



Eastern Maar
Aboriginal Corporation

Eastern Maar Aboriginal Corporation RNTBC (ICN 7585)

Notice of Annual General Meeting

All members of Eastern Maar Aboriginal Corporation are advised that an annual general meeting will take place as set out below. This meeting is only open to members of the corporation.

Date: Saturday 3 December 2022
Time: 1 pm to 3.30 pm
Venue: Lighthouse Theatre, 185 Timor St, Warrnambool

Agenda

1. Confirmation of quorum and checking of register prior to opening of meeting
2. Minute silence for those who have passed away
3. Welcome and Apologies
4. General Meeting protocols, and acceptance of proxy votes
5. Minutes of previous AGM, Business Arising
6. Corporation reports (CEO, Directors, Financial and Auditor)
7. Appointment of auditor
8. Special Resolution to amend the EMAC Constitution to make changes required by the Native Title Legislation Amendment Act 2021 and Corporations (Aboriginal and Torres Strait Islander) Act 2006 in relation to membership and dispute resolution.
9. Election of directors
10. Meeting close

Nominate a director: the directors are up for election at this AGM. Members are invited to nominate a family member to be a director. See the enclosed nomination form.

Appointment of a proxy: A member has a right to appoint a proxy for this meeting. A proxy must also be a member of the corporation. A copy of a signed proxy form should be handed to the contact person before the meeting is declared open. No member can hold more than 3 proxies.

Limited travel &/or accommodation assistance can be arranged. Please contact EMAC Administration Officer, **Katie Clarke** on **0427 271 937** or **0427 271 937** by COB Wednesday **23 Dec 2022** for **details & booking.**

PROPOSED SPECIAL RESOLUTIONS

The members of **Eastern Maar Aboriginal Corporation** resolve, as a **special resolution**, to amend the EMAC Constitution to make changes required by the Native Title Legislation Amendment Act 2021 and Corporations (Aboriginal and Torres Strait Islander) Act 2006 in relation to membership and dispute resolution.

Board of Directors - general discretion to refuse membership even if the person meets the membership criteria current Rule 4.9.

1st PROPOSAL

Amend Rule 4.9 by removing all the words within the rule and inserting: “The Board of Directors may not refuse a membership application if the applicant has applied in writing and complies with the Membership Criteria.”

2nd PROPOSAL

Amend Rules 4.24 and 4.25 by completely removing the current wording and replace it with:

- 4.24 (a) A person’s membership to the Corporation may be cancelled by resolution of the Board of Directors if the member is not an Eastern Maar person.
- (b) Before cancelling the membership the Directors must give written notice of a proposed resolution to cancel the person’s membership.
- (c) The written notice must be forwarded to the member stating that the Directors intend to cancel the person’s membership for the reasons specified in the notice and that the member has 14 days to object to the proposed cancellation.
- (d) Any objection by the member to the proposed cancellation of membership must be in writing and given to the Corporation within 14 days from when the notice is given.
- (e) If the member does not object as provided for in Rule 4.24 (d) the Directors must cancel the membership.
- 4.25 (a) If the member does object as provided for in Rule 4.24 (d) the Directors must not cancel the membership.
- (b) The Corporation may only cancel the membership by special resolution at a general meeting.
- (c) Written notice (including reasons) of a proposed resolution to cancel a person’s membership must be forwarded to the member not less than 14 days before the date of the General Meeting at which the resolution is to be considered.



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3rd PROPOSAL

Amend the rules by inserting a new Rule 4.25A immediately after 4.25.

4.25A (a) A person's membership to the Corporation may be cancelled if a Special Resolution is passed at a General Meeting of the Corporation on the basis that the member is not an Aboriginal person.

(b) Written notice of a proposed resolution to cancel a person's membership must be forwarded to the member not less than 14 days before the date of the General Meeting at which the resolution is to be considered.

(c) The person whose membership is proposed to be cancelled at a General Meeting, must be given an opportunity to be heard at the meeting.

12th PROPOSAL

Amend rule 25.1 by the insertion of "(a)" after 25.1, and add a new rule 25.1 (b) to be included as follows:

25.1 (b) If any dispute between the Corporation and any person (not a member of the Corporation) who is or claims to be a Eastern Maar person arises:

- (i) as to whether or not the person is a common law holder of native title; or
- (ii) the Corporation's performance of its functions under the Native Title legislation;

that cannot be amicably settled by the Board of Directors, the matter must be referred to a General Meeting of the Corporation for decision.



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EASTERN MAAR ABORIGINAL CORPORATION
NOMINATION OF DIRECTOR

Note: You can only nominate someone from your own family group!
Both the person nominating someone (*the nominator*), and the person nominated (*the nominee*), must sign this form.

Part A: To be completed by nominator

I,
(Full name)

a member of the Eastern Maar Aboriginal Corporation, nominate:

.....
(Full name)

as a Director of the Eastern Maar Aboriginal Corporation to represent our Family Group.

Our Family Group is:

.....

Signed:

Date:

Part B: To be completed by nominee

I,
(Full name)

accept the above nomination as Director of the Eastern Maar Aboriginal Corporation.

Signed:



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Date:

EASTERN MAAR ABORIGINAL CORPORATION
SCHEDULE 4 - FORM OF APPOINTMENT OF PROXY

I, _____
(Full name)

of _____
(Address)

being a member *Eastern Maar Aboriginal Corporation* and a member of the:
[place a tick or cross next to one only]:

- _____ Family Group 1 – Alberts Family;
- _____ Family Group 2 – Austin Family
- _____ Family Group 3 – Clarke/Clark Family
- _____ Family Group 4 – Chatfield/Clarke and Berg/Clarke Family
- _____ Family Group 5 – Harradine / Blundell Family
- _____ Family Group 6 – Clarke/Lowe Family
- _____ Family Group 7 – Clarke / Lovett Family
- _____ Family Group 8 – Clarke / Austin Family/ Rose
- _____ Family Group 9 – Clarke / Rawlings Family
- _____ Family Group 10 – Clarke Family
- _____ Family Group 11 – Couzens Family
- _____ Family Group 12 – Rose Family
- _____ Family Group 13 – Sharpe Family

hereby appoint

(Full name of proxy)

of _____
(Address)

being a member of the Eastern Maar Aboriginal Corporation, as my proxy to vote for me on my behalf at the Annual General Meeting of the Eastern Maar Aboriginal Corporation to be held on the 27th day of October, 2019, and at any adjournment of that meeting.

Signature of member appointing proxy

Date _____