



# GNAALA KARLA BOOJA ABORIGINAL CORPORATION: BY-ELECTION

## MEMBER DIRECTOR NOMINATIONS

The Gnaala Karla Booja Aboriginal Corporation is seeking community-minded, experienced, and skilled Gnaala Karla Booja Aboriginal Corporation members to be a Director of the Corporation.

A person can only be a Director of one of the six Noongar Regional Corporation's at any one time. Election to this Regional Corporation Board will automatically render a candidate ineligible to be a director of another Noongar Regional Corporation.

Also, two or more directors may not be Family Members (parent/child, brother/sister, spouse/defacto spouse).

### Your nomination should include:

- A completed Gnaala Karla Booja Aboriginal Corporation director nomination form.
- A cover letter addressing the selection criteria.
- A current Curriculum Vitae.
- Referee details.
- A Candidate Statement for Ballot Information material to members.
- A current National Police Certificate.

**You must attach your National Police Certificate.** As National Police Certificates take some time to obtain, we strongly suggest that you apply at the opening of nominations. Applications without a National Police Certificate will **not be accepted**.

### Deadline for nominations 12 noon Wednesday 24<sup>th</sup> May 2023.

Please send your completed application by email to:

**Returning Officer**

**Gnaala Karla Booja Regional Corporation Board By-Election**

**PO BOX 761**

**MT LAWLEY WA 6929**

- Your completed nomination must be provided by the deadline. No extensions will be granted. Incomplete nominations will not be accepted.



## OUTLINE OF THE NOMINATION AND ELECTION PROCESS

- The Gnaala Karla Booja Aboriginal Corporation has appointed an independent **Returning Officer**, who will oversee and manage the nomination and election process.
- The Returning Officer will set the election timetable and call for and accept nominations.
- Complete nominations will be provided to the Noongar Boodja Trust Nominations Committee. The Nominations Committee will assess each candidate's application and determine whether a candidate meets the eligibility criteria set out in the Gnaala Karla Booja Aboriginal Corporation Rulebook.
- The Nominations Committee will provide a report of eligible candidates to the Returning Officer who will oversee the postal vote election process.
- The Returning Officer will declare the outcome of the election and the directors' term will commence at the Gnaala Karla Booja Aboriginal Corporation General Meeting that is anticipated to be called around May 2022.

### Diagram 1: Election Process

<b>STEP 1</b> Nominations	The Returning Officer's call for nominations opens 3 <sup>rd</sup> May 2023 and closes 24 <sup>th</sup> May 2023 at 12 noon. Applicants submit a completed nomination to be a Director of the Gnaala Karla Booja Aboriginal Corporation to the Returning Officer.
<b>STEP 2</b> Eligibility Assessment	The Returning Officer provides the completed nomination forms to the Nominations Committee (as set out in the Noongar Boodja Trust Deed), who will check eligibility of Director Nominees against criteria in the Gnaala Karla Booja Aboriginal Corporation Rulebook and the CATSI Act.
<b>STEP 3</b> Reporting	The Nominations Committee provides a report to the Returning Officer of eligible candidates and the Committee will notify ineligible Nominees. Ineligible Nominees have a right to provide a submission in reply within seven (7) days of notification.
<b>STEP 4</b> Voting	The Returning Officer will conduct the postal vote of Eligible Candidates by sending a voting pack to all members of the Gnaala Karla Booja Aboriginal Corporation. Voting opens 14 June 2023 and closes 12 July 2023.
<b>STEP 5</b> Commencement	The Returning Officer will count the votes and declare the results of the by-election on the 19 July 2023. The appointment of the Director becomes effective from the declaration and is noted at the General Meeting following their election.

## MORE INFORMATION

### RETURNING OFFICER

E [shawn@boyleandassociates.com.au](mailto:shawn@boyleandassociates.com.au)

T 0409 683 546

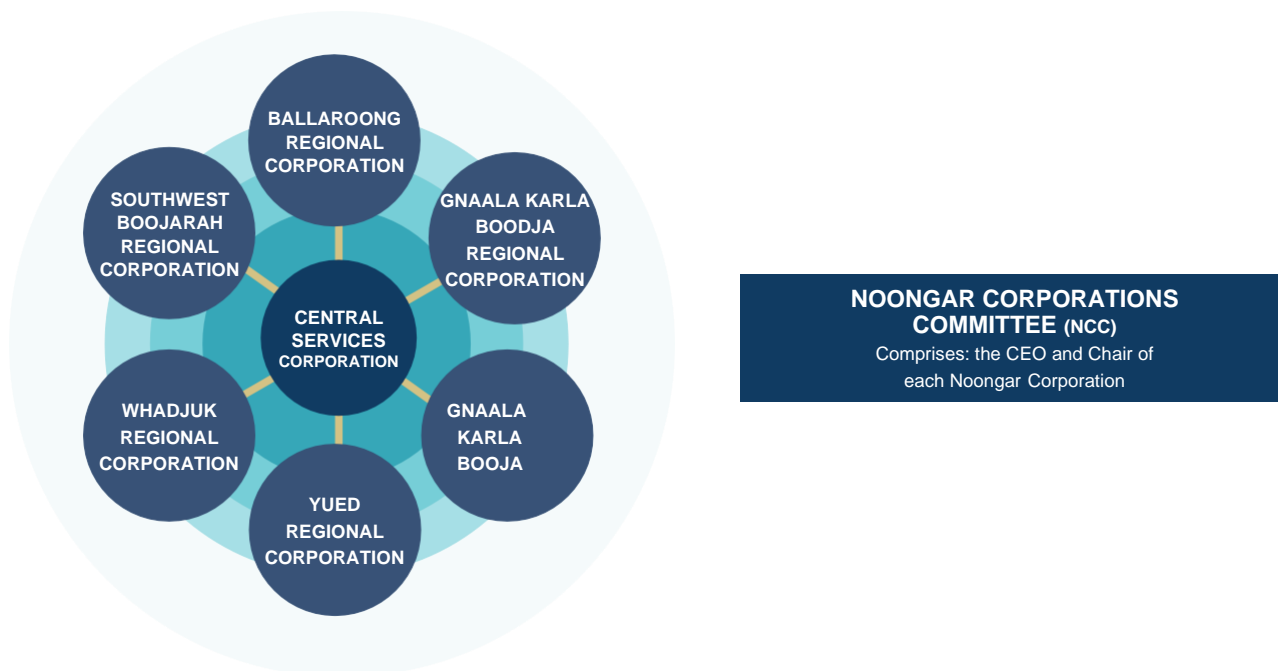
M PO Box 761, Mt Lawley WA 6929

## GNAALA KARLA BOOJA ABORIGINAL CORPORATION

### WHAT IS A NOONGAR REGIONAL CORPORATION?

The Noongar Regional Corporations are part of the structure of the Noongar Governance Structure arising from the South West Native Title Settlement.

Diagram 2: Noongar Governance Structure



### KEY ROLES OF REGIONAL CORPORATION

The Regional Corporations will implement the South West Settlement ILUA on behalf of its members. They will develop cultural and community programs and manage land. They will engage in co-operative and joint management of the conservation estate, develop heritage programs and support the Agreement Group to identify economic development opportunities.

It is expected that the Regional Corporations will act efficiently and with due care, skill and diligence and in a professional manner.

The directors make up the governing body of the corporation and must act in the best interest of the corporation and oversee its strategic direction. The *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act) sets out the duties required of directors and other officers and are consistent with the duties under common law and in the *Corporations Act 2001*. For further information please visit: <https://www.oric.gov.au/publications/catsi-fact-sheet/duties-directors-and-other-officers>



## The Role of the Regional Corporations

- a) implementing the ILUA for the Region.
- b) communicating information regarding the Noongar Settlement, ILUAs and the Trust to the Regional Corporation and Agreement Group members in a culturally appropriate manner, and through a range of mediums.
- c) complying with all governance requirements in accordance with the Regional Corporation's constitution and the CATSI Act.
- d) participating in the Noongar Corporations Committee.
- e) facilitating cultural decision-making processes to ensure that, as best as possible, the right people speak for country in accordance with Traditional Laws and Customs.
- f) being an advocate for the Agreement Group with key stakeholders.
- g) developing cultural and community programs within the Region.
- h) managing lands and developing land management programs for the Noongar Land Estate within the Region.
- i) engaging in co-operative and joint management of the conservation estate, and other lands where appropriate.
- j) developing heritage programs and ensuring proper implementation of the heritage provisions of the ILUA.
- k) providing support to the Agreement Group in identifying economic participation opportunities; and
- l) working with the Trustee and the CSC to identify and progress property development opportunities across the Noongar Land Estate within the Region.

Early tasks of the Regional Corporations will include.

- Appointing Expert Directors
- Seeking endorsement to be an Eligible Noongar Entity - so that the corporation can receive funding from the Noongar Boodja Trust
- Preparing a strategic plan and determining the organizational structure
- Appointing a CEO



## ELIGIBILITY

### WHAT DO I NEED TO BE ELIGIBLE TO BECOME A GNAALA KARLA BOOJA ABORIGINAL CORPORATION DIRECTOR?

To be eligible, you must:

1. Be a member of the Gnaala Karla Booja Aboriginal Corporation.
2. Be at least 18 years.
3. Be an Australian resident.
4. Produce a National Police Certificate no more than 12 months old.
5. Demonstrate that you have a sound understanding of financial matters.
6. Show leadership experience.
7. Have had experience with directorships or boards, **or** demonstrate that you will question, challenge and critique decisions, and commit to the highest standards of governance.
8. Commit to uphold all the legal duties, responsibilities and obligations of a Director.
9. Have high repute and recognised integrity, and

## INELIGIBILITY

### WHAT WILL MAKE ME INELIGIBLE OR DISQUALIFY ME FROM BECOMING A GNAALA KARLA BOOJA ABORIGINAL CORPORATION DIRECTOR?

You are ineligible to be a director if you:

1. Are an employee of the Gnaala Karla Booja Aboriginal Corporation.
2. Are a Director of another Noongar Regional Corporation or the CSC. You may nominate as a director of more than one Regional Corporation but once you are elected as a director you immediately become ineligible to be a director of any other Noongar Regional Corporations.
3. Are a committee member of any committee, or a Director of any company, established in accordance with the Noongar Boodja Trust Deed (for example be a Board member on the Nominations Committee, Noongar Advisory Company or Investment Committee).
4. Have another immediate or close Family Member who is elected:
  - a. A child of a person
  - b. A parent of a person
  - c. A brother or sister of a person (biological or adopted)
  - d. A spouse or defacto partner of a person

Where the appointment of a director would result in two close family members being elected the candidate with the most votes will be elected.

5. You have been convicted in the last five years of an indictable offence or criminal offence and punished by imprisonment of 12 months or more in any Australian jurisdiction.
6. Has previously been disqualified from managing corporations or automatically disqualified from managing Aboriginal and Torres Strait Islander corporations under part 6-5 of the CATSI Act.

## REMUNERATION AND EXPENSES

### WILL I BE PAID AS A GNAALA KARLA BOOJA ABORIGINAL CORPORATION DIRECTOR?

Director's remuneration will be set by the Members at their General Meeting. It is anticipated that directors will be remunerated once the corporation is an Eligible Noongar Entity and has received Trust Funding



## TIME COMMITMENT

### WHAT TIME WILL I NEED TO COMMIT TO THE ROLE?

The successful candidate will be required to:

- a. attend and participate in monthly board meetings.
- b. attend board matters in between meetings as outlined above.

The Chair will be required to attend Noongar Corporations Committee and Noongar Relationship Committee meetings.

### ASSESSMENT PROCESS - HOW WILL MY ELIGIBILITY BE ASSESSED?

The **Noongar Nominations Committee** will adopt the following process to identify eligible candidates:



### How to apply

Ensure that you are eligible to apply and meet the requirements detailed in the Nomination Form.

1. Complete the Nomination Form,
2. Prepare your cover letter.
3. Attach your CV.
4. Provide your National Police Clearance
5. Referee details
6. A Candidate Statement

Send your Nomination Form, cover letter and CV, Referee details, Candidate Statement and National Police Certificate by email to: **The Returning Officer PO BOX 761 MT LAWLEY WA 6929**

## GNAALA KARLA BOOJA ABORIGINAL CORPORATION – DIRECTOR NOMINATION FORM

Candidate details	
Surname	
Given Names	
Name on Ballot Paper	
Postal Address	
Phone Numbers	(H) (M)
Email	

Nominations must reach the Returning Officer before 5pm, AWST on Friday 28th January 2022	
<b>LODGE THIS NOMINATION FORM (by email or post) WITH THE RETURNING OFFICER ONLY</b>	
<b>Email:</b> <a href="mailto:shawn@boyleandassociates.com.au">shawn@boyleandassociates.com.au</a> Subject: GNAALA KARLA BOOJA Board Election  <b>Post:</b> RETURNING OFFICER GNAALA KARLA BOOJA Board Election PO BOX 761 MT LAWLEY WA 6929	<b>Attach</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Nomination Form</li> <li><input type="checkbox"/> Cover Letter</li> <li><input type="checkbox"/> CV</li> <li><input type="checkbox"/> Referee details.</li> <li><input type="checkbox"/> Candidate Statement</li> <li><input type="checkbox"/> National Police Certificate</li> </ul>

## PART A CANDIDATE'S DECLARATION

Please respond with True or False to each question:

Declaration	True/False
I am a member of the Gnaala Karla Booja Aboriginal Corporation.	
I am at least 18 years of age.	
I am an Australian resident.	
Reputation and Integrity	True/False
I am <b>not</b> the subject of pending court proceedings. <i>If you are, please provide information on those proceedings.</i>	
I have <b>not</b> been convicted on indictment of an offence that: <ul style="list-style-type: none"> <li>Concerns the business of an Aboriginal and Torres Strait Islander corporation.</li> <li>Concerns an act that has the capacity to affect the financial standing of an Aboriginal and Torres Strait Islander corporation.</li> </ul>	
I have not been subject to any Court or regulatory order limiting my commercial or business activity.	
I am not: <ul style="list-style-type: none"> <li>an undischarged bankrupt.</li> <li>insolvent; or</li> <li>subject to a personal insolvency agreement.</li> </ul>	
I have not been convicted of: <ul style="list-style-type: none"> <li>a serious (indictable) offence in the last five years and punished by imprisonment of 12 months or more in any Australian jurisdiction.</li> <li>a dishonesty offence or fraud; or</li> <li>an offence that affects the business or finances of a corporation.</li> </ul> <i>Guidance note: This includes any civil or criminal offence under the Corporations Act (2001) (Cth).</i>	
I have not been a director or senior employee of a Native Title Representative Body that has had its Representative Body status revoked.	
Conflicts of Interest	True/False
I am not an employee of the Gnaala Karla Booja Aboriginal Corporation or a Director of SWALSC or another Noongar Regional Corporation, or a committee member of any committee, or a Director of any company established in accordance with the Noongar Boodja Trust Deed.	



<p>I have no commitments that will prevent me from acting effectively as a Director.  <i>Consider obligations, affiliations and commitments relating to:</i></p> <ul style="list-style-type: none"> <li>• <i>employment.</i></li> <li>• <i>business interests.</i></li> <li>• <i>membership, board or committee positions in other organisations.</i></li> <li>• <i>family relationships.</i></li> </ul>	
<p><b>Disqualifications</b>  <i>Searches of registers maintained by regulators such as ORIC, ASIC and ACNC will be undertaken to confirm any disqualifications.</i></p>	<b>True/False</b>
<p>I am not currently on any register of persons who have been disqualified from:</p> <ul style="list-style-type: none"> <li>• managing corporations; or</li> <li>• being a responsible person.</li> </ul>	
<p>I have not been disqualified by any Court from managing corporations. This includes Australian and foreign Courts.</p>	
<p>I have not been disqualified from managing corporations under the CATSI Act or Corporations Act.</p>	
<p><b>Acknowledgements</b></p>	<b>True/False</b>
<p>I consent to acting as a Director of Gnaala Karla Booja Aboriginal Corporation if elected.</p>	
<p>I understand that I am eligible to be a Director of <b>only one</b> Noongar Regional Corporation at any one time.</p>	
<p>I understand that two close family members (parents, child, spouse, brother/sister) cannot <b>both</b> be elected to the Gnaala Karla Booja Aboriginal Corporation board.</p>	
<p>I have prepared a cover letter and CV and attached it to this nomination form (see section C on page 9)</p>	
<p>I have attached a current National Police Certificate to my nomination (see section D on page 10)</p>	
<p>I agree to notify the Noongar Nominations Committee as soon as possible if my facts or circumstances change such that any of the above declarations are no longer correct.</p>	
<p>I declare that the above statements are true and correct, and that this declaration is signed with my true signature.</p>	

<b>Signature of Candidate:</b>		<b>Date:</b>	
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## PART B REFEREES

Please list below the names and contact details of **two (2) referees** who can confirm **your qualifications and experience** outlined in Part B.:

Referees for Qualifications and Experience			
(1) Referee Name:		Email:	Phone:
(2) Referee Name:		Email:	Phone:

Please list below the names and contact details of **two (2) referees** who can speak in support of your standing and respect within the Noongar Community and/or Agreement Group.

Referees for Reputation and Community Standing			
(1) Referee Name:		Email:	Phone:
(2) Referee Name:		Email:	Phone:

Please note:

- Your referees must **not** be immediate family members; and
- The same person **can** be a referee for both your qualifications and experience and your community standing, if appropriate.
- We will only contact one referee for each section; however, we suggest that you provide 2 referees for each section in case one is not available.

## PART C - CANDIDATE EXPERIENCE – COVER LETTER AND CV

1. A **CV**; and
2. A **cover letter** which provides some examples which demonstrate your qualifications and/or experience in each of the following areas:
  - a. **Financial literacy**: show how you possess a sound knowledge and understanding of financial matters.
  - b. **Leadership experience**: provide examples of where you have taken a lead role in a work or community capacity to achieve a successful outcome.
  - c. **A preparedness to question, challenge and critique, and a willingness to understand and commit to a high standard of governance**: include any experience with corporate, community or social boards and committees.
3. **Candidate statement for election material** – Please provide a 150-word statement which will be included in the election material provided to members for the Postal Vote.



## PART D NATIONAL POLICE CERTIFICATE

Please attach a copy of a Current National Police Certificate (NPC).

The prescribed application form for a National Police Certificate can be obtained:

- online from the following websites:  
[www.police.wa.gov.au/Police-Direct/National-Police-Certificates](http://www.police.wa.gov.au/Police-Direct/National-Police-Certificates) or  
<http://auspost.com.au/national-police-certificates-wa.html>

OR

- from a participating Australia Post outlet.

### PLEASE NOTE:

- Your National Police Certificate must be no more than twelve (12) months old. The issuing of National Police Certificates can be delayed, so candidates should submit their applications for a certificate as soon as possible.
- You will need to pay any costs associated with obtaining a National Police Certificate.
- Other types of Police Certificates will not be accepted.
- Minor offences will not automatically disqualify you from being a director.
- There are processes for applying to have some convictions more than 10 years old excluded from your record. Information on spent convictions can be found here:

[Spent Convictions Scheme | Australian Federal Police \(afp.gov.au\)](http://www.afp.gov.au/spent-convictions-scheme)

[Apply for a spent conviction | Western Australian Government \(www.wa.gov.au\)](http://www.wa.gov.au/government/apply-for-a-spent-conviction)