

# THE RULE BOOK

## **Katungul Aboriginal Corporation Regional Health and Community Services**

**ICN 1816**

**This rule book complies with the  
*Corporations (Aboriginal and Torres Strait Islander) Act 2006 (the CATSI Act).***

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## 1. Name

The name of the Corporation is **Katungul Aboriginal Corporation Regional Health and Community Services** known as Katungul.

## 2. Objectives

The objectives for which the Corporation is established are to assist in the relief of poverty, sickness, destitution, helplessness, distress, suffering and misfortune among Aboriginal and/or Torres Strait Islander people and their families as well as others in need through the process of supporting health, education, social and economic development.

The main aims of the Corporation are to:

- a. improve the standards of health, spiritual, social and emotional well-being for Aboriginal people living in the region of influence of Katungul in New South Wales
- b. provide culturally sensitive primary and affiliated health care services to improve health, spiritual, social and emotional well-being
- c. involve Aboriginal people in the planning and provision of total health care for their communities
- d. provide employment and training opportunities for Aboriginal people to work in the health sector and provide care to other Aboriginal people
- e. provide Aboriginal people with information and education about health issues and healthy life styles
- f. to operate and maintain a gift fund to be known as *'The Katungul Aboriginal Corporation Regional Health and Community Services Gift Fund'* in accordance with the requirements of the Income Tax Assessment Act 1997.

In order to achieve the aims set out above the Corporation may develop, resource and implement a capacity development plan which defines core services, capital works and recurrent support to provide a comprehensive primary health care to an accredited standard and to meet the goal of increasing access to culturally sensitive primary health care to bridge the gap in health standards.

## 3. Members

### 3.1 Who Is Eligible?

A person is eligible to apply for membership if they are:

- at least 16 years of age\*; and
- an Aboriginal person; and
- a resident or have an affiliation with the Katungul Aboriginal Corporation Regional Health and Community Services region of influence in New South Wales.

\* Members must be 18 years of age to be eligible to vote at General Meetings and Annual General Meetings

### ***3.2 How to Become a Member***

To become a member a person must:

- be eligible to apply under rule 3.1.
- submit an application for membership in writing to the Corporation.
- have their application for membership approved by resolution at a Directors' meeting.
- have their name, address and date they became a member put on the register of members.

The Directors must consider all applications for membership within three months after they are received by the Corporation and in the order that they are received.

The Directors may refuse to accept a person's application for membership. If they do, they must notify the applicant in writing of the decision and the reasons for it.

### ***3.3 Members' Rights***

A member can:

- attend and speak at general meetings
- vote at general meetings (other than members under 18 years of age) (see 4.10)
- be made a member Director (if the member satisfies the eligibility requirements under rule 5.2).
- put forward resolutions at general meetings.
- ask the Directors to call a general meeting.
- look at the books and records of the Corporation (if the Directors have authorised them to do this, or if the members have passed a resolution which lets them do this).

The members do not have the right to share in the profits of the Corporation or take part in the distribution of the Corporation's assets if it is wound up.

### ***3.4 Members' Responsibilities***

A member must:

- follow these rules
- let the Corporation know if they change their address (within 28 days)
- abide by the code of conduct for members

### ***3.5 Liability of Members***

Members do not have to pay Corporation debts if the Corporation is wound up.

### ***3.6 How to Stop Being a Member***

A person stops being a member if:

- they resign in writing
- they die
- their membership is cancelled

The person's name and date they stopped being a member is put on the register of former members.

### **3.7 Cancellling Membership**

A member can only be removed by a special resolution at a general meeting if the member:

- can't be contacted for two years, or
- misbehaves, or
- breaches the code of conduct for members, or
- is not an Aboriginal person.

If a member is removed by special resolution at a general meeting the Directors must send that person a copy of the special resolution at their last known address, as soon as possible after it has been passed.

If a person is not eligible for membership for some other reason, the Directors can cancel their membership by passing a resolution at a Directors meeting. Before the meeting, Directors need to write to the member and give the member 21 days to object in writing.

If the member objects, the directors can't cancel the membership. The member can only then be removed by resolution at a general meeting.

### **3.8 The Register of Members**

The register must contain:

- members' and former members' names, addresses and dates of birth
- the date when the names were put on the list
- for former members, the date when they stopped being a member.

The register of members and former members can be maintained in one document

It must be kept at the Corporation's document access address or registered office.

It must be available at the annual general meeting (AGM).

## **4. Meetings**

### **4.1 AGM Timing**

AGMs must be held by 30 November each year.

### **4.2 AGM Business**

The business of an AGM may include any of the following, even if not referred to in the notice of meeting:

- confirm the minutes of the previous AGM or General Meeting
- present reports: general, Chairperson's, financials
- the appointment of Directors in accordance with rule 5.4 on a tri-annual basis
- the appointment and remuneration of an auditor (if required)
- checking the register of members
- allowing questions about how the Corporation is managed

### **4.3 General Meetings**

Notice from three Directors is required to call a general meeting. If the Directors receive a legitimate request from members for a general meeting, they must call the general meeting within 21 days of receiving the request.

Members can ask Directors to call a general meeting via written notice.

Number of members needed to ask for a general meeting is 10% of members.

### **4.4 General Meeting Business**

General meetings are for:

- confirming the minutes of the previous AGM or general meeting
- completing the business specified in the notice of the meeting.

### **4.5 Notice for General Meetings**

At least 21 days' notice must be given for AGMs and general meetings.

Notice must be given to members, Directors, officers, the Corporation secretary, and the auditor, if the Corporation has one.

The notice must set out:

- the place, date, and time for the meeting
- the business of the meeting
- if a special resolution is being proposed, and what it is and
- if a member can appoint a proxy.

The notice must be given to all members in at least one of the following ways:

- personally (or in a manner that which accords with Aboriginal custom), or
- sent by post to the member's address, or
- sent by fax or by email, or
- by placing an advertisement in the local newspaper.

A notice of general meeting:

- sent by post is taken to be given five days after it is posted.
- sent by fax, or other electronic means, is taken to be given on the business day after it is sent.

### **4.6 Members' Resolutions**

Members can propose a notice of a resolution and then give it to the Corporation.

Number of members needed to propose a resolution = 10% of members

The notice must set out the resolution in writing and must be signed by the members proposing it.

The Corporation must give notice of the resolution to all people entitled to it (see rule 4.5).

The Corporation must consider the resolution at the next meeting which is being held at least 28 days after the notice has been sent out.

#### ***4.7 Quorum at Annual General Meetings and General Meetings***

The quorum shall be 10 members.

The quorum must be present during the whole meeting. If there is no quorum after one hour, the meeting is adjourned until the next week at the same time. If there is still no quorum, the meeting is cancelled.

#### ***4.8 Chairing General Meetings***

The Chairperson of the Corporation will chair the general meetings.

If the Chairperson is not available, the deputy Chairperson shall take chair.

If the deputy Chairperson is not available, the Directors can appoint a fellow Director by vote to chair the meeting.

#### ***4.9 Using Technology***

The Corporation may hold general meetings at more than one place using any technology that gives members a way of taking part.

#### ***4.10 Voting***

Eligibility to vote requires members be at least 18yrs of age.

Each member has one vote. The chair has one vote (if he or she is a member).

A challenge to a right to vote at a general meeting may only be made at the meeting, and must be determined by the chair, whose decision is final.

A resolution can be decided by majority on a show of hands, unless a poll is demanded. (A poll is a formal vote—for example, by writing on a voting paper).

The chair declares the results of the vote, on a show of hands, or when a poll is demanded.

#### ***4.11 Demanding a Poll***

Any member entitled to vote on the resolution, or the chair can demand a poll.

A poll can be held before or after a show of hands vote.

A poll on the election of a chair or on the question of an adjournment must be taken immediately. A poll demanded on other matters must be taken when and in the manner the chair directs

#### ***4.12 Proxies***

There shall be no proxy voting.

## **5. Directors**

### ***5.1 Number of Directors***

The number of Directors of the Corporation is eight (8).

## ***5.2 Eligibility of Member Directors***

A person is eligible to be appointed as a Member Director if:

- they are least 18 years old; and
- they have been a member of the Corporation for more than 12 months; and
- they give a written consent, to act as a Director, before being appointed as a Director of the Corporation; and
- they are a permanent resident of Eurobodalla or Bega Valley Shires; and
- They accept and meet the requirements of the Corporation's "Fit and Proper Policy".

A person is not eligible to be appointed (or hold office) as a member Director if:

- they have been disqualified from managing a Corporation; or
- they are an employee of the Corporation; or
- they were an employee of the Corporation in the previous 12 months: or
- they are a member of the chief executive officer's immediate family.

Not more than one (1) person from any immediate family shall be eligible to hold office as a Director at any one time. Immediate family shall mean spouse/partner, or natural or step parent, child or sibling of the Director.

## ***5.3 Majority of Director Requirements***

A majority of Directors of the Corporation must be:

- members of the Corporation
- resident in Australia

## ***5.4 Composition of the Board of Directors***

The Board of Directors will be comprised as follows:

8 Directors with equal representation from Eurobodalla Shire and Bega Valley Shire including Wallaga Lake.

## ***5.5 How to Become a Member Director***

The Corporation can appoint a member Director by resolution passed at an Annual general meeting.

A person must give the Corporation no later than seven working days prior to the Annual General Meeting their consent in writing to be a Director together with their nomination form.

The Candidate Application Form must be completed accurately and submitted at least seven days prior to the Annual General Meeting.

The member Directors will be skills-based appointments.

The successful applicant must accept and sign the Consent to be a Director form (Schedule 1) and the Corporation's Confidentiality agreement

The Corporation must notify the Registrar of the Directors' details within 28 days after they are appointed.



### ***5.6 Directors' Terms of Appointment***

The member Directors are appointed at the AGM for a term of three years.

The member Directors are eligible for reappointment.

### ***5.7 How to Become an Office Bearer (Chairperson and Deputy-Chairperson)***

There shall be a Chairperson and a deputy Chairperson who shall be office bearers.

The office bearers must be member Directors.

The office bearers will be elected by Directors on an annual basis at the first Directors' meeting after each AGM.

### ***5.8 How to Fill Vacancies***

The Directors can fill casual Director vacancies, including office bearers, for the remaining period of the vacancy. Their appointment must be confirmed by resolution at the next general meeting or they stop being a Director.

### ***5.9 Alternate or Shadow Directors***

Alternate or shadow Directors are not allowed.

### ***5.10 How to Stop Being a Director***

A person stops being a Director if:

- the person dies, or
- the person resigns in writing as a Director, or
- the term of the person's appointment as a Director expires, or
- the person is removed as a Director by the members or the other Directors (in accordance with rule 5.13), or
- the person is disqualified from managing a Corporation.

### ***5.11 How to Remove a Director***

A Director is automatically deemed to have ceased office if he or she fails to attend three consecutive Directors' meetings without apology. Directors will then appoint an interim Director until the next AGM. Their appointment must be confirmed by resolution at the next general meeting or they stop being a Director.

The members may remove a Director in the following way:

- a notice for a resolution to remove a Director must be given to the Corporation at least 21 days before the next general meeting (or AGM).
- the Corporation must give the Director concerned a copy of the notice as soon as practicable after it is received.
- the Director can give the Corporation a written statement and speak at a general meeting. The statement must be given to everyone entitled to notice of the meeting (see rule 4.5).

The Directors may remove a Director by resolution at a Directors' meeting if:

- a Director fails to attend without reasonable excuse three or more consecutive Directors' meetings.
- However, before removing the director, the directors must give the director written notice that they intend to remove the director and allow the director 14 days to object in writing.
- If the director objects they cannot remove the director. The director can only then be removed by resolution of members at a general meeting.

### ***5.12 Directors' and Officers' Duties***

The duties are described in the Board Charter:

- a duty of care and diligence
- a duty of good faith
- a duty to disclose a conflict of interest (material personal interest)
- a duty not to improperly use position or information
- a duty to not trade while insolvent
- to successfully participate in all and any training as required by the Board

The business of the Corporation is to be managed by or under the direction of Directors. The Directors may exercise all the powers of the Corporation except any that the CATSI Act or this rule book requires the Corporation to exercise in general meeting.

### ***5.13 Delegation***

The Directors can delegate by passing a resolution, any of their powers to:

- another Director
- a committee of Directors
- an employee of the Corporation.

The delegation must be in writing and specify the delegation period and the delegated powers. The delegate must follow the directions of the Directors when using the delegated powers.

### ***5.14 Payments to Directors***

A Director can receive remuneration for their work as a Director as outlined in the "Fit and Proper person policy". The amount of remuneration will be determined by the members as and when required.

The Corporation may reimburse the Directors and Committee members travelling and other expenses for attending meetings or to do with other approved Corporation business.

The Directors may be paid if they are contracted to provide goods or services to the Corporation (so long as the Director has exercised any duty to disclose a conflict of interest and has followed the processes detailed in rules 5.15 and 5.16).

### ***5.15 Conflict of Interest (Material Personal Interest)***

Directors must comply and adhere to the Board Conflict of Interest policy.

A Director who has a material personal interest in a Corporation matter must tell the other Directors.

The Director must give details of what the interest is and how it relates to the Corporation. These details must be given at a Directors' meeting as soon as possible, and must be recorded in the minutes of the meeting.

A Director who has a material personal interest must not:

- be present at the Directors' meeting while the matter in question is being considered;
- vote on the matter in question

unless allowed to do so under the CATSI Act.

The Director must complete the Disclosure of Interest return as at 30<sup>th</sup> June each year

### ***5.16 Related Party Benefit***

If a Corporation wants to give a financial benefit to a Director or related party (such as a spouse of a Director) it must get prior approval of the members.

The procedure in part 6.6 of the CATSI Act must be followed.

### ***5.17 Directors' Meetings***

The Directors must meet at least once every three months as outlined in the "Fit and Proper person policy".

The Directors will usually decide at a meeting when and where the next meeting will be.

A Director can call a meeting by giving reasonable notice to all the other Directors.

### ***5.18 Quorum for Directors' Meetings***

A quorum is a majority of Directors in which member directors make up the major number.

### ***5.19 Chairing Directors' Meetings***

The Chairperson of the Corporation will chair the Directors' meetings.

If the Chairperson is not available, the Deputy Chairperson shall take chair but if the Deputy Chairperson is not available, the Directors must appoint another member Director to chair the meeting via vote to be recorded in the minutes.

### ***5.20 Using Technology***

The Directors' meetings can be held at more than one place using any technology, as long as 100% support received from all Directors prior to any meeting.

### **5.21 Resolutions at Directors' Meetings**

A resolution of Directors must be passed by a majority of the votes.

The Chair has a vote, plus a casting vote.

Resolutions can be passed without a Directors' meeting by use of a circular resolution receiving unanimous support from all members of the Board via email or signed statement.

## **6. Corporation Secretary**

The Corporation Secretary must be at least 18 years old.

The Directors appoint a Corporation Secretary and can be a staff member.

The Directors in consultation with the CEO decide the Corporation Secretary's remuneration terms and conditions of employment, if necessary.

The Corporation Secretary must pass on any correspondence received to at least one of the directors within 14 days.

The proposed Corporation Secretary must give the Corporation their consent in writing to become the Corporation Secretary. The Corporation must send the Registrar the Corporation Secretary's personal details within 28 days after they are appointed. The Corporation can use the Registrar's *Notification of a change to Corporation officers' details* form.

## **7. Records**

The Corporation must keep the:

- minutes of meetings (in writing or as an audio or video recording)
- Rule Book (constitution)
- register of members and former members
- names and addresses of Directors, officers, and the Corporation Secretary.
- financial records that correctly record and explain its transactions and financial position and that would enable true and fair financial reports to be prepared and audited.

They must be kept at the Corporation's document access address.

## **8. Finances**

The Corporation must follow the procedures set out below:

- all money of the Corporation must be deposited into the Corporation's bank account
- the Corporation must give receipts for all money it receives.
- all banking documents and transactions must be signed by at least two Directors and the CEO or their representative under delegation.
- all payments made out of the Corporation's money must be supported by adequate documents which explain the nature and purpose of the payments.

## **9. Committees**

### **9.1 Aboriginality and Membership Committee**

The Board will convene an Aboriginality and Membership Committee to meet at regular intervals or as required to assess Aboriginality applications. The decisions of the Committee are Final and will consist of member directors only who will report to the Board. The committee will operate under Terms of Reference approved by the Board.

### **9.2 Clinical Governance Committee**

The Board will convene a Clinical Governance Committee to meet at regular intervals or as required under Terms of Reference approved by the Board.

### **9.3 Audit, Risk, and Improvement Committee**

The Board will convene an Audit, Risk, and Improvement Committee to meet at regular intervals or as required under Terms of Reference approved by the Board.

### **9.4 Committees Generally**

The Board can create or disband committees from time to time as they see fit to assist the Board in the execution of their duties.

## **10. Application of funds**

The Directors can use the money and property of the Corporation, not subject to any special trust or conditions by funders, to carry out its business.

This rule does not stop the Corporation from making reasonable payments:

- to a member in their capacity as an employee (i.e. wages); or
- to a member under a contract for goods or services provided.

## **11. Powers of the Corporation**

Subject to the CATSI Act and this rule book, the Corporation has the power to do anything lawful to carry out the objectives of the Corporation.

## **12. Dispute Resolution**

The dispute resolution process is as follows:

- if a dispute arises, the parties must first try to resolve it themselves.
- if the dispute is not resolved within ten business days, any party may give a dispute notice to the other parties.
- the dispute notice must be in writing and must say what the dispute is about. It must be given to the Corporation or to the member, as applicable.
- if the dispute is about the CATSI Act or the Corporation's rules, the Directors or any of the dispute parties may ask the Registrar for an opinion.
- the Directors must help the parties resolve the dispute within 20 business days after the Corporation receives the notice.
- if the Directors cannot resolve the dispute, it must be put to the members to resolve at a general meeting.

The Directors or any of the dispute parties may ask the Registrar for assistance.

### **13. Change of Corporation name or rules**

The name or rules of the Corporation may only be altered by a special resolution passed by a majority of not less than three quarters of the members present at a general meeting.

The proposed changes must be specified in the notice of the general meeting.

The Corporation must, within 28 days, after making the changes, send the changes to the Registrar.

The changes take effect when they are approved by the Registrar.

### **14. The Katungul Aboriginal Corporation Regional Health and Community Services Gift Fund**

14.1 The Corporation shall maintain for the main purpose of the Corporation a gift fund:

- (a) to be named 'The Katungul Aboriginal Corporation Regional Health and Community Services Gift Fund'
- (b) which must receive gifts of money or property for the purposes of the objectives of the Corporation
- (c) which must have credited to it any money received by the Corporation because of those gifts.

14.2 The gift fund cannot receive any money or property other than that stated at (b).

14.3 The Corporation shall use gifts made to the gift fund and any money received because of them only for the principal purpose of the Corporation.

14.4 Receipts issued for gifts to the gift fund must state:

- (a) the full name of the Corporation; and
- (b) the Australian Business Number (if applicable) and the Indigenous Corporation Number (ICN) of the Corporation; and
- (c) the fact that the receipt is for a gift.

14.5 As soon as:

- (a) the gift fund is wound up, or
- (b) the Corporation's endorsement as a deductible gift recipient is revoked under section 426-55 of the *Taxation Administration Act 1953*

any surplus assets of the gift fund must be transferred to another fund, authority or institution, which has similar objectives to the Corporation. This body must also be able to receive tax deductible gifts under division 30 of the *Income Tax Assessment Act 1997*

## 15. Winding up

The winding up of the Corporation shall be in accordance with the CATSI Act.

### 15.1 Resolution to distribute surplus assets

Subject to rule 14.2, where:

- (a) the Corporation is wound up
- (b) after all debts and liabilities have been taken care of, and costs of winding up have been paid, surplus asset of the Corporation exist,

the members may pass a special resolution relating to the distribution of the surplus assets of the Corporation provided that the assets are transferred to:

- i. another organisation in Australia which is a public benevolent institution for the purposes of any Commonwealth taxation act; and
- ii. where possible, to incorporated member organisations of the National Community Controlled Health Organisation (NACCHO), being Aboriginal Community Controlled Medical or Health Services within the State of New South Wales, but such organisations shall have rules preventing the distribution of property to its individual members and shall qualify under Item 4.1.1 of the table in subsection 30-45(1) of the *Income Tax Assessment Act 1997*.

### 15.2 The distribution of surplus assets must not be made to any member or to any person to be held on trust for any member.

## Definitions

"**Aboriginal person**" means a person of the Aboriginal race of Australia.

"**Annual general meeting or AGM**" means an Annual general meeting held under rule 4.

"**Applicant**" means a person who is eligible to become a member of the Corporation and has applied to become a member according to rule 3.2.

"**Application for membership**" means a form approved by the Directors

"**Audit, Risk and Improvement Terms of Reference**" is a document which outlines the Audit, Risk and Improvement Committee's responsibilities, composition, frequency of meetings, authority, and the charter review process in reference to the Audit, Risk and Improvement Committee Terms of Reference

"**Books and records**" include a register, any record of information, financial reports or records, or documents of a Corporation however compiled, recorded or stored.

"**Business day**" means a day which is not a Saturday, Sunday or bank or public holiday in the place concerned.

"**CATSI Act**" means the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* as amended from time to time and any regulations made under it

"**Circular Resolution**" means a resolution enabling the Board to make decisions out of meeting.

"**Corporation Secretary**" means a person elected or appointed according to rule 6.

"**Corporation**" Katungul Aboriginal Corporation Regional Health and Community Services

"**Director**" means a person who holds office as a member of the Board of Directors of the Corporation according to rule 5.

"**Directors' meeting**" refers to meetings of the Board of Directors held according to rule 5.19.

"**Dispute**" has the meaning given in rule 11.

"**Dispute resolution process**" means the process set out in rule 11.

"**Fit and Proper**" means a person complying with the provisions of the Fit and Proper policy determined by the Board.

"**General meeting**" refers to general meetings of the members of the Corporation called and held according to rule 4.

"**Immediate family**" means any living person related in any of the following ways: grandfather, grandmother, grandchild, aunt, uncle, father, mother, spouse, husband, wife, de-facto partner, son, daughter, sister, brother or the de-facto partner's child, parents, grandparents, grandchild. This definition includes step-relations for example step-parents, step-siblings and step-children.

"**Indigenous Corporation Number or ICN**" means that number given by the Registrar to the Corporation on registration.

"**Katungul**" means Katungul Aboriginal Corporation Regional Health and Community Services

"**Member**" means a person whose name appears on the Register of members.

"**Minutes**" means the record of proceedings and resolutions passed at general meetings and/or Directors' meetings

"**Objectives**" means the objectives set out in rule 2.

"**Officer**" is a Director, Corporation secretary, administrator, special administrator, receiver, receiver and manager, liquidator or trustee of the Corporation or a person who makes decisions that affect a



substantial part of the business of the Corporation; or could significantly affect the Corporation's financial standing.

"**Poll**" means voting at a general meeting by the members voting signing a paper headed "for" or "against" a motion or resolution, as the case may be (as opposed to voting by a show of hands). A poll can include a secret ballot.

"**Region of Influence**" means the geographical area where Katungul is authorised to provide services.

"**Register of members**" means the register of members kept according to rule 3.8.

"**Registrar**" means the Registrar of Aboriginal and Torres Strait Islander Corporations appointed in accordance with the Act.

"**Related party benefit**" is the giving of a financial benefit to a person or group with a close relationship to the Corporation. Related parties include Directors, their immediate family members or Corporations/entities they control.

"**Remuneration**" is payment for undertaking work as a Director or Committee member. It does not confer employee status on such persons.

"**Resolution**" means a resolution that has been passed by a majority of the persons (i.e. members or Directors) entitled to vote on the resolution.

"**Special resolution**" means a resolution that has been passed by at least 75% of the votes cast by members entitled to vote on the resolution.

"**Surplus assets**" has the meaning given in rule 14.

# Schedule 1—Application for membership form

## Katungul Aboriginal Corporation Regional Health and Community Services

### APPLICATION FOR MEMBERSHIP

I, \_\_\_\_\_  
(first name of applicant) (last name of applicant)

of

\_\_\_\_\_  
(address of applicant)

Hereby apply for membership of the **Katungul Aboriginal Corporation Regional Health and Community Services**.

I declare that I am eligible for membership under Rule 3.1 and am willing to be bound by the rules of the corporation and the code of conduct for members.

Signed: \_\_\_\_\_

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

#### Office use only

Application tabled at directors' meeting held	Date:
Directors confirmed applicant is eligible for membership	Yes / No
Entered on register of members	Date:

.....  
Chairperson's signature

## Schedule 2—Consent to act as a Director form

### CONSENT TO BECOME A DIRECTOR

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

of \_\_\_\_\_ (address of person)

give consent to become a Director of **Katungul Aboriginal Corporation Regional Health and Community Services** as nominated at the general meeting of the Corporation (annual general meeting or other general meeting, as the case may be) held on:

\_\_\_\_\_ (date of meeting)

I confirm that I at least 18 years of age.

I permit and will assist Katungul Aboriginal Corporation Regional Health and Community Services to seek any information that relates to my being a person appropriate to hold office as seen fit.

I acknowledge that a person is automatically disqualified from Katungul Aboriginal Corporation Regional Health and Community Services if they:

- have been convicted of an offence under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* that is punishable by imprisonment for more than 12 months;
- have been convicted of an offence that is punishable by imprisonment;
- have been convicted of an offence against the law of a foreign country that is punishable by imprisonment;
- are an undischarged bankrupt;
- have signed a personal insolvency agreement and have not kept the agreement; ~~and~~
- have been disqualified under the *Corporations Act 2001* from managing Corporations.
- fail the Corporation's Fit and Proper Persons Policy
- are found to be in breach of the Corporation's Code of Conduct for Members
- have been found to have brought or attempted to bring the Corporation in to disrepute

I agree to abide, uphold and respect at all times all the rules, regulation and policies of the Corporation

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 CATSI Act.

The period of automatic disqualification is set out in sections 279-5 and 279-10 of the CATSI Act.