

INTERNAL REGULATIONS

OF THE COMMITTEE OF ITALIANS ABROAD

Consular District of Adelaide, South Australia

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Clause 1 COM.IT.ES

With reference to Law no. 286 of 23 October 2003 and in accordance with the Decree of the President of the Republic of 29 December 2003 n. 395, the Committee of Italians Abroad ('COM.IT.ES') for the consular district of South Australia operates in Adelaide, South Australia.

COM.IT.ES is non-partisan and pursues its goals while maintaining its autonomy. It is a private entity for the Australian authorities and a public body for the Italian authorities. It does not pursue any commercial purpose and is non-for-profit. Its activity is carried out in collaboration and coordination with the consular authority in compliance with local laws and the rules of international and community law.

COM.IT.ES headquarters are located in the city of Adelaide, South Australia, at "The Italian Centre" 262a Carrington Street.

TCOM.IT.ES consists of 12 elected members in accordance with the provisions of Law no. 286 of 23 October 2003 and in accordance with the Decree of the President of the Republic of 29 December 2003 n. 395.

Clause 2 BODIES

- COMMITTEE
- CHAIRMAN
- VICE-PRESIDENT
- SECRETARY
- EXECUTIVE
- TREASURER
- CO-OPTED DIRECTORS
- WORK COMMITTEES
- AUDITOR

2.1 COMMITTEE

The committee of COM.IT.ES consists of 12 elected members and a maximum of 4 co-opted directors (Law no.286/2003). The competences and powers of the Committee are those provided for by the legal texts and their regulations. The Committee is renewed every 5 years. Its members shall remain in office until the new Committee takes up its duties.

2.2 The PRESIDENT

In the first meeting, COM.IT.ES shall elect, by an absolute majority, the President from among the members who submit their candidacy. If no candidate reaches this majority, in the next meeting, the candidate who obtains the highest number of votes is elected President (Clause 10, paragraph 1, Law no.286/2003). In the event of a tie, the candidate who obtained the highest number of preferences is elected President.

The President is the official spokesperson of COM.IT.ES, is its legal representative, and is the direct interlocutor with the Consular Authority. (As per the DPR 'the relations of the Committee with the consular office are ensured by the President or by a person they delegated')

The President:

- is a member of the Executive, presides over it and arranges all payment orders.
- Convenes the Committee at least four times during the financial year (January-December).
- Convenes and chairs the meetings of COM.IT.ES, the Executive and, after consulting the Executive, determines the place, date, and time of meetings.

- Can attend the meetings of the Commissions with the right to speak but not to vote.
- Reports to COM.IT.ES on the meetings held in **the performance** of their office, brings to the attention of the Correspondence received as President and facilitates the viewing unless marked confidential.
- Any opinion of the President that has not received prior approval from the COM.IT.ES or that is not the expression of a resolution of the COM.IT.ES, may be presented only as a personal opinion.
- Together with the secretary, the president signs every document relating to administrative operations. In the event the secretary is not present, an executive member will sign. (Note: the secretary only signs the minutes, the minutes of the budget, 'preventivo', and balance sheet 'consuntivo')
- Signs all documents relating to economic and/or financial operations.
- Exercises all the powers and functions conferred on it by the Law, by the Implementing Regulations, by these internal regulations, as well as by the resolutions of the COM.IT.ES.

The resignation of the President is requested by a motion signed by at least one third of the members referred to in Clause 5, paragraph 1 of Law no.286/2003, which also indicates the new candidate, to be identified among the elected members of the committee. This motion is put to the vote at the opening of the following meeting. If it is approved with the favourable vote of the majority of the members referred to in the aforementioned Clause. 5, paragraph 1, the candidate indicated in the motion immediately takes over the office of President (Clause 10, paragraph 2 of Law no.286/2003).

2.3 THE VICE PRESIDENT

Elected by a simple majority among the Directors, the Vice President replaces, in case of absence or impediment, the President.

The Vice President collaborates with the President in the implementation of the program of activities and in the conduct of the COM.IT.ES.

If the President lapses or resigns, they assume the powers until the next meeting, in which a new President will be elected in the manner provided for by Law.

Any communication addressed to the Vice President regarding the activities of the committee must be made in writing and delivered via the email address of the current COM.IT.ES.

2.4 THE SECRETARY

The Secretary of the COM.IT.ES also performs the functions of Secretary of the Executive, although not being a member. They ensure in the keeping of the records of the Assembly, of the Executive and the drafting of the minutes. The minutes of the meeting and the others mentioned above are kept available to the head of the consular office or of their specifically delegate representative. Copy of the minutes, signed by the President and countersigned by the Secretary, is sent to the consular office (Presidential Decree – DPR - Clause 30 paragraph 2). The Secretary is responsible for drafting up the minutes that can be entrusted to an internal member of the Executive, where deemed necessary. The drafting of the minutes can be entrusted to secretarial assistant at the executive's disposal where deemed necessary. The Secretary assists the President, whose provisions they implement. At the Com.It.Es. meetings they

propose what it considers useful for the achievement of the objectives of the Committee and in order to ensure the necessary coordination of the activity of the COM.IT.ES itself. The Secretary may, for the sole purpose of transcribing the minutes, and with the prior authorization of all the members of the Committee present, record the meeting on audio files and put such recording available to the Directors until the approval of the minutes. Immediately after the approval of the minutes (see Clause 18 in these Regulations), the Secretary shall delete such recording.

Any communication directed to the Secretary regarding the activity of the committee must be made in writing and delivered via the email address of the current COM.IT.ES.

2.5 EXECUTIVE

COM.IT.ES. elects an Executive not exceeding a quarter of its members in accordance with the provisions of Clause 11, paragraph 1 of Law no.286/2003. The President is a member of the Executive and presides over it.

The Executive appreciates and makes the priorities understood and assist in the fundamental tasks as dictated by the Law that regulates the COM.IT.ES. Any communication addressed to the Executive regarding the activity of the committee must be made in writing and delivered via the email address of the current COM.IT.ES.

The Executive supports the President in the following ways:

- Discusses and draws up the agenda for the COM.IT.ES meetings and operates according to its directives.

- Submits to the COM.IT.ES the budget and final balance.
- Examines problems related to the activity of the COM.IT.ES, and develops solutions.

The meetings of the Executive are convened by the President or, on their mandate, by the Vice President. They are valid if half plus one of its members (two) are present. The Commission decides by a majority of those present in an open ballot vote.

The Secretary of the Com.It.Es. participates without the right to vote in the meetings of the Executive and performs its functions as per the regulations.

In the event of loss from holding position or withdrawal of office by a member of the Executive, the COM.IT.ES replace them by regular election. Subject to communication with the Secretary, participation is also possible in teletext conference in all cases where a connection in this sense is technically possible. If the presence agreed in tele-video conference proves impossible, the absence of the Director is considered justified.

2.6 TREASURER

The Treasurer is elected by a simple majority among the Appointed Directors and must act in compliance with the directives of the Committee.

The Treasurer:

- Prepares and plans, together with the President, Secretary and Assistant Secretary where established by the Executive (Article 2 paragraph 4 of the Regulation) the budgets (known as 'preventivi') and final accounts, (known as 'consuntivi'), and presents them as preliminary check to the Executive before submitting it to the Committee. The budget ('preventivo') must be approved

by the Committee and submitted to the Consular Office by 30 September of every year; the final balance ('consuntivo') must be approved and must be submitted to Consular Office by 14 February.

Specifically, with reference to circular no. 2 of 28 July 2020 (MAECI), it must:

1. Provide for the final statement: *'COM.IT.ES within 45 days from the end of the annual management (i.e. by February 14 of each year) must submit to the Consular Office the final statements drawn up on headed paper of the Body relating to the loans on Chapter 3103 and Chapter 3106 (respectively annexes 5 and 5 bis), certified by three auditors, two of them appointed by the Committee and one by the Head of the Consular Office, chosen outside of the Committee'*.

2. Apply for funding: *"By 30 September of each year, COMITES must submit to the competent consular office:*

A) formal request for funding for the following year (two separate requests for funding: one relating to operating expenses and the other relating to travel expenses for meetings (refer to paragraphs 1 and 2 Clause 6, Law no.286/2003);

B) budgets (both for Chapter 3103, operating expenses – Annex 2, and for Chapter 3106, travel expenses for the Committee of Presidents (reference Law no.286/2003;

C) analytical and documented report of the planned expenses relating to both chapters 3103 and 3106 as indicated in circular no. 2 of 28 July 2020 (MAECI);

D) extract of the meeting at which the budgets were approved .

Note:

- 1) the extract of the meeting remains the responsibility of the secretary;
and
 - 2) No later than October 31, the consular office examines the requests, verifies the correctness of the documents and sends the documentation drawn up by a detailed report on the activity of the COM.IT.ES to the competent office (circular no.2 July 28, 2020 MAECI)
- Together with the President, they take care of the funds, keep the books and receive the donations of the proceeds.
 - Makes the books available to the Directors, the Auditors, the competent authorities and anyone who requests them. Pursuant to Clause 3, paragraph 8, of the Law, the accounting books of the COM.IT.ES are public.
 - Research and identify the possibility of applying for contributions through national and foreign **calls** after consultation with the Secretary and approval by the Executive.
 - They are responsible for the publication through the communication / media channels of the COM.IT.ES of all economic and financial operations.

2.7 CO-OPTED MEMBERS

In addition to the elected Members of Italian citizenship, foreign citizens of Italian origin may be part of the COM.IT.ES, by co-optation, not exceeding one third of the members of the elected committee (Law no.286/2003). Co-opted Members have all the rights of elected Members.

2.8 SUBCOMMITTEES

The COM.IT.ES may establish subcommittees for certain areas of interest for the study of specific problems, the preparation of proposals and the possible implementation of projects on behalf of the Committee. The aforementioned project will be discussed and planned annually.

The subcommittees:

- The sub-committees shall be chaired by a member of the Committee elected by the members of the sub-committee by a simple majority. The members of the Committee who are members of the Executive constitute cases of ineligibility for the presidency.
- A member of the Committee may not at the same time hold the office of Chairman of several subcommittees.
- The chairmen of the sub-committees shall inform the President of the Committee by email of the progress of the work of the sub-committees; the latter will then inform the entire committee at subsequent meetings. The minutes of the sub-committee meetings will be sent to the e-mail address of the COM.IT.ES.
- They consist of a number of members established by the sub-committee itself upon evaluation of the Executive.
- They may be composed of persons outside The Committee upon request for approval by the entire Committee, which will express itself by a simple majority.
- Each member of the Committee may be a member of several sub-committees.

- The sub-committees meet according to a timetable agreed in advance and can set joint meetings between the working groups for joint projects.
- The agenda of the sub-committees is set by the sub-committee itself and also contains the items proposed by the executive or requested by the committee.
- The Executive acts as a support for the various working groups. It may propose to the Committee to dissolve the sub-committee on the basis of safeguarding the legislation, administration and finance of the Committee or where, for serious reasons, it is unable to ensure the proper **performance** of its duties.
- The deliberations of the sub-committees do not have both decision-making and executive power, but are adopted by a simple majority within the sub-committee itself and proposed to the Committee for their decision.

2.9 AUDITORS

Two 'Auditors' must be appointed by the Committee. Nominations are submitted by the members of the Committee and the first two candidates who received the highest number of votes are elected. In the event of a tie, a second vote shall be taken. If parity exists, a run-off shall be held between the candidates who have received the highest number of votes. The current regulation refers to the Circular No. 2 dated 28 July 2020 on 'Provision of funds to COMITES related to their operational expenses'.

CLAUSE 3 MEETINGS

3.1 CONVENING THE MEETING

Com.It.Es will meet at least four times a year and sets the dates, whether monthly or bimonthly, at the first meeting of the year. The Consul and the CGIE representative will be informed of the dates.

- The convocation can be ordinary or extraordinary.
 - ordinary: takes place with at least seven days' written notice, by e-mail, by the President, by the majority of the Executive or by 1/3 of the members of the Committee and by the Consular Authority. It must be accompanied by the place, date, time of the sitting, and closure of the proceedings.
 - extraordinary: it is convened by the President, by the majority of the Executive or by 1/4 of the members of the Committee and by the Consular Authority in writing, by e-mail, with at least 24 hours' notice.
- Com.It.Es. meetings are public. Publicity is also ensured by publishing the reports on the consular register and communication to the local media (Art. 5 paragraph 5 of Law no. 286 of 23 October 2003).
- Observers shall not have the right to speak and may be removed from the Assembly in the event of disruption to the meeting. To participate in the meeting via external video link a request must be sent by e-mail (Com.It.Es) to obtain the link.
- External experts may also participate in the meetings in relation to the topics set out in the agenda. The participation of experts shall be decided by the COM.IT.ES by a simple majority. The written convocation must contain the names of the experts and their function.
- The convocation is sent to the bodies of the COM.IT.ES, to the Consular Office and for information to the press and to the existing media in the territory for due dissemination.

The quorum for the meetings must reach an attendance of no less than 50% + 1 of elected members. Members may physically attend the meeting or be available via Skype and/or teleconference (Article 5, paragraph 5 of Law 286/2003).

3.2 AGENDA

- The agenda is established by the Executive.
- Each Director has the opportunity to request the inclusion of topics in the agenda. The request for such a change must be made in writing by e-mail at least 5 days before the sitting. It will be up to the Executive to decide finally on the inclusion of the new topics proposed, considering the time available for the sitting.
- If 1/3 of the members of the Assembly propose, at the beginning of the meeting, or after the presentation of the topics of the agenda by the President, the inclusion of certain topics related to the problems of the agenda itself, voice recording is mandatory.

3.3 MINUTES

All meetings of the Executive, the Assembly and the sub-committees must be recorded.

The minutes of the meetings are drawn up by the Secretary or the assistant (see Article 2 paragraph 4 of these regulations).

The minutes record:

- The date, place, time of opening and closing of the sitting, those present, justified and unjustified absentees, the agenda and any amendments approved.
- Motions, decisions and results of any votes.
- Proposals accepted and rejected with the respective votes.
- Reports from the members who request it. Each Member may request to add what they said in the meeting and not reported in the Minutes or make remarks regarding the content of the discussion that took place during the meeting. In this case, the request for modification to the minutes by the Member must be made in writing with a note and addressed to the Secretary within 7 days of the presentation of the draft minutes; these notes are submitted for approval of the Committee. If the Committee has been convened in the meantime, the written remarks shall be delivered at the opening of the meeting to the Secretary or in the absence of the latter to the President.
- The minutes shall be formally approved at the opening of the next meeting. Once approved with final draft, the Secretary will deliver a copy both to the Directors (also uploading it to a digitally shared document) and to the Consulate. The Committee ensures the publicity of the meetings through the publication on its website and through the delivery of the same to the Consular Authority which displays them at its premises accessible to the public.
- The Committee may decide not to publicise certain confidential reports and discussions by secret ballot by simple majority.

- The minutes must be signed by the President and the Secretary, or in absence by a member of the Executive.
- The minutes of the meetings will be drawn up in both Italian and English.
- The minutes of the Executive: the members of the Executive may formulate remarks in writing to be presented to the President at the opening of the next meeting where they will then be discussed. In the absence of such remarks, the report shall be deemed to have been approved.

3.5 ABSENCES

The absence from the meeting of the Committee or the Executive must be notified, before the meeting, by e-mail, or exceptionally by telephone, to the President or the Secretary. Unjustified absences are considered all those not communicated by e-mail or telephone in advance. After three unjustified and consecutive absences at ordinary meetings, the Member ceases from the Committee in all respects (art. 8, L 286/2003). In case of impossibility of a member to be physically present at the meeting, it is possible to participate by teleconference and their participation is considered valid in all respects.

CLAUSE 4 FINANCE

The Committee shall finance and carry out its tasks by:

1. The income of any assets.
2. The annual funding provided by the Ministry of Foreign Affairs.
3. Any funding provided by other Italian administrations.
4. Any contributions ordered by the countries where the Committees are based and by private individuals.

5. The proceeds of various activities and events.

Financial year for COM.IT.ES is from January 1st to December 31st.

4.1 BUDGET AND FINAL BALANCE SHEET

In accordance with the provisions of the MAECI on the subject of budget and final statement, the COM.IT.ES - subject to a different provision motivated by the Committee or in urgent cases of the President - approves the final balance sheet (request for financing) by the end of August and the final statement by the end of January.

4.2 REIMBURSEMENT OF EXPENSES

The COM.IT.ES reserves the right to reimburse expenses arising from participation in events and / or events deemed of interest to the COM.IT.ES itself, compatibly with budgetary needs. Only the daily allowance and transfer costs are provided for the Directors and members of the Executive to the extent set by the MAECI. There are no other extraordinary reimbursements that have not been previously authorized by the Executive upon consultation of the Committee.

CLAUSE 5 LOSS FROM HOLDING POSITION, RESIGNATION, REVOKE AND REPLACEMENT OF THE MEMBERS OF THE COMMITTEE

In addition to the provisions of Clause 8 of the Law, constitute grounds for forfeiture:

- resignation;
- death;
- the loss of residence in the district;

- the loss of Italian citizenship;
- The reacquisition/acquisition of citizenship for co-opted foreign councillors;
- the loss of the right to active voting;
- the emergence of reasons for ineligibility.

The lapsed Members are replaced by decree of the consular authority according to the aforementioned Clause 8, paragraph 3.

The responsibilities within the COM.IT.ES may cease on a motion of no confidence presented by at least 1/3 of the Members and approved by an absolute majority of the COM.IT.ES.

ARTICLE 6 APPROVALS AND VARIATION OF THE RULES OF PROCEDURE

- Proposals for amendments must be submitted in writing by at least 1/3 of the Directors to the President who informs the Executive.
- The Commission shall refer the proposals for amendments to these Rules to the agenda of the following meeting.
- For the approval and amendment of the internal regulations, the vote must be taken by an absolute majority of the Members.
- The regulation is in force from the date of approval at the relevant Meeting.

CLAUSE 7 CODE OF CONDUCT

The opinions expressed by each Director are in a personal capacity and do not entail any responsibility for the Committee. All information and

communications within the Committee, among its members and experts, as well as with the members of the CGIE, unless otherwise provided for by the applicable legislation and by this regulation, are covered by confidentiality. Their disclosure may be sanctioned by decision of the Executive.

CLAUSE 8 CONFLICTS OF INTEREST

8.1 Definition

A conflict of interest occurs when a Director's personal interests conflict with their responsibility to act in the best interests of the COM.IT.ES. Personal interests include direct interests, as well as those of family, friends, or other organisations a person may be involved with or have an interest in (for example, as a shareholder).

It also includes a conflict between a Director's duty to COM.IT.ES and another duty that the Director has (for example, to another board). A conflict of interest may be actual, potential or perceived and may be financial or non-financial.

These situations present the risk that a person will make a decision based on, or affected by, these influences, rather than in the best interests of the COM.IT.ES. Therefore, these situations must be managed accordingly.

Conflicts of interest are common, and they do not need to present a problem to the COM.IT.ES as long as they are openly and effectively managed.

8.2 Policy

It is the policy of COM.IT.ES, as well as a responsibility of the Committee, that ethical, legal, financial or other conflicts of interest are avoided and that any such conflicts (where they do arise) are not against the obligations towards COM.IT.ES.

COM.IT.ES will manage conflicts of interest by requiring board members to:

- avoid conflicts of interest where possible
- identify and disclose any conflicts of interest
- carefully manage any conflicts of interest, and
- follow this policy and respond to any breaches.

8.3 Responsibility of the Executive:

The Executive is responsible for:

- establishing a system for identifying, disclosing and managing conflicts of interest across the COM.IT.ES
- monitoring compliance with this policy, and
- reviewing this policy on an annual basis to ensure that the policy is operating effectively.

The COM.IT.ES must ensure that its Members are aware of the Conflict of Interest policy, and that they disclose any actual or perceived material conflicts of interests as required by this policy.

8.4 Identification, disclosure and steps taken to address conflicts of interest:

Once an actual, potential or perceived conflict of interest is identified, it must be recorded in the meeting minutes, including the nature and extent of the conflict, and any steps taken to address it.

Steps taken may include the Director in question removing themselves (physically or exiting teleconference) from the discussion where the conflict of interest arises.

GLOSSARY

For the purposes of this Regulation:

- "Law", Law no. 286 of 23 October 2003.
- "Implementing Regulations", the aforementioned Decree of the President of the Republic of 29 December 2003 n. 395 4
- "COM.IT.ES", the Committee of Italians Abroad for the Adelaide district
- "Associations", as defined by Clause. 7 of the Law; 6.
- "Absolute majority" means the majority of all those entitled, whether present or not.
- "Simple majority" means the majority of those entitled to be present (provided that at least half plus one of those entitled to participate)
- "MAECI", the Italian Ministry of Foreign Affairs and International Cooperation