



Notice of Annual General Meeting Followed immediately by a Special General Meeting

Thursday 3rd November 2022
Leonora Resource Centre
9am start
Lunch provided

WAKAMURRU
(ABORIGINAL CORPORATION) RNTBC ICN 8860

IMPORTANT INFORMATION FOR MEMBERS

Travel Assistance (see attached information)

1. There is a new 'Travel Assistance Policy' for members attending meetings.
2. Travel Assistance **will not be paid before** the AGM and members will need to fund their travel to the meeting.
3. Members will be required to register their attendance before the AGM and ensure that their bank account details are up to date and have been provided to Desert Accounting and Business Support (**DABS**) who are Wakamurru's accountants.
4. Travel assistance will be paid **AFTER** the meeting and will be deposited into each members' bank account
5. Travel assistance will be calculated from your address on the Wakamurru membership register and depending on where you travel from may include:
 - a. Meal Allowance
 - b. Payments for travelling in a vehicle to and from the meeting (Note: the directors will verify the use of the vehicle).

Please provide DABS your bank details on the attached form, and if you have any questions, call DABS on (08) 9425 2099

For information about the meeting call Lucy Muir on 0488 156 662.

People attending – **Central Desert:** Shelby O'Connor (Lawyer), Malcolm O'Dell (Lawyer) and Lucy Muir (PBC Support Officer) **DABS:** Ric West (Accountant)



WAKAMURRU ANNUAL GENERAL MEETING

AGENDA:

1. FORMALITIES

- 1.1 Confirm Chairperson
- 1.2 Apologies
- 1.3 Quorum
- 1.4 Confirm previous minutes
- 1.5 Check register of members

2. GENERAL REPORT & FINANCIAL REPORT (DABS assisting)

3. APPOINTMENT OF AUDITOR (DABS assisting)

- 3.1 Members to choose to appoint an auditor and agree on a fee

4. ELECTING DIRECTORS

- 4.1 Elect new directors to replace vacancies

The following 2 (out of 5) directors' terms have expired, but are eligible for re-election:

Kado Muir & Zachariah Gudathada Walker.

Note1: The terms of Sandra Evans, Kuberan Muir, Dion Meredith as directors expire at the AGM in 2023.

5. NEXT AGM

- 5.1 Members to decide on the location of the next AGM

6. CLOSE MEETING

For information about the meeting call Lucy Muir on 0488 156 662.

People attending – **Central Desert:** Shelby O'Connor (Lawyer), Malcolm O'Dell (Lawyer) and Lucy Muir (PBC Support Officer) **DABS:** Ric West (Accountant)



WAKAMURRU SPECIAL GENERAL MEETING

AGENDA:

1. FORMALITIES

- 1.1 Confirm Chairperson
- 1.2 Apologies
- 1.3 Quorum
- 1.4 Confirm previous minutes

2. SPECIAL RESOLUTION OF WAKAMURRU AC MEMBERS TO AMEND THE WAKAMURRU AC RULE BOOK

- 2.1 Proposed amendments to the Rule Book – discussion and, if appropriate, resolution (see Annexure A to this notice for details).
- 2.2 The following special resolution will be proposed at the meeting:

The Wakamurru AC Members resolve that:

The Rule Book of Wakamurru (Aboriginal Corporation) RNTBC (Rule Book) is amended in accordance with Rule 19.1 of the Rule Book in the form as tabled at this meeting held on 3rd November 2022 and as set out in the table below.

3. OTHER BUSINESS

- 3.1 Questions to the corporation

4. CLOSE

For information about the meeting call Lucy Muir on 0488 156 662.

People attending – **Central Desert:** Shelby O'Connor (Lawyer), Malcolm O'Dell (Lawyer) and Lucy Muir (PBC Support Officer) **DABS:** Ric West (Accountant)

ANNEXURE A

Summary of Proposed Amendments to the Rule Book of Wakamurru (Aboriginal Corporation) RNTBC

The purpose of the proposed amendments is to:

1. Update the Rule Book to comply with the recent changes to the *Native Title Act 1993* (Cth) and the *Native Title (Prescribed Bodies Corporate) Regulations 1999* (Cth).

These changes relate to:

- Membership – updating the procedures for cancelling memberships
- Dispute Resolution – ensuring the Corporation has a process for resolving disputes with people who claim to be a Common Law Holder
- Certificates for Native Title Decisions – updating the Rule Book with new processes for keeping records of native title decisions

Current Rule	New Rule	Amendment
Membership of the Corporation		
5	N/A	Add the following: “The Corporation shall have a direct representation membership model. Every individual person meets the eligibility criteria can apply and become a member.”
N/A	5.1	Add the following: “Who can become a member?”
5.9	N/A	Delete the following: “(c) previously had their Membership cancelled under Rule 5.22” (<i>via resignation</i>)
Decision Making		
N/A	12.1	Delete the following: (b) an Other Land-Based Decision “ that is not a Native Title Decision ”, it must make that decision in accordance with Rule 12.18 to 12.19 Add the following: “(Note the Corporation can only make a Native Title Decision in relation to Native Title Rights and Interests that have been recognised in the Determination.)”
N/A	12.2	Add the following: “Subject to: (a) The Alternative Consultation Process set out in Rule 12.5, which must be followed in relation to the making of certain Low Level Native Title Decisions; and (b) Meeting any conditions imposed by the Common Law Holders on an approval for a Standing Instructions Decisions in accordance with Rule 12.7”
N/A	12.3	Add the following: “Before any decision is made by the Members in a General Meeting under Rule 12.2 is made, the Corporation must consult with, and obtain the consent of, the Common Law Holders in accordance with Rule 12.4. For the purposes of Rule 12.3, the Corporation must ensure that”

Current Rule	New Rule	Amendment
12.3	12.4	<p>Delete “the Common Law Holders understand the purpose and nature of a proposed Native Title Decision by:</p> <ul style="list-style-type: none"> (i) Consulting, and considering the views of, a representative body for the area that the native title rights and interest relate; and (ii) if the Corporation considers it to be appropriate and practicable, giving notice of those views to the Common Law Holders, and” <p>Add the following: “The consent of the Common Law Holders is given in accordance with the particular process of decision-making that must be followed under Traditional Law and Custom.”</p>
12.4	12.5	<p>Add the following: “Where the Corporation proposes to make a Low Level Native Title Decision concerning:”</p> <p>... the Corporation must consult the Common law Holders and obtain their consent in relation to the decision by using an Alternative Consultation Process that involves...</p> <p>(Note: this Rule 12.5 is contemplated for use in relation to certain Low Level Native Title Decision in accordance with regulation 8A of the PBC Regulations.)”</p>
N/A	12.6	<p>Add the following: “The Corporation may only follow the Alternative Consultation Process set out in Rule 12.5 if the Common Law Holders have consented to the Alternative Consultation Process in accordance with Rule 12.4.”</p>
N/A	12.7	<p>Add the following: “Before making a Standing Instructions Decision covered by a Common Law Holder approval under regulation 8(8) of the PBC Regulations, without needing to consult the Common Law Holders and obtain further consent, the Corporation must meet any conditions imposed by the Common Law Holders in relation to the decision.</p> <p>(Note: this Rule 12.7 is contemplated for use in relation to certain Low Level Native Title Decisions in accordance with regulations 8A of the PBC Regulations.)”</p>
N/A	12.9	<p>Add the following: “Where the Corporation has made a decision under Rule 12.5 or Rule 12.7, the Corporation must inform the Common Law Holders of the decision at the next meeting of the Common Law Holders organised by the Corporation.”</p>
Native Title Decisions Certification		
N/A	12.10	<p>Add the following: “As soon as practical after the Corporation makes:</p> <ul style="list-style-type: none"> (a) a Native Title Decision; or (b) a decision to make a compensation application; <p>the Corporation must prepare a certificate in writing in the form at SCHEDULE 5.”</p>
N/A	12.11	<p>Add the following: “If the certificate under Rule 12.10 is for:</p> <ul style="list-style-type: none"> (a) a Native Title Decision not subject to Rule 12.5 or Rule 12.7, or (b) a decision to make a compensation application,

Current Rule	New Rule	Amendment
		the certificate must certify that the Corporation has consulted and obtained the consent of the Common Law Holders in relation to the decision in accordance with Rule 12.4.”
N/A	12.12	Add the following: “If the certificate under Rule 12.10 is for a decision made using an Alternative Consultation Process subject to Rule 12.5, the certificate must certify that the Corporation has applied the Alternative Consultation Process in Rule 12.5.”
N/A	12.13	Add the following: “If the certificate under Rule 12.10 is for a Standing Instructions Decision made subject to Rule 12.7, the certificate must certify that: (a) the decision is covered by an approval from the Common Law Holders to make the decision of that kind; and (b) the Corporation has met any conditions imposed by the Common Law Holders in relation to that kind of decision.”
N/A	12.14	Add the following: “In addition to any information required by Rule 12.12 and Rule 12.3, all Certificates prepared under Rule 12.10 must include: (a) the date of the certificate; (b) the details of the process of making the decision; (c) details (including names) of the persons who participated in the process of making the decision; and (d) for decisions not subject to Rule 12.7, details of the consultation and consent process.”
N/A	12.15	Add the following: “Certificates prepared under Rule 12.10 must be: (a) executed by the Corporation in accordance with subsection 99-5(1) or (2) of the Act; or (b) signed by the chief executive officer of the Corporation.”
N/A	12.16	Add the following: “The Corporation may collect (within the meaning of the <i>Privacy Act 1988</i> (Cth)) personal information (within the meaning of that Act) about the Common Law Holders or persons who claim to be entitled to compensation for the purposes of preparing a certificate under Rule 12.10.”
Access to certificates		
N/A	12.17	Add the following: “The Corporation must give a copy of any certificate it prepares under Rule 12.10 to any Common Law Holder or any other person who has a substantial interest in the decision to which the certificate relates, who makes a request to the Corporation for a copy of the certificate.”
Dispute Resolution		
N/A	17.4	Add the following: “If the Directors cannot resolve the dispute, it must be referred to a General Meeting and the Members must seek to resolve the dispute in accordance with Traditional Law and Custom and, where appropriate, by Consensus.”
N/A	17.5	Add the following: “If a disagreement or dispute arises between: (a) the Corporation; and (b) a person who is, or claims to be, a Common Law Holder (whether or not the person is a Member), about: (c) whether or not the person is a Common Law Holder; or

Current Rule	New Rule	Amendment
		(d) the Corporation's performance of its functions under the NTA and any regulations made under the NTA, including the PBC Regulations, it must be resolved as far as is possible in accordance with Traditional Law and Custom, using the procedure set out in Rules 17.6 to 17.9."
N/A	17.6	Add the following: "The parties to a dispute must attempt to resolve it themselves on an informal basis."
N/A	17.7	Add the following: "If the parties cannot resolve the dispute between themselves, it must be referred to a General Meeting and the Members must seek to resolve the dispute in accordance with Traditional Law and Custom and, where appropriate, by Consensus."
N/A	17.8	Add the following: "If the Members cannot resolve a dispute arising under Rule 17.5 in General Meeting, any party to the dispute may seek assistance from the National Native Title Tribunal established under the NTA, in accordance with its function of promoting agreement about matters relating to native title or the operation of the NTA under section 60AAA of the NTA."
N/A	17.9	Add the following: "At any stage during such a process of dispute resolution, any party to the dispute may seek advice from the relevant representative Aboriginal/Torres Strait Islander body established under the NTA."
Dictionary and Interpretation		
N/A	N/A	<p>Add the following:</p> <p>"Alternative Consultation Process means the alternative consultation process set out in Rule 12.5 to which the Common Law Holders have consented in accordance with Rule 12.6"</p> <p>"High Level Native Title Decision means a decision:</p> <ul style="list-style-type: none"> (a) to surrender native title rights and interest in relation to land or waters; (b) to enter an Indigenous Land Use Agreement or an agreement under Subdivision P (right to negotiate) of Division 3 of Part 2 of the NTA; or (c) after the Determination is made, to allow a person who is not a Common Law Holder, or class of persons who are not Common Law Holders, to become Members; or (d) to include one or more consultation processes in the Rule Book." <p>"Low Level Native Title Decision means a decision, other than a High Level Native Title Decision, to do, or to agree to, any act that would affect the Native Title Rights and Interests of the Common Law Holders (other than a decision to make a compensation application)."</p> <p>"Standing Instructions Decision means a Native Title Decision that is:</p> <ul style="list-style-type: none"> (a) a Low Level Native Title Decision; (b) a decision to enter an Indigenous Land Use Agreement in relation to the doing of an act by or for the benefit of the Corporation; or (c) a decision to enter an agreement under Subdivision P (right to negotiate) of Division 3 of Part 2 of the NTA in relation to which the Corporation is the only grantee party."

Current Rule	New Rule	Amendment
N/A	N/A	Add the following to Native Title Decision : <ul style="list-style-type: none"> (a) enter an Indigenous Land Use Agreement or an agreement under Subdivision P (right to negotiate) of Division 3 of Part 2 of the NTA; or (b) after the Determination is made, allow a person who is not a Common Law Holder, or a class of persons who are not Common Law Holders, to become Members; or (c) include one or more consultations processes in the Rule Book; (d) do, or agree to do, any other act that would Affect the native title rights and interests of the Common Law Holders (other than a decision to make a compensation decision)”
Certificates for Native Title Decisions		
N/A	Schedule 5	Include the following: Template Certificate in Relation to Consultation and Consent