



The Rule Book of Gooniyandi Aboriginal Corporation RNTBC ICN 7870

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 Gooniyandi Aboriginal Corporation RNTBC.

2. Interpretation

2.1 Dictionary

Affected common law holders means the common law holders whose native title rights and interests are affected by a proposed native title decision.

Business days means Monday, Tuesday, Wednesday, Thursday and Friday, and does not include any of these days when they are a public holiday.

CATSI Act means the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*.

Certificate in relation to consultation and consent means a certificate prepared in accordance with regulation 9 of the PBC Regulations.

Common law holder means an individual who is a member of the people described in schedule 6 and the plural means all of these individuals unless otherwise described.

Common law holder sub-group means a sub-group of common law holders described in schedule 6.

Compensation application means an application to the Federal Court for compensation under sections 50(2) and 61 of the Native Title Act.

Corporation means Gooniyandi Aboriginal Corporation RNTBC.

Determination means a native title determination made by the Federal Court and listed at Schedule 7 and Schedule 7A.

Determination area means the area in which the common law holders' native title rights and interests have been determined to exist.

Director ID means a director identification number provided under section 308-5 of the CATSI Act.

Expert determination means a process to come to a decision or recommendation made by a subcommittee, elders council or similar as a resolution to a native title dispute.

Gooniyandi people means the Common Law holders and members of the PBC.

Grantee party means the person who has requested or applied for the doing of an act by the commonwealth, a state or a territory under section 29(2)(c) of the Native Title Act

High level decision means a decision to:

- surrender native title rights and interests in relation to land or waters
- enter into an ILUA or a right to negotiate agreement
- allow a person who is not a common law holder to be a member of the corporation, or
- adopt one or more processes for consulting common law holders in the corporation's rule book.

ILUA means an Indigenous land use agreement in relation to the land or waters of all or part of a determination area.

Low level decision means a native title decision that is not a high level decision.

Native Title Act means the *Native Title Act 1993*.

Native title claim group means the people listed in schedule 6.

Native title decision means a decision to

- surrender native title rights and interests in relation to land or waters
- enter into an ILUA or a right to negotiate agreement
- allow a person who is not a common law holder to be a member of the corporation
- adopt one or more alternative consultation processes in the registered native title body corporate's rule book, or
- do, or agree to, any other act that would affect the native title rights or interests of the common law holders (other than a decision to make a compensation application).

Native title representative body (NTRB)/native title service provider (NTSP) means a native title representative body or a native title service provider appointed to perform the functions of a native title representative body under the Native Title Act.

Prescribed body corporate means a corporation that is registered under the CATSI Act for the purpose of being the subject of a determination of the Federal Court under section 56 or section 57 of the Native Title Act.

Procedural rights means a right under the Native Title Act in relation to an act, which is:

- a right to be notified of the act
- a right to object to the act or
- any other right that is available as part of the procedures that are to be followed when it is proposed to do the act.

Registered native title body corporate (RNTBC) means a prescribed body corporate that has been registered with the National Native Title Tribunal in relation to a determination.

Registrar means the Registrar of Aboriginal and Torres Strait Islander Corporations.

Right-to-negotiate agreement means an agreement made under section 31 of the Native Title Act in relation to the land or water subject to the whole or part of a determination area.

Schedule means a schedule to this constitution unless otherwise identified.

Specified person means:

- if the compensation application relates to an entire determination area, all of the common law holders included in a determination about which a compensation application is made, or
- if the compensation application relates to the native title rights and interests of certain classes of common law holders identified in a determination, only those classes of common law holders

Standing instructions decision means a native title decision that is:

- a low level decision; or
- a decision to enter an ILUA under Subdivision B, C or D of Division 3 of Part 2 of the Native Title Act so something can be done by or for the corporation, or
- a decision to form an agreement under Subdivision P of Division 3 of the Native Title Act if the corporation is the only grantee party.

3. Objectives

The objectives of the Corporation are:

- To be the Registered Native Title Body Corporate for the area subject to the native title claim filed by the **Gooniyandi native title claimants (WAD 6008 of 2000 and WAD274/2012)**;
- Perform the functions of a Prescribed Body Corporate under s 56 and s 57 of the Native Title Act;
- To act as trustee for the Native Title Holders in respect of any native title determination under s 56 and s 57 of the Native Title Act;
- to exercise all powers necessary and/or convenient to perform its functions for the benefit of the Common Law Holders of the rights and interests in the Determination Area(s) in all matters relevant to these objects;
- to comply with the terms of any agreements between the Corporation, the State and other parties, to which this Corporation is a party;
- to protect, preserve and advance the traditions, laws, languages, culture and customs of the Gooniyandi People;
- to help build trust and friendship between the Gooniyandi, People and other Aboriginal and non-Aboriginal people;
- to represent traditional owners in all matters related to the ownership, use, occupation of, and access to the Determination Area(s); and

- to promote the economic, social and cultural aspirations and well-being of the Gooniyandi People. Within this objective to take advantage of the investment and commercial opportunities that arise or relate to native title holders and to exploit those opportunities to generate assets and funds for charitable purpose and employment opportunities for native title holders.
- Without limiting the generality of the objects referred to in Rule 3.1, the Corporation intends to advance those objects at Rule 3.1(a), 3.1(b), 3.1(c) and 3.1(d) once it becomes a RNTBC.
- To ensure Gooniyandi Lands and Country is protected and secured for Gooniyandi People and members, not to divest by sale, not to create any **freehold interests**, distribute, dilute, and weaken native title rights and interests in the Land and Country.
- To operate and maintain a **gift fund** to be known as ‘The Gooniyandi Aboriginal Corporation RNTBC Gift Fund’ in accordance with the requirements of the *Income Tax Assessment Act 1997*.
- If required, apply for additional tax benefits as a public benevolent institution (PBI), for advancement of Gooniyandi People and members
- If necessary, take all steps to apply for certain categories of deductible gift recipient (DGR) status – set up and/or establish a registered charities entity.

4. Powers of the corporation

- Subject to these rules, the CATSI Act, Native Title Act and their regulations, the corporation has the power to do all things lawful to carry out its objectives.
- The Corporation cannot charge application fees for membership or annual membership fees.
- Before making a native title decision the Corporation must consult with and obtain the consent of Common Law Holders in accordance with regulation 8 of the PBC Regulations as outlined at Schedule 6 to this rulebook.

5. Members

5.1 *Membership model*

The corporation will have a direct representation membership model. Every individual person who meets the eligibility criteria can apply and become a member.

5.2 *Membership eligibility*

Membership of the Corporation is open to persons who:

- are eligible for membership in accordance with the descriptions in Schedule 1
- are 18 years of age or older;
- Former members of the Corporation are eligible for reappointment, provided that they satisfy all other membership requirements; and
- A person only becomes a member when the Corporation is registered in accordance with the *CATSI Act* and *Native Title Act* and the person’s name is entered on the register of members.

5.3 *How to become a member*

A person applies in writing using the application for membership form at schedule 1 of this rule book.

A person must be eligible under rule 5.2

The directors must consider all applications for membership within a reasonable period after they are received.

The directors must, by resolution at a directors' meeting, accept a membership application if the applicant:

- applies for membership in the required manner, and
- meets the eligibility for membership requirements under rule 5.2

If the directors accept the application, the corporation must enter the person on the register of members. This must be done within 14 days of the directors accepting the application. The person does not become a member until the corporation enters the person on the register of members.

If the directors do not accept the application, the corporation must notify the applicant in writing of the decision and the reasons for it. This must be done within 14 days of the directors' decision.

If a person applies for membership after a notice has been given for the holding of a general meeting, including an AGM, and the meeting has not been held at the time the directors consider the person's application for membership, the corporation must wait until after the general meeting has been held before adding the person to the register of members.

5.4 *Members' rights*

A member can:

- attend, speak and vote at general meetings
- be made a director (if the member is eligible to become a director—see rule 7.3 on eligibility of directors)
- put forward resolutions at general meetings, including under rule 6.6
- can ask the directors to call a general meeting under rule 6.3
- look at the register of members free of charge
- look at the minutes of general meetings and AGMs free of charge
- look at the rule book or get a copy free of charge
- raise a dispute and have a dispute dealt with using rule 20
- look at the books of the corporation if the directors have authorised it or the members pass a resolution at a members' meeting that approves it.

5.5 *Members' responsibilities*

A member must:

- follow the corporation's rules
- let the corporation know within 28 days if they change their address or other contact details
- treat other members and common law holders with respect
- comply with any code of conduct adopted by the corporation, including any traditional law and custom of the native title claim group/common law holders described in that document
- not behave in a way that significantly interferes with the operation of the corporation or its meetings
- make their best efforts to attend general meetings (including AGMs) or give their apologies.

5.6 *Members not to make public comment*

No member may make any public statement on behalf of the corporation except in accordance with any agreed policy or procedures approved by the directors.

5.7 *No membership fee*

The members of the corporation are not required to pay fees to join or for ongoing membership of the corporation.

5.8 *Liability of members*

The members do not have to pay the corporation's debts if the corporation is wound up.

5.9 *How to stop being a member*

A person may stop being a member if:

- they resign in writing
- they pass away
- their membership is cancelled in accordance with rule 5.10 or 5.11.

Within 14 days of one of these things happening, the corporation must:

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

The person stops being a member when their name is removed from the register of members as a current member of the corporation.

5.10 Cancelling membership

A person's membership can be cancelled by members passing a special resolution at a general meeting if the member:

- cannot be contacted for 2 years
- is not an Aboriginal and Torres Strait Islander person (if this is required for a person to be eligible for membership)
- misbehaves (has behaved in a manner that significantly interfered with the operation of the corporation or of corporation meetings).

The directors must give the member notice of the cancellation of membership at the member's last known address as soon as possible after the resolution is passed.

5.11 Directors limited right to cancel membership

If a member is not, or stops being, eligible for membership as set out in rule 5.2, the member's membership can be cancelled by the directors passing a resolution at a directors' meeting.

To do this, the directors must:

- write to the member to tell them:
 - the directors are going to cancel their membership
 - they have 14 days to object to the planned cancellation
 - if the member objects, they must write to the corporation to say so
- allow the member 14 days to object in writing to the intended cancellation.

If the member does not object, the directors must cancel the membership by passing a resolution at a directors' meeting. Then they must give the former member a copy of the resolution.

If the member objects, the directors cannot cancel the membership. The membership can only be cancelled by members passing a resolution at a general meeting.

Before the directors try to remove a member under this rule, they must take reasonable steps to make sure the member is not, or has stopped being, eligible under rule 5.2

5.12 The register(s) of members and former members

The register(s) must contain:

- the names and addresses of members and former members
- the date when each person's name was added to the register
- if a person is non-Indigenous (if rule 5.2 allows people who are neither Aboriginal nor Torres Strait Islander to be members)
- for former members, the date when the person stopped being a member.

The register(s) of members and former members must be kept at the corporation's document access address or, if it is a large corporation, its registered office.

The register of members must be made available at the AGM.

6. General meetings and AGMs (members' meetings)

6.1 AGM timing

An AGM must be held before the end of November each year unless the registrar provides an exemption from holding the meeting or extends the period within which the corporation is required to hold it.

6.2 AGM business

AGM business includes:

- checking the register of members
- consideration of the reports that under chapter 7 of the CATSI Act are required to be laid before the AGM
- confirming the minutes of the previous general meeting
- asking questions about how the corporation is managed
- electing directors (if required)
- choosing an auditor (if required) and agreeing on their fee.

6.3 Calling general meetings

The directors can call a general meeting or AGM by passing a resolution in a directors' meeting or by a circulating resolution.

The required number of members can request the directors to call a general meeting.

Number of members in corporation	Number of members required to ask for a general meeting
2 to 10 members	= 1 member
11 to 20 members	= 3 members
21 to 50 members	= 5 members
51 members or more	= 10 per cent of members

The members' request must:

- be in writing
- state any resolutions to be proposed at the meeting—see rule 6.6
- be signed by the members making the request
- nominate a member to be the contact member on behalf of the members making the request
- be given to the corporation.

Within 21 days of receiving the request, the directors must either call the meeting or apply to the registrar to deny the request.

6.3.1 Directors agree to the request

If the directors agree to the members' request they must call the general meeting within 21 days of receiving it.

6.3.2 Directors apply to the registrar to deny the request

If the directors resolve that:

- the request is frivolous or unreasonable or
- complying with the request would be contrary to the interests of the members as a whole,

a director, on behalf of all the directors, may apply to the registrar for permission to deny the request to call a general meeting.

The directors' application to the registrar to deny the members' request must:

- be in writing
- set out the reasons why the directors have decided that:
 - the request is frivolous or unreasonable, or
 - complying with the request would be contrary to the interests of the members as a whole
- be made within 21 days after the members' request for a meeting was made.

The directors must give notice to the contact member that they have applied to the registrar to deny the request.

6.4 General meeting business

General meeting business includes:

- confirming the minutes of the previous general meeting
- considering the business or resolutions in the notice of the meeting.

6.5 Notice for general meetings and AGMs

At least 21 days' notice must be given.

The notice must be given to:

- each member individually
- the directors
- the contact person or secretary
- the auditor (if the corporation has one).

The notice for each general meeting must set out:

- the place, date and time for the meeting
- the business of the meeting
- if a special resolution is being proposed, the exact wording of it
- if technology may be used to attend the meeting from other places
- if a member may appoint a proxy.

Notices must be given to each member individually. This can be done by sending by post to their address, by fax, by email or via social media. In addition to individual notice a corporation can also give notice in a manner that follows Aboriginal or Torres Strait Islander custom.

A notice of meeting:

- sent by post is taken to be given 3 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.

6.6 Members' resolutions

The required number of members can propose a resolution by giving notice of it to the corporation.

Number of members in corporation	Number of members required to propose a resolution
2 to 10 members	= 1 member
11 to 20 members	= 3 members
21 to 50 members	= 5 members
51 members or more	= 10 per cent 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 in the same way as rule 6.5.

The corporation must consider the resolution at the next general meeting that is being held more than 28 days after the notice from the members has been given to the corporation.

6.7 Quorum at general meetings and AGMs

Number of members in corporation	Number of members to make a quorum
2 to 29 members	= 2 members
30 to 99 members	= 10 per cent of members
100 members or more	= 10 members

The quorum must be present during the whole meeting.

If there is no quorum after one hour from the time the meeting was scheduled to start, the meeting is adjourned until the next week at the same time and at the same place, unless the directors specify otherwise.

If the meeting is adjourned, the directors must take reasonable steps to inform members of the adjournment and details of the adjourned meeting.

If there is still no quorum at the adjourned meeting, the meeting is cancelled.

6.7.1 How to count the quorum

To work out if there is a quorum:

- count each member present at the meeting (if a member also holds a proxy, that member is only counted once)
- if rule 0 allows a non-member to hold a proxy for a member, count each non-member present at the meeting holding a proxy (if the non-member proxy holder holds more than one proxy, the non-member is only counted once)
- if rule 0 allows proxies and a member has appointed more than one proxy and each of those proxy holders are at the meeting, count only one of them
- if rule 0 allows proxies and a member has appointed one or more proxies and the member is also present at the meeting, do not count the member's proxy holders.

6.8 Postponing a general meeting or AGM

After notice has been given for a general meeting or AGM the directors can decide to postpone the meeting if there are exceptional reasons for doing so, reasons include but are not limited to:

- Funeral
- Sorry Business
- Flooding
- Severe Weather
- COVID Restrictions
- Force Majeure.

The directors postpone the meeting by passing a resolution in a directors' meeting or via a circular resolution. A postponed meeting must be held within 30 days of the date that the meeting was due to occur.

The directors must give reasonable notice of the postponement and give each member a notice of the postponed meeting setting the new date, time and place.

6.9 Chairing general meetings and AGMs

The chairperson of the corporation will chair general meetings. If the chairperson is not available or there isn't one, the members must elect someone to chair the meeting.

6.10 Using technology at general meetings and AGMs

General meetings and AGMs can be held at more than one place using any technology that gives members a way of taking part but the type of technology to be used must be set out in the notice of meeting.

6.11 Voting at general meetings and AGMs

Each member has one vote.

The chairperson of the meeting has one vote (if they are a member) plus a casting vote.

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

A resolution is decided by majority on a show of hands unless a poll is demanded under rule 6.12. The chairperson tells the meeting whether they have received any proxy votes and how they are to be cast.

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

6.12 Demanding a formal count (i.e. a poll)

Either the chairperson or any member entitled to vote on the resolution can demand a poll. A poll is a formal count of votes.

A poll can be held instead of, or immediately after, a vote decided by a majority on a show of hands.

A poll demanded on any matter must be taken immediately. The chairperson of the meeting directs how the poll will be taken.

6.13 Proxies at general meetings and AGMs

Members can appoint another member as their proxy to attend a meeting and vote for them using a proxy appointment form at Schedule 4 - Appointment of a proxy.

A proxy appointment form must contain the member's name and address, the corporation's name, the proxy's name, the meeting that the proxy is to attend, and the member's signature.

A person appointed by a member as their attorney under a power of attorney may not give a proxy to another member or person to attend meetings and vote for them.

The corporation must receive a completed appointment proxy form at least 48 hours before the meeting for the proxy to be able to attend the meeting and vote.

A person must not be a proxy for more than one member.

6.14 Other people at general meetings and AGMs

Gooniyandi Native Title Holders who are not members of the corporation may attend a meeting of the Corporation as an observer but cannot propose or vote on resolutions.

7. Directors

7.1 Role of directors

The directors oversee the running of the corporation on behalf of all members, make decisions about the affairs of the corporation, and should always be aware of what the corporation and its employees are doing. The directors manage, or set the direction for managing, the business of the corporation.

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 a general meeting.

7.2 Number of directors and composition of board

The number of directors of the corporation shall be no more than twelve maximum.

7.3 Eligibility of directors

A director must:

- be at least 18 years old
- be a member of the corporation
- have a director ID or have applied for a director ID and give the corporation their director ID as soon as they have it.
- have skills relevant to the governance, business or activities of the corporation, such as law, accounting, cultural knowledge and lore or business administration, and

- have completed suitable governance training or undertake to do so as soon as possible following their appointment.
- must not be a director of another native title group's prescribed body corporate (PBC)
- must act in the best interests of ALL Gooniyandi People and members.

A person is not eligible to become a director if the person is disqualified under the CATSI Act from managing corporations. Disqualification happens when a person:

- has been convicted of an offence under the CATSI Act that is punishable by imprisonment for more than 12 months
- has been convicted of an offence involving dishonesty that is punishable by imprisonment for at least three months
- has been convicted of an offence against the law of a foreign country that is punishable by imprisonment for more than 12 months
- is an undischarged bankrupt
- has signed a personal insolvency agreement and has not kept to the agreement
- has been otherwise disqualified under the CATSI Act or the *Corporations Act 2001* from managing corporations.
- owes money to the corporation
- is an employee of the corporation.

7.4 Majority of director requirements

A majority of directors must be:

- individuals who are common law holders
- be members of the corporation
- usually reside in Western Australia.

7.5 How to become a director (member director)

To be eligible for election, a member must:

- complete a 'Nomination to serve as a director form' (provided at Schedule 3)
- complete a 'Consent to become a director' form (provided at Schedule 2)
- give both forms to the corporation.

The corporation can appoint a director at the general meeting or AGM by:

- presenting nominations to members
- holding a vote or ballot on the nominated directors
- members passing a resolution.

If there is a casual vacancy in a directorship the process to fill it is at rule 7.8

7.6 Appointing alternate directors

With the other directors' approval, a director (appointing director) may appoint an alternate director to exercise some or all of the appointing director's powers for a specified period instead of the appointing director.

If the appointing director asks the corporation to give the alternate director notice of directors' meetings, the corporation must do so.

The appointing director may terminate the alternate director's appointment at any time.

Any appointment or its termination must be in writing. A copy must be given to the corporation.

To be appointed as an alternate director, the Director and the appointee must complete an Alternative Director form and give it to the corporation within seven days prior to the next meeting.

An alternate director must give the corporation their director ID as soon as possible after they are appointed.

7.7 Directors' terms of appointment and rotation

Directors (other than those appointed under rule 7.9) are appointed for a term of 2 years. They must retire at the end of the second AGM after they take office. They are eligible to be re-elected.

For directors appointed at the AGM there is a rotation system, so that half the directors must retire at each AGM. They are eligible to be re-elected.

To implement the rotational system:

- Half the member directors appointed at the time these rules are approved will only hold office until the next AGM and must retire. They are eligible to be re-elected.
- The directors will agree on which directors retire at the AGM. If the directors cannot agree, they must decide by lot conducted by the directors.
- At every subsequent AGM those directors that did not retire at the previous AGM must retire. They are eligible to be re-elected.
- Newly elected directors have a term of 2 years, which ends at the second AGM after they take office. If a director is replaced during their term, the replacement director holds office for the remainder of the replaced director's term.
- The minutes of the general meeting must record the term of each director appointed.

If, despite the operation of section 246-25(4) of the CATSI Act, the terms of all directors expire so that there are no directors appointed at a particular time, the directors holding office immediately before the expiry will continue to hold office until the members appoint new directors or reappoint the existing directors by resolution at a general meeting.

7.8 How to fill casual vacancies

A casual vacancy arises when a person stops being a director before their term of appointment expires (see rule 7.9) and so the position of that director is vacant.

The directors can appoint a person as a director to fill a casual vacancy.

To be appointed, the person must meet the director eligibility criteria in rule 7.3 and the corporation must check they will not breach the requirements of rule 7.4.

If a director's position becomes vacant (e.g. they retire or are removed) the remaining directors may appoint a member of the corporation to fill the vacancy.

Directors appointed under rule 7.8 hold office until the next AGM at which the corporation may confirm the appointment by resolution. If the corporation does not confirm the appointment by resolution, the director ceases to be a director of the corporation at the end of the AGM.

7.9 How to stop being a director

A person stops being a director if:

- they pass away
- they resign in writing
- the term of their appointment expires
- they are removed as a director by the members or the other directors
- they are disqualified from managing a corporation
- they cease to be a member (unless being a member was not a requirement for their appointment).

7.10 How to remove a director

By the other directors:

- Directors can only remove a director if the director fails to attend 3 or more consecutive directors' meetings without a reasonable excuse.
- Directors must give the director concerned 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 the members passing a resolution.

By resolution of the members in a general meeting:

- 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. (Alternatively, the members can request a meeting (rule 6.3) for the purpose of removing a director.)
- The corporation must give the director concerned a copy of the notice as soon as possible.
- The director can give the corporation a written statement and speak at the meeting. The statement must be given to everyone entitled to notice of the meeting (see rule 6.5).

7.11 Notifying the registrar of director changes

Whenever a person becomes or stops being a director (member or independent/specialist) or alternate director, the corporation must notify the registrar within 28 days.

7.12 Duties of directors and officers

The CATSI Act sets duties for directors which are:

- a duty of care and diligence
- a duty of good faith and to act in the best interests of the corporation
- a duty not to improperly use position or information
- a duty to disclose a conflict of interest (material personal interest)
- a duty not to trade while insolvent.

Officers of the corporation must uphold the duties of care and diligence, good faith, and not to improperly use their position or information.

A director or officer must act in good faith when doing anything to ensure the corporation complies with its native title legislation obligations.

7.13 Conflict of interest

A director who has, or thinks they may have, a conflict of interest in a corporation matter must tell the other directors.

This includes, but is not limited to, a material personal interest or other personal benefit (e.g. direct benefit from the outcome of a resolution) such as:

- business opportunity(s)
- transfer of interests in land
- providing goods or services to the corporation or others for money or other benefit
- receiving goods, services or benefits from the corporation or any other party on request of the corporation.

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 conflict of interest must not:

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

unless they have been granted approval by:

- the other directors (those that do not have a conflict of interest) passing a resolution, or
- the registrar in writing.

7.14 Payments to directors

Directors may be paid if they have a contract to provide goods or services to the corporation (so long as the director has fulfilled any duty to disclose a conflict as required by this rule book and the payment is fair and reasonable to the corporation).

The corporation may pay the directors' travelling and other expenses for attending meetings or to do with other corporation business. The corporation may pay the directors' reasonable sitting and meeting attendance fees as approved by the members at AGM.

7.15 Delegation of directors' powers

The directors can pass a resolution to delegate any of their powers to:

- another director
- a committee of directors
- an employee of the corporation, or
- any other person.

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. Delegates must report to directors on the exercise of their delegated power.

The exercise of the power by the delegate is as effective as if the directors had exercised it themselves. This means the directors are still responsible for what the delegate does with the powers.

7.16 Calling and giving notice of directors' meetings

Directors must meet at least every 3 months.

All directors must be given reasonable notice of a director's meeting.

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

A director can call a directors' meeting by giving reasonable notice to all the other directors.

7.17 Quorum for directors' meetings

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

A quorum for a meeting of Directors shall be at least a majority of Directors.

7.18 Chairing directors' meetings

The directors must elect a director present to chair a meeting, or part of it, if:

- a director has not already been elected to chair the meeting, or
- a previously elected chair is not available, or declines to act, for the meeting or the part of the meeting.

When electing a chair, the directors must decide how long that director will be the chair (i.e. just for that meeting, or at every meeting over a certain period of time). The directors may also remove a chair (but not their appointment as a director) by a resolution of the directors.

7.19 Using technology for directors' meetings

Directors' meetings can be held at more than one place using any technology, as long as all directors agree to it. The type of technology to be used may be set out in the notice for a directors' meeting.

7.20 Resolutions by directors

Directors pass a resolution at a directors' meeting by a majority of votes.

- Each director (including independent or specialist non-member directors) has one vote.
- The chairperson of the meeting also has a casting vote (if required).

Directors can pass a resolution without a directors' meeting by all directors signing a statement saying that they are in favour of it. The resolution is passed when the last person signs it.

Resolutions by directors about native title decisions can only be made after the corporation has consulted with and obtained the consent of affected common law holders by following the relevant consultation and consent process.

7.21 Sub-committees of directors

The directors may at any time appoint a sub-committee of directors and determine the responsibilities and powers of the sub-committee.

Unless otherwise decided by the directors, a sub-committee:

- has a quorum of 3 for its meetings, unless the sub-committee resolves that a larger number shall be the quorum
- must appoint one of its members to be responsible for calling sub-committee meetings and inform the directors of the name of the responsible person.

8. Cultural Advisor committee

8.1 Role of Cultural Advisors

Cultural Advisors are to provide advice and guidance to directors on matters related to aboriginal culture and heritage at Directors' meetings.

8.2 Number of Cultural Advisors

The number of Cultural Advisors of the Corporation shall be no more than six (6). This is to be made up of three (3) men and three (3) women.

8.3 Eligibility of Cultural Advisors

- Cultural Advisors must be members of the Corporation (see Rule 5.1- 5.3).
- A Cultural Advisor must be a Gooniyandi person and possess particular knowledge of culture, country and heritage.
- A Cultural Advisor of the Corporation must normally reside within the Gooniyandi Determination Area.
- Cultural Advisers do not make up a quorum of the Directors meeting for any decision making. Cultural adviser can advise on particular cultural, country and heritage matters and must act in the best interests of ALL Gooniyandi People and members.

8.4 How to become a Cultural Advisor

- The Corporation shall elect Cultural Advisors by resolution at an AGM.
- Cultural Advisors must give the Corporation their consent by completing a "Consent to become a Cultural Advisor" form (provided at schedule 5)

8.5 Cultural Advisors' terms of appointment and rotation

Cultural Advisors' are appointed for a two year term. They are eligible for re- appointment at the end of that period.

8.6 How to stop being a Cultural Advisor

A person stops being a Cultural Advisor if:

- the person dies;
- the person resigns as a Cultural Advisor in the same way as a director of the Corporation and as provided for in rule 7.9;
- the term of the person's appointment as a Cultural Advisor expires.

8.7 How to fill casual vacancies

If a position of Cultural Advisor becomes vacant the position shall be filled at the next AGM following the vacancy.

If a position of Cultural Advisor becomes vacant before the end of its term, the Directors' may elect a new Cultural Advisor to complete that term.

8.8 Payment to Cultural Advisors

Cultural Advisors may be paid if they have a contract to provide goods or services to the corporation (so long as the Cultural Advisors has fulfilled any duty to disclose a conflict as required by this rule book and the payment is fair and reasonable to the corporation).

The corporation may pay the Cultural Advisors' travelling and other expenses for attending meetings or to do with other corporation business. The corporation may pay the Cultural Advisors reasonable sitting and meeting attendance fee's as approved by the members at AGM.

9. Contact person or secretary

Small and medium corporations have a contact person. Large corporations have a secretary.

The contact person/secretary must be at least 18 years old.

The directors appoint a contact person/secretary.

Before being appointed, the contact person/secretary must give the corporation their consent in writing to become a contact person/secretary.

The directors decide the contact person's/secretary's pay and terms and conditions of employment, if any.

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

The corporation must send the registrar a contact person's/secretary's details within 28 days after they are appointed.

10. Native title functions

As an RNTBC under the Native Title Act, the corporation's functions include to:

- hold in trust, money connected with the native title rights and interests (including payments received as compensation or otherwise related to the native title rights and interests)
- invest or otherwise apply money held in trust as directed by the common law holders
- consult with, and obtain the consent of, the common law holders before making a native title decision

- perform any other function relating to the native title rights and interests as directed by the common law holders.

Without limiting these functions, to perform its functions the corporation may, on behalf of the common law holders:

- consult other persons or bodies
- enter into agreements
- exercise procedural rights
- accept notices to be given to the common law holders as required by any law of the commonwealth, a state or a territory.
- manage the native title rights and interests of the common law holders.
- act as agent of the common law holders in respect of matters relating to the native title

The corporation must consult the affected common law holders before it makes a native title decision.

The corporation must not make a native title decision unless the affected common law holders have given their consent to the native title decision.

The corporation must comply with any conditions or directions that the affected common law holders impose upon their consent to a native title decision.

When the affected common law holders are consulted about a native title decision, the corporation must ensure that the affected common law holders use the decision-making process that exists under their laws and customs.

11. Making a native title decision

The corporation must consult the affected common law holders before it makes a native title decision.

The corporation must not make a native title decision unless the affected common law holders have given their consent to the native title decision.

The corporation must comply with any conditions or directions that the affected common law holders impose upon their consent to a native title decision.

12. Making a native title compensation application

The corporation must consult and obtain the consent of specified persons before it makes a compensation application.

When consulting specified persons about a compensation application, the corporation must ensure that the specified persons make their decision following the process under their traditional laws and customs.

Gooniyandi members and the specified persons make their decision by the rulebook and/or the specified persons agree to adopt a decision-making process and follow that process to make their decision.

13. Records of consultation and consent

The corporation must make and keep records for all:

- consultations with affected common law holders about a native title decision, including a record of the process that affected common law holders used to give their consent
- conditions imposed by affected common law holders when they gave their consent to a native title decision
- variations, revocations of conditions imposed by affected common law holders after they gave their consent to a native title decision
- any other directions given by affected common law holders in relation to a native title decision
- consultations with specified persons about a compensation application, including a record of the process that specified persons used to give their consent
- any other directions given by specified persons in relation to a compensation application

As soon as practicable after the corporation has made a native title decision or a compensation application, the corporation must prepare a written certificate in relation to consultation and consent.

The corporation will provide a copy of the certificate in relation to consultation and consent to a person who asks for it if the person:

- is an affected common law holder, or
- has a substantial interest in the decision.

14. Records about the corporation and finances

The corporation must keep:

- minutes of meetings (in writing or as an audio or video recording)
- a rule book (constitution)
- a register/s of members and former members
- the names and addresses of directors, officers and the contact person/secretary
- financial records that:
 - correctly record and explain its transactions, financial position and performance
 - would enable true and fair financial reports to be prepared and audited
- financial records for any trust.

These records must be kept at the corporation's document access address or (if it is a large corporation) its registered office.

15. Finances

The corporation must follow these procedures:

- The corporation must give receipts for all money it receives.
- All money of the corporation must be deposited into a corporation bank account.
- All accounts must be approved for payment at a directors' meeting or in accordance with valid delegations.
- All cheques, withdrawal forms, electronic funds transfer (EFT) transactions, and other banking documents must be signed by at least 2 people authorised by the directors.
- All payments made out of the corporation's money must be supported by adequate documents which explain the nature and purpose of the payment.
- The corporation must keep adequate records for all cash withdrawals from the corporation's bank accounts (i.e. records that show the cash was used for a proper purpose and in accordance with the corporation's objectives).
- The financial records must be retained by the corporation for 7 years after the transactions covered by the records are completed.

16. Trust account

The corporation shall maintain a separate trust account to hold on trust any money received for native title compensation or other reasons on behalf of the common law holders.

17. Gift fund rules

The corporation shall maintain for the main purposes of the corporation a gift fund:

- to be named 'The **Gooniyandi Traditional Owners Gift Fund**' – (**Gooniyandi Gift Fund**)
- which must receive gifts of money or property for the purposes (objectives) of the corporation
- which must have credited to it any money received by the corporation because of those gifts.

The gift fund cannot receive any money or property other than that for the purposes (objectives) of the corporation.

The corporation shall use gifts made to the gift fund and any money received because of them only for the purposes (objectives) of the corporation.

Receipts issued for gifts to the gift fund must state:

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

As soon as:

- the gift fund is wound up, or
- 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*.

18. Application of funds

The corporation is a not-for-profit corporation.

The directors can use the money and property of the corporation to carry out its objectives and functions.

The directors cannot directly or indirectly give or loan any money or property of the corporation to members, directors or any other persons unless:

- it is to a subsidiary controlled by the corporation, or
- a trust in which the corporation is a beneficiary and the trustee is a subsidiary of, or controlled by, the corporation.

This rule does not stop the corporation from making reasonable payment to a member, director or other person in their capacity as an employee or under a contract for goods or services provided in carrying out the corporation's objectives.

All payments or transfers of funds under this rule must be in accordance with procedures set out under rule 15.

19. Giving benefits to a related party

If the corporation wants to give a financial or other personal benefit to a related party of the corporation (including a director or people related to directors such as a husband, wife, partner, child or parent), it must comply with part 6.6 of the CATSI Act and, where required follow the procedure to get the approval of the members.

A 'benefit' includes, but is not limited to:

- money
- business opportunity(s)
- providing any other goods or services to the corporation or others for money or other benefit, or
- being given any other goods or services by the corporation or any other party on request of the corporation.

20. Dispute resolution

20.1 Resolving internal corporation disputes

If a dispute arises between a member or director and:

- one or more members
- one or more directors, or
- the corporation

about a matter other than native title described in rule 20.2, the parties must first try to resolve it themselves.

If the dispute is not resolved within 10 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.

The directors must help the parties resolve the dispute within 20 business days after the corporation receives the notice. This may include third party assistance or mediation.

If a dispute or any part of a dispute relates to the meaning of any provision of the CATSI Act or the corporation's rule book, the directors or any party to the dispute may seek an opinion from the registrar about the correct meaning of the relevant provision. The registrar's opinion will not be binding on the parties to a dispute.

If the directors cannot resolve the dispute, it must be put to the members to resolve it at a general meeting.

The right to request assistance from the registrar does not create a right to request a formal mediation. However, in an appropriate case the registrar may provide assistance to resolve the matter.

20.2 Resolving native title disputes

If a dispute arises between the corporation and a person who is or who claims to be a common law holder, whether or not the person is a member of the corporation, and the dispute is about:

- whether a person is or is not a common law holder
- the corporation's performance of its functions under the native title legislation
- other matters directly related to the determination

the corporation must ensure that the parties first try to resolve the dispute between themselves.

The parties must try to resolve the dispute between them in good faith.

The parties may seek the opinion of the native title representative body for the area that the native title rights and interests relate to.

If the dispute is not resolved within 21 business days, the corporation must take reasonable steps to ensure any party who claims a dispute has arisen gives notice of the dispute to the other party (or parties).

The dispute notice must:

- be in writing,
- say what the dispute is about, and
- contain all of the information requested in the form at schedule 8.

Within 10 business days of receiving the dispute notice, the other party or parties to the dispute must provide a dispute notice reply to the party who gave the dispute notice.

The dispute notice reply must contain the information requested in the form at schedule 8A.

The corporation must take reasonable steps to ensure that parties agree to the matters in the dispute notice and dispute notice reply.

The parties must try to agree on a mediator(s)/facilitators (for mediation) or refer the matter to an expert or panel or experts (expert determination) or meeting to resolve (meeting).

If the parties cannot resolve the dispute by taking the previous steps, the parties will:

- ask the NNTT or Law Society of WA and/or LPBWA to:
 - call a meeting on the subject of the dispute
 - set the location
 - set the date, and
 - decide any other details of the meeting
- present information about the dispute to the meeting, and
- accept and comply with the decision of the participants in the meeting under this rule.

21. Confidentiality requirement

In the course of the corporation performing its functions or exercising its powers, members and directors may have access to confidential or sensitive information. Examples include information that:

- is confidential according to the traditional laws or the customs of the common law holders
- a common law holder has requested be kept confidential unless the common law holders have authorised disclosure of the information or disclosure is required by law.
- may affect the integrity of trading or procurement.

A person handling such confidential information must protect and maintain its confidentiality.

22. Winding up

22.1 *Members' resolution required*

If the corporation is solvent and not subject to any legal proceedings or regulatory action by the registrar, the members may pass a special resolution for the corporation to be wound up voluntarily.

22.2 *Surplus assets of the corporation*

Where:

- the corporation is wound up and
- after all debts and liabilities have been taken care of, and costs of winding up have been paid, surplus assets of the corporation exist,

the liquidator can decide how the surplus assets of the corporation are to be distributed if the members have not already decided.

If the members want to decide how the surplus assets are to be distributed, they must pass a special resolution at or before the time of the winding up.

The surplus assets must not be given to any member or to any person to be held in trust for any member and can only be given to a charitable organisation/s with similar charitable purposes or to another prescribed body corporate that will carry out the native title objects and functions under the determination.

22.3 *Surplus assets of gift funds*

Where:

- the corporation is wound up
- after all debts and liabilities have been taken care of, and costs of winding up have been paid, surplus assets of the corporation exist, the members may pass a special resolution relating to the distribution of the surplus assets of the corporation, providing that those surplus assets are distributed to an organisation with similar objects, which is charitable at law.

22.4 *Deductible gift recipient revoked*

If the corporation is wound up or its endorsement as a deductible gift recipient is revoked (whichever occurs first), any surplus of the following assets shall be transferred to another organisation with similar objects, which is charitable at law, to which income tax deductible gifts can be made:

- gifts of money or property for the principal purpose of the organisation
- contributions made in relation to an eligible fundraising event held for the principal purpose of the organisation
- money received by the organisation because of such gifts and contributions.

23. Changing this rule book

23.1 *Consistency with other frameworks*

The corporation must ensure that the constitution is consistent with a determination and with the requirements of the CATSI Act, the Native Title Act and the relevant regulations.

23.2 *Changes to certain rules*

Changing the rule that sets out a process for decision-making is a native title decision. To change the process under rule 11, the corporation must follow the processes under:

- rule 11, and
- rule 23.3.

The corporation must not make changes to rule 12 unless the corporation has consulted and obtained consent from the common law holders.

The corporation must ensure that the common law holders consent to proposed changes to rule 12 according to the decision-making process that the common law holders agree to use and adopt for giving their consent.

The corporation may only change schedule 6 to comply with rule 23.1

23.3 *Members' resolution required*

The rule book may be changed by the members passing a special resolution at a general meeting or AGM.

The proposed changes must be set out in the notice of the meeting.

Within 28 days after the resolution is passed, the corporation must send the registrar copies of the:

- proposed rule book changes
- special resolution
- minutes of the meeting.

The changes do not take effect until the new rule book is approved and registered by the registrar.

Schedule 1 - Application for membership form

Gooniyandi Aboriginal Corporation RNTBC (ICN 7870)

To: The directors, Gooniyandi Aboriginal Corporation RNTBC

I wish to apply to be a member of the corporation

Name:

Residential address:

Email address:

I am over the age of 18: Yes No

I declare that I am eligible for membership.

My Apical ancestor/s are: (please circle)

Dalbagbiya	Garlinhingi	Gooraloowa	Gurlgurl	Jagi	Jangooyool
Jinggili	Jinny Ngilmia	Joorgabidija	Kimberley Jarlamarra	Labayng	Lagena
Larry	Lombardji	Lungguda	Maggie Lai:zil	Malangarwin	Malanggiya
Mandowa	Milba	Milindi	Millie	Millie Wanbal	Ningali
Ningmia	Nundjun	Myoomooroo	Rhoda Mandhan	Tommy	Warrgi
Wilinyi	Wilirlman	Wirngarri	Yarraru	Yigi	Badigurayng
Budoornja Giligan	Lilly Campbell	Little Polly Dimananggal	Big Polly Dulangerlus	Brian Kimidi	Mabel Lawel
Maggie Magiji	Amy Mirringala	Mary Miyerri	Mamburu Nogood Billy	Kitty Smith	Wadgimili Sandy Smith
Tommy Thompson	Ned Wiyurru				

Gooniyandi native title holders

A person is a Gooniyandi native title holder if they are:

- (a) the descendants of the previously listed apical ancestors
- (b) Aboriginal persons who:
 - (i) self-identify as Gooniyandi; and
 - (ii) are recognised by other members of the Gooniyandi community as Gooniyandi under traditional law and custom.

I agree to follow the rules of the corporation and consent to be a member.

Signature of applicant

.....

Date

.....

Corporation use only

Application received	Date:
Application tabled at directors' meeting	Date:
Directors consider applicant is eligible for membership	Yes / No
Directors approve the application	Yes / No
If approved, new members' details added to register of members	Date:
Applicant notified of directors' decision	Date:

Schedule 2 - Consent to become a director form

Gooniyandi Aboriginal Corporation RNTBC (ICN 7870)

I, (full name of person)

of (postal address)

..... (physical address)

give consent to become a director of the Gooniyandi Aboriginal Corporation RNTBC.

I confirm my date of birth is (date of birth)

and my place of birth was (place of birth)

my phone number is (phone number)

my email address is (email address)

my director ID is (director ID number)

I acknowledge I am automatically disqualified from managing corporations if I:

- 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
- am 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,

and I will notify the corporation if any of the above events occur after my appointment.

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.

Schedule 3 - Nomination to serve as a director form

Goonyandi Aboriginal Corporation RNTBC (ICN 7870)

I, _____ (full name of person)

of _____ (residential address, a postal address is not sufficient)

nominate and give my consent to become a director of the corporation.

My skills and experience relevant to the role as director of the corporation are:

My vision for the corporation is:

I am currently a director of the following entities and currently hold the following roles:

Additional information that will be relevant to members/common law holders in their decision making:

Signature of person
nominating for
position of director

Date

Schedule 4 - Appointment of a proxy form

Gooniyandi Aboriginal Corporation RNTBC (ICN 7870)

I, _____ (full name of member)

of _____ (address of member)

am a member of the corporation.

I appoint _____ (full name of proxy)

of _____ (address of proxy)

as my proxy to vote for me on my behalf at the general meeting of the corporation
(annual general meeting or other general meeting, as the case may be) to be held on
/ / (insert date of meeting) and at any adjournment of that meeting.

Instructions to the
proxy holder
(optional):

Signature of member
appointing proxy

Date

NOTE: A proxy vote may be given to the people listed at rule 0.
(For more about proxies see rule 0Error! Reference source not found. and section 201-90 of the *Corporations
(Aboriginal and Torres Strait Islander) Act 2006.*)

Please return your completed form to the corporation **at least 48 hours before** the meeting.

Schedule 5 - Consent to become a Cultural Advisor form

Gooniyandi Aboriginal Corporation RNTBC (ICN 7870)

I, _____ (full name of person)

of _____ (postal address)

_____ (physical address)

give consent to become a Cultural Advisor of the Gooniyandi Aboriginal Corporation RNTBC.

I confirm my date of birth is _____ (date of birth)

and my place of birth was _____ (place of birth)

my phone number is _____ (phone number)

my email address is _____ (email address)

my director ID is _____ (director ID number)

I acknowledge I am automatically disqualified from managing corporations if I:

- 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
- am 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,

and I will notify the corporation if any of the above events occur after my appointment.

Signature of person _____

Date _____

NOTE: This form should be completed and given to the corporation before the person is appointed —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.

Schedule 6 – Native title determination

Applications for determination of native title: (WAD 6008 of 2000) and WAD 274 of 2012.;

Application made to: Federal Court.

Native title determinations: (WAD 6008 of 2000); NNTT No. WCD2013/003 and WAD274 of 2012; NNTT WCD2016/005.

Entitlement to be a Member of the Corporation.

Gooniyandi native title holders

A person is a Gooniyandi native title holder if they are:

(a) the descendants of the following apical ancestors:

Dalbagbiya, Garlinhingi, Gooraloowa, Gurlgurl, Jagi, Jangooyool, Jinggili, Jinny Ngilmia, Joorgabidija, Kimberley Jarlamarra, Labayng, Lagen, Larry, Loombardji, Lungguda, Maggie Lai:zil, Malangarwin, Malanggiya, Mandowa, Milba, Milindi, Millie, Millie Wanbal, Ningali, Ningmia, Nundjun, Myoomooroo, Rhoda Mandhan, Tommy, Warrgi, Wilinyi, Wilirlman, Wirngarri, Yarraru, Yigi, Badigurayng, Budoornja Giligan, Lilly Campbell, Little Polly Dimananggal, Big Polly Dulangerlus, Brian Kimidi, Mabel Lawel, Maggie Magiji, Amy Mirringala, Mary Miyerri, Mamburu Nogood Billy, Kitty Smith, Wadgimili Sandy Smith, Tommy Thompson and Ned Wiyurru; and

(b) Aboriginal persons who:

(i) self-identify as Gooniyandi; and

(ii) are recognised by other members of the Gooniyandi community as Gooniyandi under traditional law and custom.

Nothing in this definition excludes persons from being included as a member of the Gooniyandi people who are or may be identified as other than Gooniyandi in accordance with traditional laws and customs of a group other than the Gooniyandi community.

Schedule 8 - Notice of native title dispute

Gooniyandi Aboriginal Corporation (ICN 7870)

Date of this notice _____

Name of determination or
determination area _____

Who is giving notice of dispute

Name of person/party
giving notice of dispute _____

I am / am not (cross out whichever does not apply) a common law holder for
the determination or determination area.

I am / am not (cross out whichever does not apply) a member of the corporation.

What the dispute is about

Tick all that apply

I am a common law holder and the corporation will not:

- recognise me as a common law holder
- accept my application for membership

The corporation did not perform its native title functions properly because it did not:

- consult me about a native title decision that affects my native title rights and interests
- get consent to make a native title decision that affects my rights and interests
- consult me about a decision to apply for compensation for a native title decision that affects my native title rights and interests
- get consent to make a decision related to a compensation application regarding my native title rights and interests
- do something else it is required to do under the Native Title Act or the CATSI Act

Provide some details about the problem:

[for example, provide details about a meeting, a native title decision or a compensation decision that relates to the problem, say what the problem is in your own words]

Schedule 8A - Reply to notice of dispute

Gooniyandi Aboriginal Corporation (ICN 7870)

Date of this reply

Responding to notice of dispute

Date of the dispute notice

Name of person/party who gave notice of dispute

Name of determination or determination area

Responding party

Name of responding person/party

I am / am not (cross out whichever does not apply) a common law holder for the determination or determination area.

I am / am not (cross out whichever does not apply) a member of the corporation.

Response to proposed process

I/We have reviewed the proposed process from the party who gave dispute and say below whether we agree or disagree with their proposal:

	Proposed process (by the person/party who gave notice)	<i>If you disagree, please indicate what you propose instead</i>
Process: <i>Agree/disagree</i>
Name of facilitator: <i>Agree/disagree</i>
Date and time of activity: <i>Agree/disagree</i>
Location: <i>Agree/disagree</i>

**Proposed fee for
facilitator:**

..... *Agree/disagree*

Who is to pay?

..... *Agree/disagree*

I/We agree to participate in the process and accept the outcome of that process.

[Signature]

.....

[Name]

.....

[Signature]

.....

[Name]

.....

[Signature]

.....

[Name]

.....