

# Krousar Thmey Foundation Status

## I. Goals and composition of the foundation

### Article 1<sup>st</sup> :

The institution named Krousar Thmey, founded in 1991, wants, with all the Cambodians of good will, in an apolitical and non denominational way, to support the most underprivileged children of Cambodia, thus acting to guaranty equal opportunity between all Cambodians. The foundation makes sure that neither dependencies nor privileges will be created from its actions. It acts for the global reconstruction of the country in the respect of Cambodian traditions. The projects are developed according to three objectives: Child welfare, Educational and schooling support to handicapped and deprived children, and artistic development for Cambodians.

Those projects aim at providing children with emotional, cultural, social, financial, material and educational support, in the respect of their faiths, their traditions and in harmony with their local environment.

The life length of the foundation is unlimited.

The foundation's head office is located at the number 145 street 232, Sangkat Toeuk Laak 1, Khan Toul Kork in Phnom Penh in the Kingdom of Cambodia.

Article 2 : Krousar Thmey logo is the following :



Article 3 :

***Means of actions of the foundation :***

**In the scope of its child welfare activities :**

The creation of temporary and permanent centres for underprivileged children, of family houses, of schools and any other structure aiming at enabling the care of deprived children (orphans, mistreated children, abandoned children...). The creation and the presentation of prevention campaigns against all forms of mistreatments and neglect towards children. As the foundation gives preference to family reintegration, it provides financial and material support to family in need.

**In the scope of its educational support activities:**

The creation, construction and management of schools for deaf or blind children in order to offer them an adapted schooling. The creation of pedagogical tools necessary for the schooling of deaf or blind children such as : Braille bookmaking workshops, creation of handbooks in sign language, improvement, in partnership with other NGOs, of the Khmer Braille and of the Khmer Sign language, training of teachers from the National Education to

Khmer Braille and to Khmer sign language. All the programs taught within Krousar Thmey schools are identical in terms of content to the Cambodian National Education program. The creation of a network of integrated classes (classes dedicated to the teaching of deaf or blind students), within public schools located in province, in partnership with the government and the local authorities. Involve the authorities in our projects.

**In the scope of its artistic development activities:**

The creation of structures and tools helping the cultural and artistic development of the children such as School of arts, board games and exhibitions.

Krousar Thmey develops all the activities that enable the funding of its programs.

The representative offices of Krousar Thmey abroad are in charge of collecting the funds for the functioning of the activities of Krousar Thmey Cambodia but also to participate to events in order to develop and improve the image of Krousar Thmey. Those different offices will also be in charge of spreading information on the Kingdom of Cambodia, particularly on its culture. Today, there are 3 offices : Krousar Thmey France, Krousar Thmey Switzerland and Krousar Thmey United Kingdom.

## **II. Administration and functioning**

### **Article 4:**

#### ***Members of the board of directors***

The foundation has for Honorary President :

The foundation is administrated by a board of directors which gathers ..... members. The majority of the board of directors members are Khmer nationals.

#### ***The founder :***

Benoît Duchâteau-Arminjon, founder of Krousar Thmey in 1991

#### ***Members by right***

#### ***Chosen members :***

- Krousar Thmey France represented by its President or any member allowed by Krousar Thmey France board of directors.
- Krousar Thmey Suisse, represented by its president or any member allowed by Krousar Thmey Switzerland board of directors.
- The association Aide et Action (South East Asia section).
- A lawyer
- A representative of a NGO
- Keria
- A private company
- A former

#### ***Elected members (Staff representatives) :***

Two staff representatives elected by all the Krousar Thmey staff and of Khmer nationality. They have one vote each. They are elected for two years.

***How the board of directors members are elected.***

Except for the members by law, the founder, and the elected members, the members are chosen for three years and are renewed by third every year (this rule starting at the end of the first three years). The members are chosen in consideration of their professional and personal experiences according to the needs of the association. The chosen members must be approved by the majority of the board.

***Losing the quality of member:***

The quality of member of the association is lost by :

- 1° By resignation of one of the members.
- 2° By dismissal voted by the board of directors.

***Vacancy, death, dismissal or resignation :***

In case of vacancy, death, resignation or dismissal, the council replaces, within two months, temporarily, one of its members. The effective replacement will take place on the date of the next meeting of the board of directors. The newly chosen member will see his functions end on the date when the mandate of his predecessor would have expired.

***Renewal of the members mandate:***

On the date of the next renewal of the members by third, the leaving members are chosen by fate.

The internal regulation of the board of director contains the conditions in which it is proceed to the renewal of the members of the board.

The leaving members may be recalled into their functions by a vote of the other members at the majority of them.

***Responsibilities of the administrators***

Each administrator is not allowed to detain more than one power except the president who detains two.

***Role of the other offices of Krousar Thmey***

Everytime that another Krousar Thmey intermediary will be created in order to represent Krousar Thmey Cambodia, its president or another member chosen by its own board of directors will be allowed within the board of Krousar Thmey Cambodia as an observer. Only Krousar Thmey UK is in this situation.

**Article 5: The small bureau of the board of directors**

The board of directors chooses in between its members a small bureau composed of the president, a secretary and a treasurer. All the members of the office are Khmer nationals. The small bureau is chosen for three years.

**Article 6 : How does the board of directors works?**

The board of directors meets, at least once every 6 months and each time that it is convoked by its president or on the demand of at least the quarter of its members.

The presence of the majority of the members is requested for the validity of the meeting and the votes. If the quorum is not reached, it is necessary to organise another meeting in the same conditions. The board can normally deliberate this second time if at least the third of the members are present.

In case that there is equality in the votes (50/50), the one of the president will be preponderant. A report statement is written after each meeting and is signed by both the president and the secretary. The employees of Krousar Thmey can come to the meetings of the board of directors if they are called to by the president. They have a consultative power.

**Article 7: *The positions within the board are not paid.***

All the positions in the board of directors or in the small bureau are not paid. Some reimbursements are possible. However they must be approved by the board of directors in the absence of the interested persons. Justifications have to be shown to the board of directors.

### **III. Attributions**

**Article 8 :**

The board of directors listens to the presentation made by the small bureau of the moral and financial report of the foundation. It also receives, discusses and approves (if needed), the financial results of the previous year that are presented by the treasurer, accompanied by official proofs of the expenses and returns. It votes the next budget line following the proposals of the small bureau and deliberates on all the questions that are on the agenda. The small bureau instructs all the situations subdued to the board and executes all the decisions taken by the board of directors.

**Article 9 : *Roles of the members of the board of directors.***

The president represents the foundation in all the situations. He asks for the expenses, he may delegate his powers in certain conditions found in the internal regulation booklet. The president can only be represented by a lawyer in front of a tribunal. The representatives of the foundation must be free of any judicial sentences regarding their civil rights. The treasurer encases the money and pays for the expenses.

**Article 10 :**

The deliberations of the board of directors regarding the selling of movable or real estate goods depending on the endowment, regarding the constitution of mortgage and regarding the loans must be approved by a majority of  $\frac{3}{4}$ . They are only valid after administrative approval.

### **IV Endowment and resources**

**Article 11 :**

The endowment comprises the whole real estates and values allowing the functioning of the foundation :

List of Krousar Thmey's properties classified by cities:

See annex 1.

**Article 12 :**

The endowment is assigned to the goal of the foundation or into real estate or into capital assigned to the buying, the arrangement or the construction of those buildings.

**Article 13 :**

The annual resources of the foundation are made of :

- 1° Annual income of the endowment
- 2° The grants or subsidies that can be awarded to it.
- 3° The product of donations made in nature or in money, such as testamentary donations.
- 4° The product of the resources exceptionally created and with the agreement of the relevant authority, if necessary.
- 5° The products of the selling and the payments for services.

A financial book keeping is written and shows annually the financial results of the foundation, the outcome and an annex.

Krousar Thmey must justify to to the representative of the King, to the governor of the province, to the Ministry of Interior and to the Ministries of education, culture and social affairs on all the subsidies coming from public organisation and used in the previous year.

## **V Modification of the status and dissolution**

### **Article 14 :**

Those status ca not be modified unless two deliberations of the board of director would have accepted it. Those two deliberations must take place with a two months interval and at the majority of the  $\frac{3}{4}$  of the members.

### **Article 15 :**

In case of dissolution, the board of directors will choose one or more commissioner in charge of the settlement of the goods of the foundation. He or they will give the income to a similar organization, public or recognised as a charity or to one or more organisation acting with the same philosophy and the same goals.

### **Article 16 :**

The deliberations made on the basis of the article 14 are only valid if they have been approved by the government.

## **VI Monitoring and internal regulation booklet**

### **Article 17**

The annual report, the next budget line and all the financial documents mentioned in the article 8 are sent, each year, to the representative of the king, to the governor of the province, to the Minister of Interior and to the Ministers of culture, education and social affairs. Those representatives will be allowed to organise visits of Krousar Thmey's programs by the various services of their ministries and to have reports on its functioning.

**Article 18 :**

The internal regulation booklet adopted by the board of directors is sent to the governor of the province. It states how the present status must be executed. The internal regulation can only come into force after the approval of both the King and the Minister of interior.