The Foundation

1. The Monash University Herb Feith Foundation is established as a foundation within the university.

Interpretation

2. In these regulations, unless the contrary intention appears -
   
   'board' means the board of management of the foundation;
   
   'centre' means the Monash University Centre of Southeast Asian Studies;
   
   'dean' means the dean of the faculty;
   
   'deputy vice-chancellor' means the deputy vice-chancellor and vice-president responsible for university-wide resource management;
   
   'faculty' means the Faculty of Arts;
   
   'foundation' means the Monash University Herb Feith Foundation;
   
   'foundation account' means the Monash University Herb Feith Foundation Account kept by the university pursuant to subsection 8.3.

Objects

3.1 Herb Feith dedicated his life to affirming the basic principles of our common humanity. Through his teaching, research and commitment to peace building, he led generations of students and others to share his passionate concern for Indonesia, democracy, human rights, peace studies and conflict resolution.

3.2 The objects of the foundation are to promote and support in the university, particularly in the faculty and the centre, work of the kind to which Herb Feith devoted his life; and without restricting the generality of the foregoing, in particular to -

3.2.1 support a professorial chair for the study of Indonesia, named in honour of Herb Feith; and

3.2.2 promote a range of educational activities, including but not limited to-

   (a) study, research, teaching and other educational programs;

   (b) skills training and experiential learning;
(c) educational exchange;
(d) public lectures, debates and speaking tours;
(e) workshops, seminars and conferences;
(f) cultural activities in literature, dance, music, film making, painting and other arts;
(g) support for writing for educational purposes; and
(h) publication and promotion of educational works.

3.3 The board may do all things incidental or conducive to supporting and promoting the objects of the foundation, including -

3.3.1 soliciting donations, gifts and bequests to the university for the purposes of the foundation; and

3.3.2 creating and maintaining a website describing the activities of the foundation and providing a relevant database of educational material and linkages.

Public lecture

4. The board may establish an annual Herb Feith Lecture in Melbourne and may in each year invite a renowned authority from within Australia or overseas to give the lecture.

Board of management

5.1 Subject to the ultimate direction of the Council and the regulations, the control and management, and the conduct of the business and affairs of the foundation is vested in a board of management.

5.2 The board of management of the foundation consists of 14 members as follows -

5.2.1 the vice-chancellor and president, or nominee;

5.2.2 the dean, who is chair of the board;

5.2.3 10 members appointed by the deputy vice-chancellor on the recommendation of the dean being –

5.2.3.1 five persons including, where appropriate, members of other universities in Victoria; and

5.2.3.2 five persons chosen from a list of nominees whose activities have shown them to be in sympathy with the objects of the foundation; and

5.2.4 two members appointed by the deputy vice-chancellor, being nominees of the family of Herb Feith.

5.3 In the event of insufficient nominees under subparagraph 5.2.3.2 or paragraph 5.2.4, the dean must independently nominate the additional number of persons necessary for the purposes of the paragraph.
5.4 The members of the board appointed by the deputy vice-chancellor must be appointed for a period of five years, provided that, in the case of the first appointments, one-half of the members must be appointed for a period of three years.

5.5 The board may, from time to time, with the approval of the deputy vice-chancellor, co-opt additional persons to be members of the board for a specified period not exceeding five years, provided that at any one time there must be no more than three co-opted members on the board.

Secretary

6. The Council may, on the recommendation of the board, appoint a person, with or without remuneration, to be secretary to the board.

Meetings

In relation to meetings of the board -

7.1.1 there must be at least two in each calendar year;

7.1.2 seven members constitute a quorum;

7.1.3 in the absence of the dean, a member nominated by the dean shall chair the meeting; and

7.1.4 subject to the regulations, the provisions of Statute 1.2 - Meetings apply.

Financial Management

8.1 In this section, 'investment common fund' means an investment common fund established and operated in accordance with section 35A of the Monash University Act 1958.

8.2 All monies received by the university for the foundation must be placed in an investment common fund.

8.3 The Council must approve an annual transfer, from an investment common fund to an account kept by the university entitled the 'Monash University Herb Feith Foundation Account', of an amount representing the earnings in the preceding year on all monies paid into the investment common fund on behalf of the foundation, less a deduction for administration costs attributable to those earnings for the year in question.

8.4 Donations, gifts and bequests may be directed by donors for or towards any particular object of the foundation.

8.5 Subject to 8.4, the board may, from time to time, by a two-thirds majority, approve and determine the application of all or any of the monies standing to the credit of the foundation account, for or towards the objects of the foundation, or anything incidental or conducive to the attainment of those objects.

8.6 The deputy vice-chancellor, on the unanimous recommendation of the board, may approve expenditure of monies held by the university on behalf of the foundation in the investment common fund, provided the expenditure would not have the effect of
reducing the amount remaining in the investment common fund to a level insufficient to provide adequate earnings to support the existing financial commitments of the foundation.

Winding up

9. After consultation with the centre, the board may, by a unanimous vote, recommend to the deputy vice-chancellor that the foundation be wound up by the expenditure of all monies held by the university on behalf of the foundation in the investment common fund, firstly towards any objects for which money was specifically donated, given or bequeathed, and then generally for or towards the objects of the foundation or anything incidental or conducive to the attainment of those objects.

Report to Council

The board must submit to the Council an annual report detailing in respect of the preceding 12 months -

10.1.1 the amount of money raised by the foundation;

10.1.2 the amount of money transferred to the foundation account;

10.1.3 the purposes towards which the money expended from the foundation account has been directed;

10.1.4 the balance of money held in the foundation account; and

10.1.5 any other information required by the Council.

End Notes

1. Table of amendments from 17 April 2013 (as incorporated into this version):

<table>
<thead>
<tr>
<th>Amendment</th>
<th>Sections amended</th>
<th>Commencement Date (promulgation)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Herb Feith Foundation Regulations (Amendment)</td>
<td>Section 5</td>
<td>17 April 2013</td>
</tr>
</tbody>
</table>