



Our ref: 2023_Director's Nomination Cover Letter

Dear Member

Member Director Nominations for Annual General Meeting (AGM) Elections

On **Thursday 15 February 2024** the Annual General Meeting (AGM) will be held. The following 4 Member Director appointments will end:

- Helen Peterson (Wilba)
- Annette Newman (Ward)
- Matthew Abrahamson (Wilburro/Wheelbarrow); and
- Nikeeta Dorizzi (Dorizzi)

The following 4 Member Director appointments remain:

- Clinton Shay (Wilba)
- Elaine King (Ward)
- Hardy Derschow (Wilburro/Wheelbarrow); and
- Bianca Berg (Dorizzi)

At the AGM, Members will be asked to vote in 4 Member Directors. The usual term of appointment is 2 years (unless the Members vote otherwise)

If there are suitable candidates from each of the 4 YN family groups, then Members must ensure that at least 1 (but no more than 2) directors are and continue to be representative of the 4 YN Family Groups: see YN PBC Rule Book r 8.4.2(c).

Interested?

If you wish to nominate a Member Director or you wish to be nominated, then please read the attached information and complete the nomination form.

NOTE: Nomination forms must be received by YN PBC by **Tuesday, 17 January 2024 at 9am**. Late nominations cannot be accepted (YN PBC Rule Book r 8.4.1a).

If you have any questions, please contact the office on:

- Phone: (08) 6146 2503 or Email: admin@ynpbc.com.au

Yours sincerely

Ms Ailan Tran
Chief Executive Officer



Yugunga-Nya Native Title Aboriginal Corporation RNTBC (ICN 9509) Nomination of Member Director Form

IMPORTANT ELIGIBILITY INFORMATION (YN PBC Rule Book 8.2)

- To be a Member Director a person must:
 - be a Member of YN PBC;
 - satisfy the Member Director Criteria (see YN PBC Rule Book page 57-59);
 - provide a Director Identification Number (for information about this see <https://www.oric.gov.au/run-corporation/director-id-catsi-act-directors>);
 - supply a National Police Clearance*; and
 - provide a negative Alcohol and other Drug test.

***NOTE:** Only convictions for dishonest conduct (eg theft, fraud, bribery) will disqualify you from becoming a Director. However, you are no longer disqualified if between 10-20 years has passed since the conviction (depending on how serious the conviction).

RETURN NOMINATION FORMS BY TUESDAY 17 JANUARY 2024 (YN PBC Rule Book 8.4.1a)

Please fill in the form, sign and return the completed form to Yugunga-Nya Native Title Aboriginal Corporation RNTBC (YN PBC):

Email: admin@ynpbc.com.au

Post: Level 1/53 Burswood Rd, BURSWOOD WA 6100

- 1) Deadline for nomination forms is **Tuesday, 17 January 2024 at 9am.**
- 2) Deadline for providing supporting documentation (i.e Director Identification Number, police clearance and negative alcohol and drug test result) is **anytime before the AGM.**
- 3) Nominations that do not have the supporting documentation before the AGM cannot be considered at the AGM.

NEED ASSISTANCE?

If you have any questions about nominations or how to complete the form, please call or email the Yugunga-Nya Native Title Aboriginal Corporation RNTBC on (08) 6146 2503 or admin@ynpbc.com.au

For financial help with National Police Clearance and alcohol and drug testing, please contact the Yugunga-Nya People's Trust on 1800 001 260 or info@fasperth.com.au.



**Yugunga-Nya Native Title Aboriginal Corporation RNTBC (ICN 9509)
Nomination of Member Director Form**

MEMBER DIRECTOR NOMINATION FORM

MEMBER WHO IS NOMINATING

I, _____ (full name)
of _____ (residential address, not postal address)

I confirm my date of birth is _____ (date of birth)

and my place of birth was _____ (place of birth)

My family is: Wilba Ward Wilburro/Wheelbarrow Dorizzi (please circle)

I nominate the following person to become a Member Director of Yugunga-Nya Native Title Aboriginal Corporation RNTBC ICN 9509.

Note: remember to sign the form on page 6.

MEMBER WHO IS BEING NOMINATED TO BECOME A MEMBER DIRECTOR

I, _____ (full name)
of _____ (residential address, not postal address)

I confirm my date of birth is _____ (date of birth)

and my place of birth was _____ (place of birth)

My family is: Wilba Ward Wilburro/Wheelbarrow Dorizzi (please circle)

I provide the information on the following pages about how I meet the Director's Eligibility Criteria.

Note: remember to sign the form on page 6.



Yugunga-Nya Native Title Aboriginal Corporation RNTBC (ICN 9509)

Nomination of Member Director Form

Please fill in this table to demonstrate how you satisfy the member director criteria.

NOTE: You may still apply if you do not meet the criteria of financial literacy, leadership experience, board experience or director experience. However, you must be willing and able to learn (see (b) and (c) below).

MEMBER DIRECTOR CRITERIA (See Rule Book page 57-59)	I meet the criteria (Yes/No)	Comments
(a) A person satisfies the Member Director Criteria if the Member is able to demonstrate the following qualifications:		
i. financial literacy;		
ii. leadership experience;		
iii. experience with directorships and boards;		
iv. commitment to uphold all the legal duties, responsibilities and obligations of a Director;		
v. absence of conflicting commitments;		
vi. standing and respect within the YN People; and		



Yugunga-Nya Native Title Aboriginal Corporation RNTBC (ICN 9509)

Nomination of Member Director Form

MEMBER DIRECTOR CRITERIA (See Rule Book page 57-59)	I meet the criteria (Yes/No)	Comments
vii. reputation and integrity is of high repute:		
1. is not a person who is not permitted by the Corporations Act (or an order made under the Corporations Act) to be a director;		
2. has not been disqualified (either automatically or by a Court order) from managing a corporation under:		
i. Part 2D.6 of the Corporations Act, without permission or leave to manage a company being granted; or		
ii. Part 6-5 of the CATSI Act, without permission or leave to manage a company being granted; and		
iii. has not been disqualified (either automatically or by Court order) from managing corporations, or from doing anything else contemplated by the role of Member Director, under any other applicable law;		
3. is not a person who has been convicted of an offence in <u>respect of dishonest conduct (ie theft, fraud, bribery)</u> unless:		
a. 20 years has passed from the time of conviction; or		
b. 10 years has passed from the time of conviction and i. the conduct resulted in a term of actual imprisonment of less than 3 months: or ii. the conduct resulted in a fine of less than \$5,000.		



Yugunga-Nya Native Title Aboriginal Corporation RNTBC (ICN 9509)

Nomination of Member Director Form

MEMBER DIRECTOR CRITERIA (See Rule Book page 57-59)	I meet the criteria (Yes/No)	Comments
<p>(b) If a Member who is eligible to be appointed Member Director is not able to demonstrate every qualification but expresses a willingness to learn and attain that qualification, the Members subject to the following conditions:</p>		
<p>a. the person must undertake appropriate training to attain that qualification and the Corporation will meet the expense of the training and otherwise provide full support and encouragement of the person and his or her efforts to achieve the requisite qualifications;</p>		
<p>b. the person may act as Director for 12 months while undertaking the training; and</p>		
<p>c. the Members may terminate the appointment after 12 months if the Members determine that satisfactory progress was not made by the person towards achieving the requisite qualifications.</p>		
<p>(c) If a nominee for Member Director is not willing or able to learn or attain the qualifications in accordance with (b) above, the Members in their discretion may accept the person's nomination for Director if there remain, at all times, at least 2 Member Directors that satisfy (a) above.</p>		
<p>Regardless of the above, all Member Directors must undertake ongoing and appropriate governance training under the provisions of the Rule Book.</p>		
<p>* Directors Identification Number</p>		

* Apply for a Director's Identification Number at Australian Business Register Services <https://www.abrs.gov.au/director-identification-number>

Phone: 1300 342 353 (then enter pin 108) Email: CATSIdirectors@abrs.gov.au

Post: Australian Taxation Office, Attention: Australian Business Register, PO Box 9977, WOLLONGONG NSW 2520.



Yugunga-Nya Native Title Aboriginal Corporation RNTBC (ICN 9509) Nomination of Member Director Form

CHECKLIST

- Are you a Member? Yes
- Has a Member nominated you? Yes
- Have you addressed the criteria? Yes
 Not all of them, but I am willing to undertake training.
- Have you included:
Your Directors Identification Number? Yes
 No. But I understand that I must provide it before
the AGM or my nomination cannot be accepted.
- A National Police Clearance? Yes
 No. But I understand that I must provide it before
the AGM or my nomination cannot be accepted.
- A Negative Alcohol & Drug Test? Yes
 No. But I understand that I must provide it before
the AGM or my nomination cannot be accepted.

CONSENT

I consent to becoming a Member Director if I am successfully elected at the Yugunga-Nya Native Title Aboriginal Corporation RNTBC ICN 9509 Annual General Meeting **on Thursday 15 February 2024.**

Signature of Member nominated to be a Director _____

Date _____

Signature of Member who is nominating _____

Date _____