



## NGADJU NATIVE TITLE ABORIGINAL CORPORATION RNTBC

ICN 8297 | ABN 40 829 460 147

Level 1, 1138 Hay St  
West Perth WA 6005  
Tel: (08) 9462 3500  
Email: [reception@nntac.org.au](mailto:reception@nntac.org.au)

# NOTICE OF 2023 ANNUAL GENERAL MEETING

All members of the corporation are advised that an annual general meeting (AGM) of the members of Ngadju Native Title Aboriginal Corporation RNTBC will take place as follows:

- TIME:** 9.00am (attendance registration opens @ 07.30am)  
**DATE:** Wednesday, 29 November 2023  
**PLACES:**
1. Norseman Townhall, 40-46 Coolgardie Esperance Highway, Norseman WA 6443
  2. Swan River Hotel, 1 Epsom Avenue, Ascot WA 6104
  3. Geraldton Multipurpose Centre, 31 Foreshore Dr, Geraldton WA 6530

## AGENDA

### 1. Welcome, opening, attendees and apologies

- 1.1 Acknowledgement of country
- 1.2 Attendees / apologies / quorum

### 2. Proxy appointments

*Note: A member can appoint another member from the same primary affiliation as the member as their proxy to attend the AGM and vote on their behalf. A proxy can be in the form attached and must be signed and received by the corporation at least 48 hours before the AGM. A person must not exercise proxies for more than one member.*

### 3. Minutes of the previous AGM

- 3.1 Confirm the minutes

### 4. Corporation reports

- 4.1 Directors' report
- 4.2 Financial report
- 4.3 Auditor's report

### 5. Appointment of auditor and setting their fee

### 6. Election of three member directors

- 6.1 Petition from members to remove directors (for information only)
- 6.2 Election of three member directors

*Note: Nominations for election as a member director must be in writing in the form set out in Schedule 8 to the rule book and lodged with the corporation at least seven days before the AGM.*

### 7. Election of Rule family member of the elders advisory group

- 7.1 Appointment of member of the elders advisory group from the Rule family group

Note: Only members of the Rule family group can participate in voting for the position.

- 8. Questions**
- 9. Check the register of members**
- 10. Meeting close**

**Ngadju Native Title Aboriginal Corporation RNTBC**

## **INSTRUCTIONS FOR AGM**

Registered members of Ngadju Native Title Aboriginal Corporation RNTBC can speak and vote at the AGM. The corporation does not have observers. People who are not members can only attend the AGM as an observer or speak and/or ask questions at the AGM with the consent of the majority of members present. Observers cannot vote at general meetings.

### **Condition of entry to AGM**

The AGM is a drug and alcohol-free event for members and attendees must observe the corporation's code of conduct in schedule 5 of the rule book. Otherwise, you can be denied entry or removed from the venue.

#### **Schedule 5—code of conduct**

All members and staff have a right to safety, dignity and respect at all times even though the native title process may involve strong emotions and difficult decisions.

The code of conduct requires:

- compliance with the CATSI Act and the rule book;
- notification to the corporation of any change in address within 28 days;
- compliance with all codes of conduct adopted by the corporation;
- treating other members, directors and staff with respect and dignity;
- in all circumstances refrain from the use of abusive, threatening or obscene
- language or language that may otherwise give offence to other members and/or staff;
- to not behave in a way that significantly interferes with the operation of the corporation and of corporation meetings;
- attendance of the general meetings;
- not to use confidential information for their own personal advantage, to the advantage of family members or their native title claim group in any improper manner or to cause
- harm or detriment to any person, body or the corporation;
- not to attend any meetings or to be in the office under the influence of alcohol or non-prescribed drugs; and
- not to use corporation resources (including the service of staff members) for private purposes.

Non-compliance of the code of conduct may result in the members being removed from meetings and / or barred from the corporation premises until there is an improvement in behaviour.

### **Important dates / deadline of submissions**

9.00am on 22 November 2023—*Schedule 8 Nomination/Consent to Become a Director Form*

9.00am, 22 November 2023—*Nomination for elder representative (Rule family only)*

9.00am, 27 November 2023—*Schedule 7 Appointment of proxy form.*

### **Travel assistance/support to attend (rule book 169 – 170)**

No sitting fees will be paid for attending the AGM. Travel assistance will be paid by Abbott Native Title Trustees as set out in the attached policy for travel to the trust meeting and AGM. See attached *Travel Assistance Details*. Please contact Abbott Native Title Trustees and not NNTAC for more information about travel assistance.

### **Proxies (rule book 153 – 165)**

Any member who is entitled to attend and cast a vote at the AGM may appoint another member (who

must be listed on the register of members and must have the same primary affiliation as the member) as proxy for the purpose of voting by giving the corporation notice no later than **9.00am on 27 November 2023** using the attached form – **Schedule 7 Appointment of Proxy**. Any member can only act as a proxy once.

### **Member director nomination (rule book 201 – 208)**

Rule 189 states that the board of directors shall not have more than one member director from any one family group and the maximum number of member directors is six. There are three (3) director positions up for election at the 2023 AGM and nominations are eligible from the following family groups:

- Dalgetty/Ray/Munroe
- Donaldson
- Flynn
- Jacobs
- Schultz
- Wicker
- Wilson/Nine

A nominee for election as a member director must:

- meet the eligibility criteria in rule 190 of the rule book
- have a director ID: <https://www.abrs.gov.au/director-identification-number/apply-director-identification-number>
- complete *Schedule 8: Nomination/Consent to Become a Director Form*.

Nomination forms must be completed and submitted to the corporation by 9.00am, 22 November 2023 (see below for where forms must be submitted).

### **Voting at AGM (rule book 134 – 139)**

Voting will be held at the AGM. Each member has one vote and must be present at the meeting to cast a vote unless a proxy has been appointed.

### **Elders advisory group nomination ('Rule' family group only)**

There is currently a vacancy on the elders advisory group for a representative from the Rule family.

Nominations are therefore from members of the Rule family group for the vacant position. An election will be held at the AGM and voted upon by members of the Rule family group.

A nominee for election as an elders advisory group representative from the Rule family must:

- be a member of the Rule family group
- meet the eligibility criteria in clause S6.3.1 of schedule 6 of the rule book
- complete *Schedule 8: Nomination/Consent to Become a Director Form*
- complete the attached form—*Nomination for elder representative*.

Nomination forms must be completed and submitted to the corporation by 9.00am, 22 November 2023 (see below for where forms must be submitted).

### **All required forms must be submitted to:**

Post: PO Box 806 West Perth 6872; or

Email: [reception@nntac.org.au](mailto:reception@nntac.org.au).

### **Further information**

Please contact (08) 9462 3500 during business hours or email [reception@nntac.org.au](mailto:reception@nntac.org.au) for further information.

# NGADJU CHARITABLE TRUST NO. 2

C/- Abbott Trustees Services  
PO Box 8185  
PERTH WA 6849

Enclosure C:

## Travel Assistance Details

This policy is to reimburse costs for those who attend the meeting. Advances are not possible.

### Fuel and Travel Costs

- **Eligibility:** This is payable to people who are listed in the Trustee's Register of Ngadju beneficiaries who have signed in and have:
  - Driven to the meeting (passengers are not eligible)
  - Travelled by other means e.g., plane, bus, taxi (must show receipt or ticket)
  - Travelled from their normal residence as listed on the beneficiary database
- **Driving Assistance Rate:** \$0.45 per km from town of residence, capped at \$1,500
  - For those who do not drive, costs will be reimbursed at the face value of the ticket or up to the amount they could be eligible if driving, whichever is lower.
- **Claiming:** You must sign your name on the Record of Attendance on arrival at the meeting and
  - if you are a driver, at the time of registration, you must
    - show driver's licence
    - provide a photo your vehicle number plate; or
  - if you have not driven you must show your ticket and travel receipt.

### Driving Assistance Guide

Location	Distance (one way)	Reimbursement (two ways)
Bunbury – Norseman	666 km	\$599.40
Esperance – Norseman	203 km	\$182.70
Geraldton – Norseman	994 km	\$894.60
Kalgoorlie – Norseman	187 km	\$168.30
Karratha – Norseman	1,768 km	\$1,000.00
Perth – Norseman	722 km	\$649.80
South Hedland – Norseman	1,599 km	\$1,000.00

### Accommodation & Meal Assistance

- **Eligibility:** This is payable to people who are listed in the Trustee's Register of Ngadju beneficiaries who have signed into the meeting.
- Assistance is calculated based on the ATO rate (\$180/night for accommodation & \$61.50/night for food)
- \*If you live in the town where the meeting is being held or live within a reasonable driving distance then you are not eligible for assistance

#### If you are only attending the Trust GM

	Traveling less than 250km (1 way)	Traveling over 250km (1 way)
<b>Accommodation assistance</b>	\$0	\$360.00 (2 nights)
<b>Meal assistance</b>	\$0	\$123.00 (2 nights)
<b>Total</b>	\$0	\$483.00

#### Or if you are attending both the NNTAC AGM and Trust GM

	Traveling less than 250km (1 way)	Traveling over 250km (1 way)
<b>Accommodation assistance</b>	* \$180.00 (1 night)	\$540.00 (3 nights)
<b>Meal assistance</b>	* \$61.50 (1 night)	\$184.50 (3 nights)
<b>Total</b>	\$241.50	\$724.50

**Attendance Fees:** Attendance fees will not be paid.

**Payment processing time:** Travel reimbursement payments will be processed on Thursday, 30 November and should be received in bank accounts by Friday, 01 December.

**Note:** One amount of travel assistance will be paid for attendance for the NNTAC AGM and Ngadju Charitable Trust No.2 General Meeting, and it will be paid by the Ngadju Charitable Trust No.2.

**SCHEDULE 7 - APPOINTMENT OF PROXY FORM**

**NGADJU NATIVE TITLE ABORIGINAL CORPORATION RNTBC**

**Appointment of proxy**

I, \_\_\_\_\_ (full name of member)

of \_\_\_\_\_ (address of member)

am a member of the Corporation.

I appoint \_\_\_\_\_ (full name of proxy)

of \_\_\_\_\_ (address of proxy)

as my proxy to vote for me on my behalf at the General Meeting of the Corporation  
(Annual General Meeting or other General Meeting, as the case may be) to be held on:

\_\_\_\_\_ 29 November 2023 (insert date of meeting)

and at any adjournment of that meeting.

Signature of  
member  
appointing  
proxy:

\_\_\_\_\_

Date: \_\_\_\_\_

**NOTE:** A proxy vote may be given to a member of the Corporation or another person.  
Check your Corporation's Rule Book for rules about proxies—section 201-90 of the Act.

**SCHEDULE 8 – NOMINATION / CONSENT TO BECOME A DIRECTOR FORM**

**NGADJU NATIVE TITLE ABORIGINAL CORPORATION RNTBC**

**Nomination / Consent to become a director**

**ALL SECTIONS OF THIS FORM MUST BE COMPLETED**

**SECTION A – PERSONAL DETAILS**

I, \_\_\_\_\_ (print full name) (print residential address, a postal address is not sufficient)

of: \_\_\_\_\_ (print telephone number)

Phone: \_\_\_\_\_ (print email address)

Email: \_\_\_\_\_

nominate and, if appointed, give consent to become a director of the Corporation.

I confirm my date of birth was \_\_\_\_\_ (date of birth)

and my place of birth was \_\_\_\_\_ (place of birth)

**SECTION B – PRIMARY FAMILY GROUP AFFILIATION**

**(This section is not applicable for independent specialist Directors)**

I declare that I have a Primary Family Group Affiliation with the following Family Group:  
(Please mark **one box only** with a ✓)

Family	Ancestor	Primary Affiliation
Belang	Belang (Bilanj, also known as Jinny)	<input type="checkbox"/>
Dalgetty/ Ray/ Munroe	Minnie & Tumi	<input type="checkbox"/>
Donaldson	Polly Raylinya Flynn	<input type="checkbox"/>
	Peter Flynn Graham	<input type="checkbox"/>
	Maggie & Jumbo	<input type="checkbox"/>
Jacobs	Linesman Jacob & Kakaanj	<input type="checkbox"/>
Rule	Karitjabana & Ngilinj	<input type="checkbox"/>
Schultz	Diamond & Lucy Wicker	<input type="checkbox"/>
	Wicker (Wika)	<input type="checkbox"/>
Wilson/ Nine	Mary Kuuban (Kuuban)	<input type="checkbox"/>





## **SECTION E – ACKNOWLEDGEMENTS AND SIGNATURE**

I also acknowledge I am automatically disqualified from managing corporations if I:

- have been convicted of an offence under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (the Act) that is punishable by imprisonment for more than 12 months;
- have been convicted of an offence involving dishonesty that is punishable by imprisonment for at least three months;
- have been convicted of an offence against the law of a foreign country that is punishable by imprisonment for more than 12 months;
- are an undischarged bankrupt;
- have signed a personal insolvency agreement and have not kept to the agreement; and
- have been disqualified under the *Corporations Act 2001* from managing corporations.

and I will notify the Corporation within 14 days if any of the above events occur after my appointment.

I acknowledge that my appointment as a Director is subject to the Rules of the Corporation and the Act.

I confirm that I meet the eligibility criteria to be appointed a Director as detailed in:

<b>For Member Directors – Rule 190, being:</b>		<b>For Independent Specialist Directors – Rule 214, being:</b>	
	is a Member of the Corporation		is not a Member of the Corporation or have any financial or familial interests in it
	has consented in writing to be appointed as a Director of the Corporation using the form set out in Schedule 8 to these Rules		is at least 18 years of age
	has demonstrated cultural knowledge and connection to country		is an Australian resident
	within two months of appointment, obtains a National Police Certificate. If a National Police Certificate is not provided within two months of appointment or it records a criminal offence within the last 10 years the Member Director's appointment is terminated immediately. (the direct cost of obtaining a National Police Certificate will be paid by the Corporation)		is not a Ngadju Person
	within one month of appointment, signs the Director's Confidentiality Deed. If a signed Director's Confidentiality Deed is not provided within one month of appointment the Member Director's appointment is terminated immediately		is not an employee of the Corporation
	within one month of appointment, sign the Directors Code of Conduct. If a signed Directors Code of Conduct is not provided within one month of appointment the Member Director's appointment is terminated immediately		is independent and have demonstrated skills in financial management, corporate governance, accounting, law or field relating to the Corporation's activities
	has completed suitable governance training either prior to their election or appointment or within a period of six months following their election or appointment		gives the Corporation their written consent to become a director before being appointed in the form set out at Schedule 8 of these Rules
	is not a member of the Elders Advisory Group		provides a Police Certificate prior to appointment that do not record a criminal offence within the last 10 years
	is not on an advisory committee (or similar) to any Trust of which the Corporation or any member of the Corporation is a beneficiary		signs the Director's Confidentiality Deed and Directors Code of Conduct prior to appointment
	was not a Director of the Corporation at any time in the period 11 November 2018 to 11 November 2019		has completed suitable governance training either prior to their appointment or within a period of six months following their appointment
	has demonstrated Board or substantial leadership experience		has a director ID
	has demonstrated financial literacy through service in other roles occupations or qualifications		
	Is of high repute and recognised integrity, by the Ngadju People.		
	has a director ID		

Signature of  
person: \_\_\_\_\_

Date: \_\_\_\_\_

**NOTE:** This form should be completed and given to the Corporation **before** the person is appointed as a director—section 246-10(1) of the Act. The period of automatic disqualification is set out in sections 279-5 and 279-10 of the Act.



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Level 1, 1138 Hay Street, West Perth WA 6005

PO Box 806 West Perth WA 6872 | **Phone:** (08) 9462 3500

**Web:** [www.nntac.org.au](http://www.nntac.org.au) | **Email:** [reception@nntac.org.au](mailto:reception@nntac.org.au)

## NOMINATION—ELDERS ADVISORY GROUP

### PART A—PERSONAL DETAILS

I, \_\_\_\_\_ (Your full name)

of \_\_\_\_\_ (Your **residential address**—not postal)

phone \_\_\_\_\_

email \_\_\_\_\_

confirm that I am a member of the corporation and declare my primary affiliation is as follows.

Please **mark only one** affiliation—with a ✓

Family	Ancestor	Primary affiliation ✓
<i>Belang</i>	<i>Belang (Bilanj AKA Jinny)</i>	
<i>Dalgetty / Ray / Munroe</i>	<i>Minnie &amp; Tumi</i>	
<i>Donaldson</i>	<i>Polly Raylinya</i>	
<i>Flynn</i>	<i>Peter Flynn</i>	
<i>Graham</i>	<i>Maggie &amp; Jumbo</i>	
<i>Jacobs</i>	<i>Linesman Jacob &amp; Kakaanj</i>	
<i>Rule</i>	<i>Karitjabana &amp; Ngilinj</i>	
<i>Schultz</i>	<i>Diamond &amp; Lucy</i>	
<i>Wicker</i>	<i>Wicker (Wika)</i>	
<i>Wilson/Nine</i>	<i>Mary Kuuban (Kuubanj)</i>	

I hereby nominate the following elder  
who shares my primary affiliation: \_

Signed: \_

Date: \_

**Return this form by 08:30am 22 November 2023 to [reception@nntac.org.au](mailto:reception@nntac.org.au)**