

RULES OF THE GENERAL JULIUSZ KLEEBERG POLISH COMMUNITY FUND IN AUSTRALIA

Definitions:

The Fund - is the General Juliusz Kleeberg Polish Community Fund in Australia

The Council - is the Polish Community Council of Australia, Inc. (PCCA)

The Constitution - is the Constitution of PCCA

Congress of Delegates - is the annual general meeting of the Council as defined in Part VII of the Constitution of PCCA

The Executive Committee - is the Executive Committee of the PCCA as defined in Part IX of the Constitution of PCCA

Administrative Committee – is the Committee appointed to administer the Fund, also known as the Administrators

The Internal Audit Committee – is the internal Audit Committee of the PCCA, as defined in Part XI of the constitution of the PCCA.

The Arbitration Committee - the Arbitration Committee of the PCCA, as defined in Part XII of the Constitution of the PCCA.

Financial Year – a period of one year, which ends on 31 March of each year as defined in Part XIV of the Constitution of PCCA.

In these Regulations words importing the singular include the plural and the masculine shall include the feminine and vice versa.

I. NAME AND CHARACTER

1. The name of the Fund shall be: General Juliusz Kleeberg Polish Community Fund in Australia hereinafter referred to as the Fund. (known in Polish as: Fundusz Wieczysty Polonii Australijskiej im. Generala Juliusza Kleeberga.
2. The area of the Fund activity shall be Australia.
3. The Fund capital shall consist of any legally acquired money, in a form of donations, endowments, legacies, as well as profits, proceeds from collections, fund-raising activities, social functions, and similar activities.
4. The accumulated capital of the Fund shall be invested in secured, interest bearing deposits and deposits warranted by the Australian Government Bonds and only interest from such investment shall be available for annual distribution to support its objectives:

II. OBJECTIVES OF THE FUND

1. to promote literature, music and all other forms of Polish arts and culture in Australia
2. to aid the organisation of youth activities
3. to support the work of the Education Commission of the Polish community in Australia
4. to establish scholarships for young people of Polish descent
5. to support the work of the Executive Committee of the PCCA and member organisations

III. ADMINISTRATION OF THE FUND

1. The Fund has been established under the Constitution and shall be under the control of the PCCA. All relevant parts of the Constitution of PCCA shall apply to the operation of the Fund as if herein written in full.

2. The Fund shall be administered by the Administrative Committee of nine (9) Members, who shall be known as the Administrators of the Fund, nominated by the Executive Committee of PCCA for the term of office corresponding to that of the Executive Committee's term. In the first year of these Rules coming into force, all nine members shall be nominated. In subsequent years, i.e. when the Executive Committee is elected, three members shall retire and three new members shall be appointed. The retiring members shall be eligible for reappointment.

3. Before each Congress of Delegates, when elections are held, the Executive Committee shall seek from Member Organizations, nominations for candidates to fill the vacancies of retiring Administrators. The appointments shall be made by the Executive Committee.

4. The appointed Members shall elect at their first meeting a Chairperson, a Deputy Chairperson, a Secretary and a Treasurer from among themselves and shall immediately notify the Executive Committee of the PCCA and the Polish language media in Australia of the outcome of these elections.

5. The meeting of the Administrative Committee shall be convened once in every two months, or more frequently if required. The meetings shall be chaired by the Chairperson or in his absence Deputy Chairperson. The motions shall be carried by a simple majority. In the events of tied votes, the Chairperson has the right to cast a deciding vote.

6. Any disputes that may arise within the Administrative Committee shall be referred, through the Executive Committee, to the Arbitration Committee for adjudication. The decision of the Arbitration Committee shall be final.

IV. VACANCIES ON THE ADMINISTRATIVE COMMITTEE

The vacancy on the Administrative Committee shall occur if the Administrator:

- (a) resigns
- (b) if he dies
- (c) if he is declared bankrupt
- (d) if he becomes certified insane

In the event of such vacancy the Executive Committee will coopt an Administrator, who shall act in that capacity until the next Congress of Delegates.

The Executive Committee, on the recommendation of the Administrative Committee, may suspend an Administrator if he is found to be in breach of the Constitution of PCCA, these Rules, or fails to attend three consecutive meetings of the Committee without presenting a valid reason.

V. DUTIES OF THE ADMINISTRATIVE COMMITTEE

The duties of the Administrative Committee of the Fund shall be:

- to manage and prudently invest the capital of the Fund
- to organise and publicise in the Polish language media fundraising activities
- to keep a register of all incoming cash and regularly publish the entries in the Polish language press in Australia
- to distribute the income from investments in accordance with these Rules and Regulations
- to present reports to the Congress of Delegates of the PCCA

1. The Administrative Committee may appoint a state or territory sub-committees in consultation with the Executive Committee and the umbrella Polish community organisation in that area. Such a sub-committee shall act on behalf and under the supervision of the Administrative Committee.

2. The Administrators of the Fund:

- shall sign a Declaration of Trust, the text of which shall conform to the demands of the Australian legislation

3. The bank accounts of the Fund shall be jointly administered by the Treasurer and two other Administrators elected from within their ranks. The cheques and financial documents shall be valid if signed by the Treasurer of the Fund and one other authorised Member.

VI. CONTRIBUTIONS AND DONATIONS

1. All contributions to the Fund shall be invested in low risk investment schemes.
2. All contributions to the Fund shall be recorded (date, donor's name, amount, contact point) by State or Territory sub-committees or by authorised collectors and promptly transferred to the Administrators, so that the details can be published in Polish language press and in the bulletins of the State or Territory organisations.
3. The distribution of Fund interest (or part thereof) derived from all income of the Fund shall be at the discretion of the majority of Members. Contribution from the Fund to the Executive Committee towards the running expenses of PCCA shall have prior approval of the Congress of Delegates. The Administrative Committee shall present to the Congress of Delegates their draft proposal of disbursement of donations.
4. Interest from the Fund income shall be distributed in each financial year of PCCA.
5. 10 % plus the annual rate of inflation of the interest shall be reinvested in the capital holdings of the Fund.
6. The successful applicants must acknowledge the Fund in all its promotional materials.
7. The successful applicant must present, the end of each financial year, to the Administrative Committee detailed acquittance of the money received.

VII. AUDITING OF THE FUND

1. The Auditor and the Internal Audit Committee of the PCCA shall audit the accounts of the Fund at least once per financial year and present the report to the Congress of Delegates of the PCCA.

VIII. ELIGIBILITY CRITERIA FOR FUNDING

1. Organizations applying for donation must:
 - be non-profit and non-political;

- keep proper accounting records and have, at least, yearly financial statement or reports;
 - Provide information about ABN, tax status and GST registration where applicable;
 - Be a member organization of the PCCA.
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2. Individuals applying for a grant must:
- have a recommending letter of support from an organization fulfilling the above criteria;
3. Organizations and individuals applying for a donation must undertake to fulfill the Objectives of the Fund as listed in Part II of these Rules.

IX. EXCLUSIONS FROM FUND DONATIONS

1. Donations will not be given to:
- organizations that fail to fulfill the Objectives of the Fund
 - other Funds or Foundations;
 - political organisations;
 - private profit-making organisations;
 - employer and employee associations or organisations;
2. Donations shall not be given for:
- political activities;
 - payment of debts or mortgages;
 - capital expenditure such as land purchase, erection of building, or building renovation; or
 - commercial or business ventures.

X. DISSOLUTION

In the case of dissolution of the PCCA, the Fund shall also be dissolved in accordance with the resolutions of the last Congress of Delegates of the PCCA, and the assets shall be transferred to Polish institutions in Australia as provided in Part XVII § 54, § 55 and § 56 of the Constitution of PCCA