

**Rule book of  
Central Australian  
Aboriginal Congress  
Aboriginal Corporation  
ICN: 7823**

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

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## 1. Name

The name of the corporation is: Central Australian Aboriginal Congress Aboriginal Corporation (hereinafter called "Congress")

## 2. Objectives and Powers

### 2.1 *The central objects of Congress*

Are to relieve the poverty, sickness, destitution, distress, suffering, misfortune or helplessness of Aboriginal people in Central Australia, and

In recognition of the severe problems encountered by Aboriginal people in Central Australia and the unfortunate circumstances in which they find themselves, Congress shall advance its central objects by the following means:

- a) assisting members and their families to attain the highest possible level of health;
- b) assisting members and their families to alleviate their plight by becoming increasingly self-reliant and assume maximum responsibility for their own health and welfare;
- c) relieving suffering by providing accessible acceptable and appropriate Aboriginal controlled primary health care and welfare to members, their families and visitors;
- d) arresting social disintegration within the communities where the members live by ensuring that all programmes and actions are in accordance with these communities' cultural values and practices;
- e) bringing the needs of members, members' families and visitors before the Australian community, Governments and specialised agencies engaged in the provision of services to Aboriginal people, and in so doing attempt to overcome the problems that exist within the Central Australian Aboriginal community;
- f) providing for consultation and cooperation between members and governments and specialised agencies engaged in the provision of health and welfare services to Aboriginal people in order that members may benefit in accordance with these objects;
- g) promoting knowledge and understanding by the Australian community of the special difficulties experienced by Aboriginal people as a minority within the community by the preparation and dissemination of information on the health and welfare needs of members, members' families and visitors;
- h) promoting necessary changes in non-Aboriginal controlled organisations that provide health and welfare services to Aboriginal people, so as to make them appropriate, accessible and acceptable to members and their families;
- i) fostering appropriate Aboriginal controlled research into the health and welfare issues affecting members, members' families and visitors, and by so doing attempt to overcome their health and welfare problems;
- j) promoting culturally appropriate methods of managing and preventing health problems by recognising and supporting the vital role of traditional health practitioners and birth attendants in the provision of primary health care services;

- k) promoting and providing training opportunities for members, employees and unpaid workers of Congress;
- l) recognising the distress caused by the high Aboriginal unemployment rate in Central Australia; encouraging, supporting and assisting Aboriginal people to apply for all employment opportunities offered by Congress;
- m) developing relationships with organisations with similar aims;
- n) assisting Aboriginal groups or organisations with similar aims and needs;
- o) providing health and welfare services to non-members as a community service to the extent, if at all, that the directors shall from time-to-time consider appropriate in furthering the central objects of Congress

## **2.2 Powers**

In order to achieve the central objects, Congress shall have the following powers:

- a) to purchase, take on lease or in exchange, and to hire or otherwise acquire any real or personal property that may be deemed necessary or convenient for any of the objects or purposes of Congress;
- b) to buy, sell, supply or deal in, goods and services of all kinds;
- c) to construct, maintain and alter buildings or works necessary or convenient for any of the objects or purposes of Congress;
- d) to accept any gift, whether subject to a special trust or not, for any one or more of the objects or purposes of Congress;
- e) to take such steps from time to time as the directors or the members in general meeting may deem expedient for the purposes of procuring contributions to the funds of Congress, whether by way of donation, subscriptions, fund raising, or otherwise;
- f) to print and publish such newspapers, periodicals, books, leaflets, or other documents as the directors may think desirable for the promotion of the objects of Congress;
- g) to borrow and raise money in such manner and on such terms as the directors may think fit or as may be approved or directed by resolution passed at a general meeting; and securing the repayment of money so raised or borrowed or the payment of a debt or liability of Congress by giving mortgages, charges or securities upon or over all or any of the real or personal property of Congress;

- h) to invest any monies of Congress not immediately required for any of its objects or purposes in such manner as the directors may from time to time determine;
- i) to make gifts, subscriptions, or donations to any of the funds, authorities, or institutions to which paragraph (a) of subsection (1) of section 78 of the Income Tax Assessment Act, as amended from time to time, of the Commonwealth relates;
- j) the establishment and support, or aiding in the establishment and support, of associations, institutions, funds, trusts, schemes, calculated to benefit employees or past employees of Congress and their dependents, and to grant pensions, allowances or other benefits to employees or past employees of Congress and their dependents, and to make payments towards insurance in relation to any of those purposes;
- k) to establish, support or aid in the establishment and support, of any other association formed for any of the basic objects of Congress;
- l) to do all such other lawful things as are considered by the directors or the members at a general meeting incidental or conducive to the attainment of the objects and purposes of Congress;
- m) to seek funding by all lawful means and in particular to apply for, receive and administer, any grant or loan made to the corporation by any government department or from any financial institution, or from any individual and private Association.

### **2.3 Interpretation and Definitions**

“Act” means the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*

“AMSANT” means Aboriginal Medical Services Alliance of the NT Inc.

“Independent Director” means a Director who:

- a) is not a member of the Corporation;
- b) has not within the last 3 years been employed by the Corporation or a related body corporate of the Corporation in an executive capacity;
- c) has not been a principal of a material adviser or consultant to the Corporation or a related body corporate of the Corporation in the last 3 years, or an employee materially associated with the service provided;
- d) is not a material supplier or client of the Corporation or a related body corporate of the Corporation and is not directly or indirectly associated with a material supplier or client;
- e) has no material contractual relationship with the Corporation or a related body corporate other than as a director; or
- f) has not served on the Board for a continuous period exceeding 6 years without a break in service of at least 2 years; or
- g) has no other interest or relationship which could be reasonably perceived as materially interfering with their ability to act in the best interests of the Corporation and independently of management.

## **3. Members**

### **3.1 Who is eligible?**

Every Aboriginal & Torres Strait Islander person who is at least 18 years old and normally resident in Central Australia shall be eligible to become a member of Congress

### **3.2 How to become a member**

A person applies in writing.

A person is eligible under rule 3.1.

The directors accept the application at a directors meeting in their absolute discretion.

The person's name, address and date they became a member is put on the register of members.

The directors may refuse to accept a membership application. If they do so, they must write to the applicant about the decision and the reasons for it.

### **3.3 Members' rights**

A member:

- can attend, speak and vote at general meetings

- can be made a director
- can put forward resolutions at general meetings
- can ask the directors to call a general meeting
- can look at such books and records of Congress that must be given to members on request, or that the directors have authorised to be made available for inspection.

### **3.4 *Members' responsibilities***

A member:

- must follow these rules
- let Congress know if they change their address
- treats other members with respect

### **3.5 *Liability of members***

Members do not have to pay corporation debts if Congress is wound up.

### **3.6 *How to stop being a member***

A person stops being a member if:

- they resign in writing
- they pass away
- their membership is cancelled.

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

### **3.7 *Cancelling membership***

If a member:

- can't be contacted for two years
- misbehaves or
- is not an Aboriginal or Torres Strait Islander person

their membership can only be cancelled by special resolution at a **general meeting**. The directors must then 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 or has failed to attend three consecutive general meetings, the directors can cancel their membership by passing a resolution at a directors meeting. Before the meeting, directors must give the member 14 days to object in writing.

### **3.8 *The register of members and former members***

The register must contain:

- members' and former members' names and addresses
- the date when the names were put on the register
- for former members, the date when they stopped being a member

It must be kept at Congress' 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 before the end of November each year.

### **4.2 AGM business**

The business of the AGM will include:

- confirmation of the minutes of the previous AGM
- consideration of the reports that under Chapter 7 of the Act are required to be laid before the AGM
- presentation of any other reports;
- the election of directors of the corporation
- appointment of an auditor;
- any other business.

### **4.3 General meetings**

The directors shall convene general meetings.

On the request for a general meeting made in accordance with the Act by at least 5 members or 10% of the members of the corporation, whichever is greater, the directors shall call the general meeting within 21 days unless permitted by the Registrar not to call the meeting.

### **4.4 General meeting business**

General meetings are for:

- confirming the minutes of the previous general meeting
- everything in the notice of the meeting

### **4.5 Notice for general meetings**

At least 21 days' notice shall be given for general meetings.

Notice must be given to members, directors, officers, the secretary/contact person and the auditor.

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

Notices can be given to members personally (or in a manner which accords with Aboriginal or Torres Strait Islander custom), sent to their address, sent by fax or sent by email or by:

- a) giving notice of the place, day, time and objects of the meeting on at least one Central Australian Aboriginal controlled radio or television programme; or if



that is not possible on such other Central Australian radio or television programme as the directors shall direct; and

- b) placing a prominent notice in Congress' main office and health clinic stating the place, day and time of the meeting; and
- c) giving notice of the place, day, time and objects of the meeting in a major local newspaper;
- d) such other methods as the directors may direct

A notice of meeting:

- sent by post is taken to be given three 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 resolution by giving notice of it to Congress.

The notice must set out the resolution in writing and must be signed by at least 5 members or 10% of the members of the corporation, whichever is greater, being the members proposing it.

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

Congress must consider the resolution at the next general meeting which is being held more than 28 days after the notice has been sent out.

#### **4.7 Quorum at general meetings**

- a) No item of business shall be conducted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time when the meeting is considering that item;
- b) A quorum shall consist of 25 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**

General meetings shall be chaired by the President. In the absence of the President, the directors present shall appoint a chairperson from their number who is a member to chair the meeting.

#### **4.9 Using technology**

General meetings may be held at more than one place using any technology that gives the members as a whole a reasonable opportunity to participate.

#### **4.10 Voting**

Each member has one vote.

The chair has one vote plus a casting vote.

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. (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 member directors**

**The Board shall consist of 6 directors appointed at the AGM following a nomination and election process** (excluding the three independent directors appointed in accordance with rule 5.6):

- i. Chairperson;
- ii. Deputy Chairperson;
- iii. Up to 2 of the 6 must be representatives from remote communities where Congress delivers health services. In the event that there are not two nominations accepted for the remote representatives the elected board of directors would make a casual appointment until the next AGM, using best endeavours to make a remote appointment.
- iv. 1 of the 6 must be a Youth representative. A youth representative is a person who fulfils the criteria of a general member, and is aged between 18 and 30. If there are no suitable candidates another casual appointment may be made whilst a suitable youth candidate is identified for a casual appointment.

### **5.2 Eligibility of directors**

A director must be a member of the corporation (with the exception of any independent or specialist non-member directors appointed in accordance with rule 5.6) and cannot be an employee of Congress.

### **5.3 Directors' terms of appointment**

Directors will be elected on rotation for a two year term, so that the appointment of half of the directors expires each year.

It is envisaged that a director will have no more than three consecutive two year terms.

#### **5.4 How to become a director**

All members who wish to become a director need to nominate prior to the AGM and have their nominations endorsed.

If the number of endorsed nominations is less than or equal to the number of vacancies then nominees are elected unopposed and appointed at the AGM. If there are more nominations than vacancies then an election occurs amongst the full membership prior to the AGM, by way of a ballot up and until the commencement of the AGM, for those members present who have not already voted.

#### **5.5 How to become an independent director**

The member directors will appoint three independent directors with preference given to Aboriginal applicants. Independent directors will be selected with specific skills in three key areas:

1. Primary Health Care
2. Financial management
3. Governance and administration

Independent directors must give Congress their written consent to become a director before being appointed. Independent directors are appointed for the term specified by the directors in their appointment. Independent directors cannot be appointed for a term of more than two years, but they can be reappointed. Independent directors will be invited to apply for the positions based on their specific skills in the above three areas and a process of selection will be undertaken by an independent recruitment panel selected by the board. This panel will make recommendations to the board in relation to the most suitable candidate in each of the speciality areas and the board will make the final selection.

The board does not have to make any of these appointments unless and until a suitable candidate or candidates are recommended by the panel.

#### **5.6 How to become an office bearer**

The office bearers are directors of Congress and are elected at the AGM by the appointed member directors. Office bearers are:

- Chairperson
- Deputy Chairperson

#### **5.7 How to fill vacancies**

In the event of a casual vacancy occurring in the position of director then the directors shall appoint an eligible member of Congress to fill the vacancy, and the member so appointed shall, subject to these rules, hold office until the next following Annual General Meeting;

#### **5.8 How to stop being a director**

A director passes away.

A director resigns, in writing.

A director's appointment expires.

A director is removed as a director by the members or the other directors.

A director is disqualified from managing a corporation.

### **5.9 How to remove a director**

By the members:

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

By other directors:

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

### **5.10 Directors' and officers' duties**

The duties are:

- 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.

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

### **5.11 Conflict of interest (material personal interest)**

A director who has a material personal interest in a corporation matter must tell the other directors.

They must give details of what the interest is and how it relates to Congress. It must be given at a directors' meeting as soon as possible, and it must be recorded in the minutes of the meeting.

A director who has a material person interest must not:

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

### **5.12 Payment**

The directors shall be paid a directors fee, depending on the availability of funds. The director's fee will be determined by Congress at a general meeting.

Congress may pay the directors' travelling and other expenses for attending meetings or to do with other corporation business.

### **5.13 Delegation**

Directors can pass a resolution to delegate any of their powers to:

- another director
- a committee of directors
- an employee of Congress

The delegate must follow the directions of the directors when using the delegated powers.

### **5.14 Sub-committees**

- a) The directors may at any time appoint a sub-committee from the members as it may think fit and shall prescribe the powers and functions thereof;
- b) The sub-committee may invite as members of a sub-committee such persons as it thinks fit, whether or not those persons are members of Congress, but a person so invited who is not a member of Congress is not entitled to vote;
- c) The quorum at a meeting of a sub-committee shall be three members of Congress, two of whom shall also be directors unless the directors resolves that a larger number shall be the quorum;
- d) The sub-committee shall appoint a member of the sub-committee to be responsible for calling meetings of that sub-committee and shall notify the President of Congress who has been appointed;
- e) Reasonable notice of each sub-committee meeting shall be given personally to each sub-committee member, or by delivering or posting it to his/her usual or last known place of abode;
- f) Any decision made by the sub-committee must come to the directors to be endorsed prior to implementation.

### **5.15 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 the approval of the members by following the procedure in part 6.6 of the CATSI Act.

### **5.16 Directors' meetings**

Directors must meet at least every three months.

The directors shall meet up to 8 times each year at such place and at such times as the directors may at its previous meeting determine and subject to these rules may complete its own proceedings;

5 days written notice of each directors meeting called shall be given to each director by delivering it to him/her personally, posting faxing, emailing or delivering it to his/her usual or last known place of abode;

The written notice of each directors meeting shall specify the general nature of the business to be transacted;

Notwithstanding the preceding rules in situations of extreme urgency any three of the directors of whom at least two are also members shall constitute an emergency directors' meeting, who by unanimous resolution may issue instructions to the Secretary and/or employees of Congress. An emergency directors' meeting shall only convene if a matter of extreme urgency connected with the management of Congress arises that cannot be delayed until the next planned directors' meeting called in accordance with these rules. The emergency directors who meet shall report to the next directors' meeting the reason for their meeting and on any instructions they gave to the Secretary or employees of Congress.

#### **5.17 Quorum for directors' meetings**

A majority of the directors must be present at all times during the meeting.

#### **5.18 Chairing directors' meetings**

Directors meetings shall be chaired by the President. In the absence of the President the directors present shall appoint a chairperson from their number to chair the meeting;

#### **5.19 Using technology**

Directors' meetings can be held at more than one place using any technology, as long as they all agree to it.

#### **5.20 Resolutions at directors' meetings**

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

Resolutions can be passed without a directors' meeting if all directors sign a statement saying that they are in favour of it.

On any question arising at a directors meeting, a director has one vote only;

In the case of an equality of votes the President, or in the absence of the President the Chair, shall have a second or casting vote.

#### **5.21 Media statements**

All statements to the media on behalf of Congress shall be made in a manner consistent with the corporations' media policy.

## **6. Secretary**

The directors shall appoint a person who is at least 18 years old secretary of the corporation.

The directors will determine the terms and conditions (including as to remuneration) on which the secretary holds office.

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

The secretary must give Congress their consent in writing to become a contact person before being appointed.

Congress must send the Registrar a secretary's personal details within 28 days after they are appointed. Congress can use the Registrar's *Notification of a change to corporation officers' details* form.

## **7. Records**

Congress 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 contact person
- financial records required by the Act.
- The President shall ensure that proper minutes are kept of general meetings, directors meetings, sub-committee meetings and emergency directors meetings and those minutes are distributed to members of the directors and such other persons as the directors shall direct.

They must be kept at Congress' registered office.

## **8. Finances**

All money of Congress must be deposited into Congress' bank account.

The directors shall determine how all payments by Congress are authorised and executed.

Congress must give receipts for all money it receives.

## **9. Application of funds**

- a) The income and property of Congress, shall be applied solely towards the promotion of the objects and purposes of Congress and no portion thereof shall be paid or transferred, directly or indirectly, by dividend, bonus, or otherwise, to any member of Congress;
- b)
  - i. Congress shall not appoint a director to any position for which any remuneration by way of salary, fees or allowances is payable or other benefit in money or in money's worth;
  - ii. the provision of sub-rule (b) i. shall not apply to the repayment of out-of-pocket expenses to directors;
  - iii. the provisions of sub-rules b) i. shall not apply to a director who upon being appointed to any office described in that rule resigns as a director within seven days of such appointment;
  - iv. the provisions in sub-rule (b) ii and iii shall not apply to the payment of reasonable directors fees for directors attending meetings in their capacity as a director.
- c) Nothing in the foregoing provisions of this rule prevents the payment in good faith to any employee or member of Congress of:
  - i. remuneration in return for services rendered to Congress by the employee or member or for goods supplied to Congress by the employee or member in the ordinary course of business;
  - ii. interest at current bank overdraft rate on money lent; or
  - iii. a reasonable and proper sum by way of rent for premises let to Congress by the employee or member.

## **10. Dispute resolution**

- (1) This rule applies to disputes between members, directors or disputes between either, and the directors.
- (2) Within 14 days after the dispute comes to the attention of the parties to the dispute, they must meet and discuss the matter in dispute, and, if possible resolve the dispute;
- (3) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days after the meeting, hold another meeting in the presence of a mediator;
- (4) The mediator must be:
  - (a) a person chosen by agreement between the parties; or
  - (b) in the absence of agreement:
    - (i) for a dispute between members, or members and directors, a person appointed by the President; or
    - (ii) for a dispute between a director and other directors – a person who is a mediator appointed or employed by AMSANT



- (5) A member of Congress can be a mediator;
- (6) The mediator cannot be a party to the dispute;
- (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation;
- (8) The mediator, in conducting the mediation, must :
  - (a) give the parties to the mediation process every opportunity to be heard;
  - (b) allow due consideration by all parties of any written statement submitted by any party; and
  - (c) ensure natural justice is accorded to the parties to the dispute throughout the mediation process.
- (9) The mediator must not determine the dispute;
- (10) If the mediation process does not result in the dispute being resolved, the parties may seek Registrar's assistance or the directors may refer the matter to a general meeting of members for decision.

## **11. Changing the rule book**

The rule book can be changed by passing a special resolution at a general meeting. The proposed changes must be set out in the notice of the general meeting.

Within 28 days after the resolution is passed, Congress must send the Registrar:

- a copy of the changes
- a copy of the minutes of the meeting
- a Request to change corporation rule book form.

The changes do not take effect until the new rule book is registered by the Registrar.

## **12. Seal of Congress**

- a) Congress shall have a common seal in the form approved by the directors;
- b) The common seal of Congress shall not be affixed to any instrument except by the authority of the directors and the affixing thereof shall be attested by the signatures of two directors and that attestation is sufficient for all purposes that the seal was affixed by authority of the directors.

### **13. Deductible gift recipient and gift fund**

- a. Congress has been endorsed by the Australian Taxation Office as a Deductible Gift Recipient (DGR), prior to any receipt of a tax deductible donation, gift of money or property, Congress shall establish and maintain a separate gift fund consistent with provisions within subsections 30-125 (4) to (7) of the Income Tax Assessment Act 1997 (ITAA 1997) or as amended from time to time;
- b. The gift fund shall be maintained:
  - for the principal purposes of Congress;
  - as the sole account into which such gifts are deposited; and
  - used exclusively for crediting such gifts; and
  - shall only be used, or its funds disseminated, consistent with the public benevolent institutional purposes outlined in the objects and purposes as set out in this constitution
- c. The name of the gift fund shall be the "Central Australian Aboriginal Congress Gift Fund" and the governance of the fund shall be consistent with relevant provisions within the Income Tax Assessment Act 1997, as amended from time to time and relevant sections within this Constitution;
- d. At the first occurrence of either the winding up of the Gift Fund, or the revocation of endorsement of Congress as a DGR, any surplus assets of the Gift Fund, remaining after the payment of the liabilities attributable to it, shall be transferred to another organisation in Australia which is a public benevolent institution for the purpose of any Commonwealth Taxation Act and to which income tax deductible gifts can be made and, where possible, to incorporated Aboriginal Community Controlled Health Services within the Northern Territory being public benevolent institutions to which income tax deductible gifts can be made.

### **14. Winding up**

- a) Upon the winding up of Congress, a member or an associate member shall not receive any surplus assets, remaining after the payment of any debts;
- b) Upon the winding up of Congress, any surplus funds, property or assets shall, after the payment of any Congress debts, be transferred to:
  - i) Another organisation in Australia which is a public benevolent institution for the purposes of any Commonwealth taxation Act and
  - ii) An Aboriginal controlled fund, authority or institution with one or more similar central objects as Congress, but such organisations shall have rules preventing the distribution of property to its individual members

## Schedule 1—Application for membership form

### Application for membership

(name of Aboriginal and Torres Strait Islander corporation)

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

\_\_\_\_\_ (last name of applicant)

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

apply for membership of \_\_\_\_\_ (name of Aboriginal and Torres Strait Islander corporation)

Signature of applicant

Date

## Schedule 2—Consent to become a director form

### Consent to become a director

I, \_\_\_\_\_ (full name of person)  
of \_\_\_\_\_ (address of person)  
give consent to \_\_\_\_\_ (name of Aboriginal and Torres Strait Islander corporation)  
become a director  
of \_\_\_\_\_ (name of Aboriginal and Torres Strait Islander corporation)

as nominated at the general meeting of Congress (annual general meeting or other general meeting, as the case may be) held on:

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

I also acknowledge that a person is automatically disqualified from managing corporations if they:

- have been convicted of an offence under the Corporations (*Aboriginal and Torres Strait Islander*) Act 2006 (CATSI 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
- have been disqualified under the Corporations Act 2001 from managing corporations

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

Signature of  
person

Date

NOTE: This form should be completed and given to Congress **before** the person is appointed as a director—section 246-10(1) of the CATSI Act.