



# ALS

Aboriginal Legal Service (NSW/ACT) Limited

## **Fact Sheet: Election of Members and Directors of the Company**

### **1. New elections for ALS Company Members and Directors**

The term of the current Members and Directors of the Aboriginal Legal Service (NSW/ACT) Limited (**the Company**) expires on 30 June 2018. The ALS has started the process for fresh elections for its Members and Directors.

### **2. Total Membership Numbers**

Under the Company Constitution there are 30 Members that together make up the Company of the ALS.

These 30 Members comprise 10 elected Members from each of the ALS's three regions: the Northern region, Western region and the Central and Southern Eastern region.

### **3. Eligibility to be a Member**

Applications for Membership of the Company for each region are open to:

- any eligible adult Aboriginal or Torres Strait Islander person who resides in that region for a period of 1 year immediately preceding the date of the person's application for Membership, and
- throughout their Membership term

A person is not eligible to be a Member if they are a "Prohibited Person" as defined in the Constitution. A "Prohibited Person" is a person that has, within the last 5 years, been:

- a) convicted of an indictable offence that was dealt with on indictment; or*
- b) declared bankrupt under the Bankruptcy Act 1996 (Cth); or*
- c) convicted of an offence of dishonesty, including fraud; or*
- d) convicted of any other offence which has resulted in a term of imprisonment for a period of 6 months or more.*



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#### ***4. Term of Company Membership***

The new term of Company Membership is from 1 July 2018 to 30 June 2021.

#### ***5. Election of Company Members for a region if there are more than 10 applications***

If more than 10 eligible Aboriginal or Torres Strait Islander persons from a region apply to become a Company Member for that region, the Company Constitution requires that the ALS arrange a public meeting to which all adult Aboriginal and Torres Strait Islander persons residing in the relevant region are to be invited to elect the regions' new 10 Company Members. The attendees at the meeting must, in person, select 10 eligible persons by majority vote from those persons who applied for Membership, to be put forward to the ALS Board as the new Members for that region.

Only those attending the meeting in person are eligible to vote. Unfortunately it is not possible to vote by proxy, post, telephone or email or in any other form. The ALS is not able to provide assistance to any person for travel to attend any meetings.

If the Board is satisfied that a person proposed by the region meeting is eligible to hold Membership, the Board must admit the person proposed to Membership for the region.

#### ***6. Appointment of 4 Company Members from each region as Directors of the Company***

The 10 Members of each region are entitled to appoint 4 Directors from their group to the ALS Board. The total number of Directors on the Board of the Company appointed by Members is 12 (4 Directors appointed from each of the 3 regions).

The appointment by Members of the Directors for a region must be made in writing to the Company and must be signed by at least 7 Members from the region. This means that at least 7 Members must agree on the appointment of a Regional Director.

#### ***7. Term of appointment of new ALS Directors***

The term of Directorship is from 1 July 2018 to 30 June 2021.