

Yugunga Nya People's Trust

ELECTION NOTICE

Fiduciary Administration Services Pty Ltd in its capacity as Trustee of the Yugunga Nya People's Trust invites all members of the Yugunga Nya People to a community meeting for the purposes of electing a new Advisory Committee.

To enable all members the opportunity to attend and vote on the election of a new Trust Advisory Committee, the Community Meeting will be convened at two locations:

PERTH VENUE

Location: WA Museum Boola Bardip, Hackett Hall
Perth Cultural Centre, Perth

Date: 5 December 2023

Time: 12 noon to 1:00 pm

Registrations open: 11:30 am

MEEKATHARRA VENUE

Location: Meekatharra Sporting
Complex, Landor-Meekatharra Road

Date: 7 December 2023

Time: 12 noon to 1:00 pm

Registrations open: 11:30 am

At the community meeting, members will elect by secret ballot, 8 committee members from those members who have provided a written nomination form to the Western Australian Electoral Commission by 12 noon, Thursday 23 November 2023.

Members must be present at the venues to vote. **No proxy votes allowed.**

Members entitled to vote will be marked off the members list upon allocation of a ballot paper.

Members must not vote for more than two (2) nominees from each Apical. The four Apicals are Wilba, Ward, Wheelbarrow and Dorizzi.

Voting will close at 1:00pm on 5 December 2023 at the Perth Venue and 1:00pm on 7 December 2023 at the Meekatharra Venue.

Votes taken from both venues will be counted immediately following the close of voting at the Meekatharra venue.

PROSPECTIVE CANDIDATES

Nominations are called from eligible members for the election of

Member to the Trust Advisory Committee (8)

Nomination Forms are available from me at the Western Australian Electoral Commission.

NOMINATIONS OPEN: Nominations will be accepted from Thursday 9 November 2023.

HOW TO LODGE NOMINATIONS

- **By Hand:** Western Australian Electoral Commission
Level 2, 111 St Georges Terrace
PERTH WA 6000
- **By Post:** GPO Box F316
PERTH WA 6841
- **By Email:** nominations@waec.wa.gov.au

NOMINATIONS CLOSE: Nomination forms must reach the Returning Officer no later than 12 noon on Thursday 23 November 2023.

Garry Hawkes

RETURNING OFFICER

Phone: 13 63 06

Email: nominations@waec.wa.gov.au



WESTERN AUSTRALIAN
Electoral Commission

Yugunga-Nya Trust Advisory Committee (YN TAC): A Guide for new and prospective TAC members

The following is a **summary only** of the information in Schedule 2 – YN TAC Rules of the *Yugunga-Nya People's Trust Deed*. **This information is not intended to constitute legal advice.** Members should seek their own independent legal advice if they have any concerns.

What does it mean to be a YN TAC member?

As a YN TAC member and representative of your descendant group (Wilba, Ward, Wheelbarow, Dorizzi), you represent Yugunga-Nya people in decisions that will affect trust distributions and the development of new policies for the benefit of the Yugunga-Nya people.

You will be expected to communicate the concerns of the YN members in TAC meetings, make recommendations to the Trustee (FAS) on assistance and investment policies, and communicate Trust business back to the broader membership (**Clause 1 of the Schedule**).

Expectations around conduct and behaviour at meetings

You are encouraged to discuss and debate in a constructive way.

As a TAC member you have duties and, as a guide, will need to: be highly committed to achieve the goals of the YN People; act with honesty, integrity, diligence and due care, and in the best interests of the Yugunga-Nya People; not use offensive or abusive language; not use threatening behaviour, act violently or shout at people; leave personal difference outside the meeting; not attend under influence of any drug; not express any opinions of the trust on social media (**Clause 2 of the Schedule**).

Meetings of the YN TAC / being available to attend

Being a TAC member requires a generous amount of your time and commitment. If you have a full schedule and a busy life, this role may not be for you. Make sure you have the capacity to participate and represent the best interests of the community, before you commit.

The time commitment for the TAC members is to be available for a meeting as is necessary or required to deal with the business of the Trust and at least 3 times in each financial year (Clause 9.1 (a) of the Schedule).

In practice, FAS as the trustee attempts to schedule meetings every two months (6 meetings each financial year). Meetings are typically held in Meekatharra, Cue, Perth or Geraldton.

The meetings must have a quorum to transact business/make decisions. A quorum is no less than 6 members present for the whole meeting, with at least one member from each apical or family group. All meetings are recorded (Clause 9.4 of the Schedule). Minutes are taken at each meeting by a trustee representative and provided to TAC members after each meeting, for review and amendment (if necessary) (Clause 9.7 of the Schedule).

Length of service

TAC members' term is for no less than one year, until the date of an election at the next community meeting. Existing members are eligible for re-nomination and will be re-appointed if elected by the members (**Clause 7.4 of the Schedule**).

Members may be removed and/or replaced under certain circumstances

For example, a member who resigns by giving notice to the TAC and the trustee in writing will be replaced. A TAC member can be removed if he or she does not attend 3 meetings in a row with no genuine supported reason for non-attendance, or if they do not meet any of the requirements of a TAC Member as set out in the TAC Rules of the Trust Deed. The removed member will be replaced (Clause 7.5 of the Schedule).

Remuneration

This role is remunerated. Allowances are paid for travel expenses, accommodation, and food, as required. Travel allowance is paid to TAC Members who need assistance to attend meetings in line with ATO standard rates.

The Trustee can decline bookings or reimbursements if hotel rooms are damaged or if a TAC member fails to show up to a flight without any valid, supported reason (Clause 8 of the Schedule).

Decisions and resolutions

The opinions or decisions of the YN TAC are recommendations only. The Trustee (FAS) is required to consider the views of the YN TAC in all cases. When considering TAC recommendations, the Trustee will evaluate if: the issue meets the charitable objectives of the trust; if there is an existing policy that relates to that issue; if the trust has enough funds available and, if it will be able to maintain funds for the future; if consistent with fairness and equity for all Yugunga-Nya people in the long term.

Nepotism (favouring friends or family over others) will not be tolerated and dislike of a person or a family is not an acceptable reason to make a decision or recommendation to decline an approval, consent or payment, etc (Clause 9.8 of the Schedule).

This Guide is not a complete list of rules and obligations in relation to the role of a trust advisory committee member. The Trust Deed should be referred to as the governing document. All TAC members are provided with a copy of the *Yugunga-Nya People's Trust Deed*.