.1 For public charity, religion, art, science, literature, education or for other public benefits

4.2 For providing scholarships and educational promotion to the poor children with good study result

4.3 For supporting general monks and novices

4.4 For maintaining religious education, such as the study of the dharma discipline

4.5 For cooperating with other charities, cooperating with government agencies or organizations regarding work or public interest business

4.6 Not carrying out political activities in any way

*(Seal of  
Nonthaburi Province  
affixed)*

## SECTION 3

### CAPITAL, ASSET AND ACQUISITION OF ASSETS

**Clause 5** The Foundation's asset is the initial capital in cash at the amount of 200,000 Baht (two hundred thousand Baht only).

**Clause 6** The acquisition of assets for the Foundation may include the following methods:

6.1 Money or assets as acquired through a will or any other legal transactions with no obligations for the Foundation to be responsible for any debts or any other responsibilities attached to the assets;

6.2 Money or assets as donated by those who have faith towards the Foundation;

6.3 Interest as resulting from assets of the Foundation;

6.4 Revenue as arising from any activities arranged by the Foundation;

6.5 Other revenues from the operation of activities under the objectives of the Foundation.

/ SECTION 4

(Translation)

- 3 -

#### SECTION 4

### QUALIFICATIONS AND TERMINATION OF OFFICE OF THE COMMITTEE MEMBERS

**Clause 7** The Foundation's committee members are obliged to match the following qualifications:

- 7.1 Being at an age of not less than 20 years;
- 7.2 Not being a bankrupt or incompetent or quasi-incompetent person;
- 7.3 Not being or having been imprisoned by a final judgment to imprisonment, except for discharge of penalty for not less than 5 years or an offence committed through negligence or a petty offence.

**Clause 8** The Foundation's committee members shall vacate office upon:

- 8.1 End of tenure;
- 8.2 Death or resignation; *(Seal of*
- 8.3 Lack of the qualifications *Nonthaburi Province* under the Regulation Clause 7; *affixed)*
- 8.4 Being a person with derogatory behavior and conduct, and by the resolution of the Foundation's committee to vacate the office with a voting score of not less than three-fourths votes from the Foundation's committee members;
- 8.5 The court's final judgement under Section 129 of the Civil and Commercial Code.

#### SECTION 5

### OPERATIONS OF THE FOUNDATION'S COMMITTEE

**Clause 9** This Foundation is operated by the committee with no fewer than 7 members but not exceed 14 members.

**Clause 10** Signing on any documents to bind the Foundation shall be made by the Foundation's President or a committee member authorized by the President with approval of the Foundation's meeting, together with the Foundation's common seal affixed as evidence.

/Clause 11

(Translation)

- 4 -

**Clause 11** The Foundation's committee members under Clause 9 shall consist of the positions of President, Vice President, Treasurer, Secretary, and other committee positions in a number as seen appropriate by the Foundation's committee members.

**Clause 12** Appointment of committee members under the Regulation Clause 11 shall be conducted by the current committee in order to appoint the Foundation's committee members and other members in a number deemed appropriate under the Regulation Clause 9.

**Clause 13** The Foundation's committee members shall hold the office for a term of 4 years.

**Clause 14** Appointment of committee members shall be made with majority votes as resolved in the Foundation's committee meeting.

**Clause 15** A committee member who vacates the office upon expiry of his or her term may be re-appointed into the office, and in the event that the term for the Foundation's committee is reached, the recently terminated committee members shall be deputized until the Foundation Registrar grants registration for the newly appointed committee members.

**Clause 16** In the event that the office of committee members falls vacant before its term, the remaining committee shall appoint other persons to hold the vacant position; however, the replacing persons can only remain in the office for the remainder of the term.

## SECTION 6

### ROLES AND RESPONSIBILITIES OF THE FOUNDATION'S COMMITTEE

**Clause 17** The Foundation's committee shall be authorized to undertake the Foundation's activities in accordance with the Foundation's objectives as well as under these Regulations, with the following responsibilities:

17.1 To determine policies in which the Foundation is obliged to abide by;

17.2 To control the Foundation's finance and other assets;

17.3 To provide operation reports, financial reports, income & expenditure reports and balance sheets to the Registrar;

17.4 To conduct all actions in accordance with the resolutions of any Foundation's committee meeting and the objectives of the present Regulations;

/17.5

(Translation)

- 5 -

17.5 To enact regulations to all matters related to the Foundation;

17.6 To appoint or revoke a subcommittee or subcommittees to carry out a specific undertaking under the control of the Foundation's committee;

17.7 To invite any expert or person who is able to contribute exceptional benefits to the cause of the Foundation, to be an honorary member of the committee;

17.8 To invite any dignitaries to become patrons of the Foundation;

17.9 To invite experts to become consultants of the Foundation's committee;

17.10 To appoint or revoke any permanent staff of the Foundation, or to resolve to undertake under Clause 17.6, 17.7, 17.8 and 17.9 with majority votes of the meeting.

**Clause 18** The President of the Foundation's committee shall have the following authority and responsibilities:

18.1 To preside over any meeting of the Foundation's committee;

18.2 To call for meetings of the Foundation's committee;

18.3 To act as a representative of the Foundation in contacting a third party or bearing the signature in documents, regulations and all kinds of letter served as evidence of the Foundation;

18.4 To carry out other undertakings under the regulations and the resolution of the meetings of the Foundation's committee.

**Clause 19** In the absence or inability of the Foundation's President, the duties of the President shall be assumed by the Vice President; and in the absence or inability of the Vice President, a committee member named and appointed in the next order shall assume the duties of the President and this order shall be repeated uninterruptedly.

**Clause 20** The Foundation's Secretary shall have the duties to supervise activities and conduct the Foundation's meetings and general coordination activities, maintain the Foundation's regulations, set appointments for meetings as ordered by the President, and provide meeting minutes as well as the Foundation's operation reports.

**Clause 21** The Treasurer shall have the duties to control the Foundation's finance and assets, including related accounts and documents, to be correct and in line with the regulations as specified by the Foundation's committee.

/Clause 22

(Translation)

- 6 -

**Clause 22** Other members of the committee shall be given definite authority and responsibilities roles as prescribed by the Foundation's committee in a written order.

**Clause 23** All members of the Foundation's committee are eligible to attend any the Foundation's committee meetings or subcommittee meetings.

## SECTION 7

### SUBCOMMITTEE

**Clause 24** The Foundation's committee shall have the authority to appoint or revoke the subcommittee as appropriate ~~for~~ <sup>(*Seal of*</sup> the Foundation. The subcommittee may be permanent or temporary <sup>(*Nonthaburi Province*</sup> ~~under particular circumstances~~ <sup>*affixed*)</sup>. On the occasion that the Foundation's committee has not appointed a president, subcommittee, a Secretary or other subcommittees in other positions, the existing subcommittee may appoint fellow subcommittee members to assume a specific function in accordance with their needs.

**Clause 25** Subcommittee members shall remain in position upon the completion of their assigned tasks. Permanent subcommittee members shall remain in position until the end of their term as specified by the Foundation's committee. If unspecified, the subcommittee shall be terminated at the same time as when the Foundation's committee who made the appointment finishes their term. Subcommittee members who have finished their term may be re-appointed.

25.1 Subcommittee members are responsible for all tasks as appointed to them by the Foundation's committee;

25.2 Subcommittee members are eligible to share their opinions to the Foundation's committee regarding tasks which they have been assigned.

/SECTION 8

(Translation)

- 7 -

## SECTION 8

### THE FOUNDATION'S COMMITTEE MEETINGS

**Clause 26** The Foundation's committee shall be obliged to arrange an annual general meeting on a yearly basis within March of that year; and there shall be a meeting of the Foundation's committee every 3 months or more in case of necessity to consider various matters of the Foundation. At least half of the members of Foundation's committee shall be required to be present in such meeting to constitute a quorum. In each meeting, not at least 15 minutes after the scheduled time, if the President or the person to act on the President's behalf remains absent from the meeting, the Secretary shall ~~be~~ <sup>be</sup> ~~responsible~~ <sup>responsible</sup> for an election of any one of the attending members as the substitute <sup>Nonthaburi Province</sup> chairperson of such meeting.

**Clause 27** An extraordinary meeting <sup>affixed)</sup> can only be held when the Foundation's President or not less than 2 committee members have expressed their desire to hold such meeting to the President; to institute a quorum, the Regulation Clause 26 shall be applied *mutatis mutandis*.

**Clause 28** The meeting schedule and the subcommittee's quorum shall be as defined by the Foundation's committee. In regard to meeting, the subcommittee shall agree among themselves; and in regard to the quorum, the Regulation Clause 26 shall be applied *mutatis mutandis*.

**Clause 29** In a meeting of the Foundation's committee or subcommittee, unless otherwise provided by the Regulation, the resolution of the meeting shall be passed by a majority of votes. On the occasion in which equal votes have been achieved, the President of the meeting shall have the deciding vote. Any issue deemed to be general and insignificant may be raised by the authority of the President of the Foundation's committee through letters in lieu of calling for a meeting of the Foundation's committee. However, the President shall report the resolution and activities as undertaken under such resolution to the next committee meeting; whether any activity is a regular task or an insignificant activity shall be decided at the discretion of the Foundation's President.

/Clause 30



(Translation)

- 8 -

**Clause 30** During a committee meeting or a subcommittee meeting, the President of the Foundation's committee or the chairperson of the meeting shall have the authority to invite or allow a person deemed appropriate to attend such meeting as dignitary or observer in order to provide explanation or consultation to the meetings.

## SECTION 9

### FINANCES

**Clause 31** The President of the Foundation's committee, the Vice President and the Director, any of the Foundation's committee members and the Treasury shall be authorized to open a savings account for the Foundation's money with a commercial bank in the Kingdom of Thailand, using the account name of "Luang Pu Ban Kittisaro Foundation Account"; and if any one of the above four persons cannot join the opening of the said account, the Foundation's President with the meeting resolution shall appoint a committee member to act on his behalf. The Foundation's President shall have the authority to authorize payments, by check or withdrawal from the Foundation's savings account, of not more than 50,000 Baht (fifty thousand Baht only) on each occasion. A figure of more than such amount shall be approved for payment through a majority of votes between the Foundation's committee members; except in case of necessity and urgency, it shall be up to the discretion of the President of the Foundation's committee to approve the payment and the decision shall be disclosed at the next committee meeting.

**Clause 32** The Treasurer shall have the responsibility for the physical safe keeping of cash, which is the Foundation's money or donated money, of not more than 10,000 Baht (ten thousand Baht only).

**Clause 33** Cash or any other patents belonging to the Foundation shall be kept at a bank or any other monetary institutions as guaranteed by the government, or be used to purchase government bonds. This decision shall be up to the discretion of the Foundation's committee.

**Clause 34** Any of the Foundation's payments made by check shall require the signatures of the President or the Vice President of the Foundation's committee under Clause 31, along with those of the committee member and the Treasury every time, in order for such payments to be valid.

/Clause 35

(Translation)

- 9 -

**Clause 35** Expenditures under the Foundation's objectives, including office expenses, shall be paid with interest resulting from the Foundation's capital asset and the money not intended for any specific contribution by the donor, and revenue arising from any activities arranged by the Foundation, or other revenues from the operation of activities under the Foundation's objectives.

**Clause 36** The Foundation's committee shall institute regulations regarding the Foundation's finances, accounts and assets, and determine authorities and functions related to any disbursements as prescribed by the Regulations.

**Clause 37** The Foundation's committee shall produce the Foundation's financial status report for the current period of accounting and its shall be presented in the annual general meeting.

#### SECTION 10

(Seal of  
AMENDMENT TO THE FOUNDATION'S REGULATIONS  
Nonthaburi Province  
affixed)

**Clause 38** Amendment to the Regulations shall only be made in meetings between the Foundation's committee, in which an obligation of no less than three-fourths of all members must be present. The amendments shall only be approved if no less than two-thirds of the attending members agree on the issue.

#### SECTION 11

##### TERMINATION OF THE FOUNDATION

**Clause 39** Should the Foundation cease to exist under the resolution of the Foundation's committee or through any other reasons, all remaining assets of the Foundation shall come under the possession of the Sirindhorn Rajawittayalai Foundation under the Royal Patronage of His Majesty the King.

**Clause 40** Apart from obligations to be terminated unless prescribed by the law, the Foundation may cease to exist, without the court's judgment or order of termination, under the following circumstances:

40.1 When the Foundation has been officially registered as a juristic person by the Registrar but fails to receive the fully committed assets;

/40.2

(Translation)

- 10 -

40.2 When two-thirds of the Foundation's committee members agree on termination;

40.3 When the Foundation fails to find the necessary number of committee members as specified in accordance with the Foundation's Regulations;

40.4 When the Foundation fails to continue its operations due to any reasons.

## SECTION 12

### MISCELLANEOUS

**Clause 41** In case of any confusion surrounding the interpretation of the Foundation's Regulations, the majority vote of the Foundation's committee shall be the defining solution.

**Clause 42** The provisions of the Civil and Commercial Code regarding Foundations shall be applied in the absence of any stipulation herein. *(Seal of Nonthaburi Province affixed)*

**Clause 43** The Foundation shall be obliged not to seek to exploit benefits for any individuals or any specific members, other than to contribute towards the objectives of the Foundation itself.

Signed.....*-Signature-*.....Creator of the Regulations

(Mr. Nikon Wongsoontorn)

President of Ban Kittisaro Foundation