

### **27.10 Questions at Land Group Meetings**

The Chairperson of a Land Group Meeting must give Land Group Members a reasonable opportunity to ask questions about or comment on the management of the Corporation.

### **27.11 Suspension of right to attend Land Group Meetings**

If a Land Group Member disrupts a Land Group Meeting by being abusive, threatening or violent then by resolution at a Land Group Meeting the right of that Land Group Member to attend or participate in Land Group Meetings may be suspended for up to twelve months. The resolution must set out the reason for and period of the suspension.

### **27.12 Adjourned Meetings**

- (a) A resolution passed at a Land Group Meeting resumed after an adjournment is passed on the day it was passed.
- (b) Only unfinished business is to be transacted at a Land Group Meeting resumed after an adjournment.

## **28. LAND COMMITTEE MEMBERS**

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### **28.1 Number of Land Committee Members**

- (a) Each Land Committee may have up to the following number of Land Committee Members:
  - (i) The Minangu Land Committee may have up to nine members;
  - (ii) The Ngoonooru Land Committee may have up to seven members;
  - (iii) The Byro Land Committee may have up to five members; and
  - (iv) The Burringurrah & Milly Milly Land Committee may have up to five members.
- (b) At least one member of each Land Committee must be a male Elder and at least one member of each Land Committee must be a female Elder.

### **28.2 Eligibility to be a Land Committee Member**

#### **28.2.1 Eligibility for appointment as a Land Committee Member**

- (a) An individual who is an Active Member of another native title group is not eligible to be a Land Committee Member.
- (b) An individual may only be a Land Committee Member in respect of one Land Committee at a time.
- (c) An individual is eligible for appointment as a Land Committee if they are an individual who is:
  - (i) a Land Group Member with particular knowledge and authority within the relevant Land Group; and
  - (ii) subject to rule (d) below, able to demonstrate the following qualifications and requirements:
    - A. financial literacy;
    - B. leadership experience;
    - C. experience with directorships and boards;

- D. commitment to uphold all the legal duties, responsibilities and obligations of a Land Committee Member;
  - E. absence of conflicting commitments; and
  - F. standing and respect within the Wajarri Yamatji.
- (d) If a nominee for Land Committee Member is not able to demonstrate every qualification but expresses a willingness to learn and attain that qualification, the Land Group Members in their discretion may nominate the Land Group Member as a Land Committee Member subject to the following conditions:
- (i) the person must undertake appropriate training to attain that qualification and the Corporation will meet the expense of the training and otherwise provide full support and encouragement of the person and his or her efforts to achieve the requisite qualifications;
  - (ii) the person may act as Land Committee Member for 12 months while undertaking the training; and
  - (iii) the Land Group Members may terminate the appointment after 12 months if the Land Group Members determine that satisfactory progress was not made by the person towards achieving the requisite qualifications.
- (e) If a nominee for Land Committee Member is not willing or able to learn or attain the qualifications in accordance with rule (d) above, the Land Group Members in their discretion may accept the person's nomination for Land Committee Member if there remains, at all times, at least 2 Land Committee Members that satisfy rules (c)(ii) above and (d) above .
- (f) Regardless of rules (c)(ii) above to (e) above, all Land Committee Members must undertake ongoing and appropriate governance training in accordance with rule 11.2.
- (g) An individual who is disqualified from managing Aboriginal and Torres Strait Islander Corporations under Part 6-5 of the CATSI Act may only be appointed as a Land Committee Member if the appointment is made:
- (i) with permission granted by the Registrar; or
  - (ii) with leave granted by the Court.

### **28.3 Majority of Land Committee requirements**

A majority of Land Committee Members for each Land Committee must not be employees of the Corporation.

### **28.4 Appointment of Land Committee Members**

- (a) Candidates must nominate for appointment in writing at least 14 days prior to the date of the Land Group Meeting.
- (b) Land Groups appoint Land Committee Members at Land Group Meetings.
- (c) Within 28 days after their appointment a Land Committee Member must, if the Land Committee Member has a Material Personal Interest in a matter that relates to the affairs of the relevant Land Group, give the other Land Committee Members notice of the interest in accordance with rule 29.3.

## **28.5 Term of appointment**

- (a) Subject to this Rule Book, each Land Committee Member may hold office until the earlier of:
  - (i) the date of the first Land Group Meeting following the expiry of 2 years from the date of appointment;
  - (ii) any other date nominated by resolution of the Land Group at the time of appointment, in order to give effect to a system of rotation of Land Committee Members; and
  - (iii) the date on which the Land Committee Member retires or is removed or the office becomes vacant by virtue of such other rule of this Rule Book.
- (b) A Land Committee Member is eligible for reappointment.
- (c) If the terms of appointment of all of the Land Committee Members expire so that there are no Land Committee Members at a particular time, the terms are extended until the next Land Group Meeting that occurs after the last Land Committee Member's appointment has expired.

## **28.6 Alternate Land Committee Members**

- (a) A Land Committee Member may appoint an alternate to exercise some or all of the Land Committee Member's powers for a specified period.
- (b) The alternate Land Committee Member must satisfy the Land Committee Members that they meet the eligibility requirements as set out in rule 28.2 .
- (c) When an alternate exercises the Land Committee Member's powers, the exercise of the powers is just as effective as if the powers were exercised by the Land Committee Member.
- (d) The appointing Land Committee Member may terminate the alternate's appointment at any time.
- (e) An appointment or its termination must be in writing. A copy must be given to the Corporation.

## **28.7 How a person ceases to be a Land Committee Member**

A person ceases to be a Land Committee Member if:

- (a) the person dies;
- (b) the person becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health;
- (c) the person resigns as a Land Committee Member as provided for in rule 28.8;
- (d) the person is no longer a Land Group Member in accordance with rules 26.5(a)(i) to 26.5(a)(iv);
- (e) the term of the person's appointment as a Land Committee Member expires;
- (f) the person is removed as a Land Committee Member by the Land Group Members in accordance with rule 28.9.1;
- (g) the person is removed as a Land Committee Member by the other Land Committee Members in accordance with rule 28.9.2;
- (h) the person becomes disqualified from managing Aboriginal and Torres Strait Islander Corporations under Part 6-5 of the CATSI Act.

## **28.8 Resignation of Land Committee Member**

A Land Committee Member may resign as a Land Committee Member by giving notice of resignation in writing to the Corporation.

## **28.9 Process for removing a Land Committee Member**

### **28.9.1 Removal by Land Group Members**

- (a) A Land Group may, by resolution in a Land Group Meeting, remove a Land Committee Member from office despite anything in:
- (i) this Rule Book;
  - (ii) an agreement between the Corporation and the Land Committee Member concerned; or
  - (iii) an agreement between any or all Land Group Members and the Land Committee Member concerned.
- (b) A notice of intention to move a resolution to remove a Land Committee Member must be given to the Corporation at least 21 days before the Land Group Meeting is to be held. However, if the Corporation calls a Land Group Meeting after the notice of intention is given, the Land Group Meeting may pass the resolution even though the Land Group Meeting is held less than 21 days after the notice is given.
- (c) The Corporation must give the Land Committee Member concerned a copy of the notice as soon as possible after it is received.
- (d) The Land Committee Member concerned is entitled to put his or her case to the Land Group Members by:
- (i) giving the Corporation a written statement for circulation to Land Group Members (see rules 28.9.1(e) and 28.9.1(f)); or
  - (ii) speaking to the motion at the meeting.
- (e) The Corporation is to circulate the written statement given under rule (d)(i) above to Land Group Members by:
- (i) sending a copy to everyone to whom notice of the meeting is sent if there is time to do so; or
  - (ii) if there is not time to comply with rule (i) above, having the statement distributed to Land Group Members entitled to vote on the resolution attending the meeting and read out at the meeting before the resolution is voted on.
- (f) The written statement given under rule 28.9.1(d)(i) does not have to be circulated to Land Group Members if it is defamatory.
- (g) If a person is appointed to replace a Land Committee Member removed under this rule, the time at which:
- (i) the replacement Land Committee Member; or
  - (ii) any other Land Committee Member,
- is to retire is to be worked out as if the replacement Land Committee Member had become a Land Committee Member on the day on which the replaced Land Committee Member was last appointed a Land Committee Member.