

5 September 2022

NOTICE OF AUSTRALIAN CHILDCARE ALLIANCE NEW SOUTH WALES 2022 ANNUAL GENERAL MEETING

Notice is hereby given that the Annual General Meeting of Australian Childcare Alliance (ACA) NSW will be held at **7.00 pm AEDT on Monday, 17 October 2022**. And due to COVID-19 public health restrictions, this Annual General Meeting will be held on-line and live.

<https://nsw.childcarealliance.org.au/events/2022-annual-general-meeting>

AGENDA

Annual General Meeting

1. Welcome
2. Apologies and Proxies
3. Confirmation of Quorum
4. Adoption of Minutes of the Annual General Meeting held on 11 October 2021
5. President's Report
6. Financial Report
7. Auditor's Report
8. Declaration of Elected Office Bearers and Members of the Executive Committee
9. Appointment of Auditor
10. Close of Meeting

Please contact the ACA NSW office via 1300 556 330 or nsw@childcarealliance.org.au should you have any difficulties registering or participating this Annual General Meeting.

Australian Childcare Alliance New South Wales

Election of Office Bearers and Members of the Executive Committee

Call for Nominations

Nominations are called for the following positions, in accordance with Clauses 18 and 22 of the Australian Childcare Alliance New South Wales Constitution:

- President
- Vice President
- Secretary
- Treasurer
- plus not more than seven (7) and not less than three (3) members of the Executive Committee

Nominations shall be made by two financial members of the Association on the attached Nomination Form. The form must also be signed by the Nominee accepting the nomination. The Nominee must also be a financial member of the Association.

Members may nominate or be nominated for more than one position.

Nominations must be addressed and returned to:

The Secretary
NSW Executive Committee
Australian Childcare Alliance (ACA) NSW
PO Box 660
PARRAMATTA NSW 2124

OR can be scanned and submitted online via:

<https://nsw.childcarealliance.org.au/events/2022-annual-general-meeting>

and must arrive by 5.00 pm AEST, Sunday, 25 September 2022.

Candidates are permitted to submit a statement, **not exceeding 250 words**, in support of their nomination. These will be made accessible to voters when ballot materials are distributed.

Phil Lewis
Returning Officer

NOMINATION OF CANDIDATE FOR ELECTION

We, being financial members of the Association of Quality Child Care Centres of NSW Inc (trading as Australian Childcare Alliance New South Wales) nominate:

A.

_____ of _____

(full name of nominated member)

(address of nominated member)

for the position of _____ at the

election to be held on **17 October 2022**.

Signature of Candidate

Candidate's Mobile Number

B.

_____ of _____

(full name of Nominator)

(address)

Date _____ Signature _____

C.

_____ of _____

(full name Seconder)

(address)

Date _____ Signature _____

Signature of Candidate

Candidate's Mobile Number

Completed Nomination Form(s) (and attached Director Eligibility Form(s)) should be sent to:
The Secretary, NSW Executive Committee, Australian Childcare Alliance (ACA) NSW, PO Box 660, Parramatta NSW 2124 or lodged via <https://nsw.childcarealliance.org.au/events/2022-annual-general-meeting> and must arrive by 5.00 pm AEST, Sunday, 25 September 2022.

DIRECTOR ELIGIBILITY FORM

This form is in addition to the form required to be completed by members as stated in Clause 29.6(b) of the Association's Constitution.

NOMINATION FOR DIRECTOR

In order to assist you as a candidate for director, and subsequently the members voting in new directors, to assess your fitness and propriety to be and act as a director, ACA NSW requests the following information.

I, _____ hereby nominate for the position of Director of Australian Childcare Alliance (ACA) NSW.

In accepting this nomination, I confirm that I am eligible to be a Director in accordance with the provisions of the Corporations Law and the Association's Constitution.

In general, I recognise that Directors must:

- exercise their powers and discharge their duties with the degree of care and diligence that a reasonable person in such a position within the Association would exercise – Corporations Law §180(1);
- exercise their powers and discharge their duties in good faith and the best interests of the Association and for a proper purpose – Corporations Law §181;
- not improperly use their position to gain an advantage for themselves or others, or to cause detriment to the Association – Corporations Law §182; and
- not improperly use any information obtained as Director to gain an advantage for themselves or others, or to cause detriment to the Association – Corporations Law §183.

This nomination must be returned to:

The Secretary
NSW Executive Committee
Australian Childcare Alliance (ACA) NSW
PO Box 660
PARRAMATTA NSW 2124

OR can be scanned and submitted by e-mail to:

<https://nsw.childcarealliance.org.au/events/2022-annual-general-meeting>

So as to be received no later than 5.00 pm AEST on Sunday, 25 September 2022.

PART A.

Nominee Name	
Member Organisation Name	
Date Member Joined ACA NSW	
Role in Member Organisation	
Formal Qualifications	
Membership in professional bodies or community organisations	
Interest in being a director of ACA NSW	
Current or previous Board experience	

PART B.

ACA NSW may also require to undertake the following checks and requires your permission to do so, recognising any personal information (including sensitive information) collected will be fully compliant as defined in *the Privacy Act 1988 (Cth)* (**Privacy Act**):

- Will need you to allow us to do a search of the Australian Securities and Investment Commission's (ASIC) disqualified and banned persons register.
- Will need you to provide us with your Working with Children Check details.

PART C.

Nominees:

Please answer the following questions:

1. Have you ever been convicted of any offence involving management of corporations, breaches of the Corporations Law, dishonesty or significant prison terms?

Yes ☐ No ☐

If you answered YES to Question 1, please provide details of the conviction, including a description of the conduct for which you were convicted, when you were convicted and the penalty imposed

2. Are you an un-discharged bankrupt under Australian or foreign law?

Yes ☐ No ☐

3. Have you executed a deed of arrangement under Part X of the Bankruptcy Act 1966 (Cth) (or a similar law of a foreign country) and have not yet fully complied with the terms of the deed?

Yes ☐ No ☐

4. Have your creditors accepted a composition under Part X of the Bankruptcy Act 1966 (Cth) (or a similar law of a foreign country) and final payment has not yet been made under the composition?

Yes ☐ No ☐

5. Has a Court disqualified you from managing corporations?

Yes ☐ No ☐

6. Has ASIC disqualified you from managing corporations?

Yes ☐ No ☐

If you answered YES to Questions 5 or 6, please provide details of the disqualification, including a description of the conduct for which you were disqualified, when you were disqualified and the period of your disqualification.

7. Have you been refused insurance as a director?

Yes ☐ No ☐

If you answered YES to Question 7, please provide a copy of the Court order or ASIC's written permission.

8. Has a personal representative or trustee been appointed to administer your property on grounds of mental incapacity?

Yes ☐ No ☐

9. Do you have the time and capability to actively add value to the deliberations and work of the Association's Board? Yes ☐ No ☐
10. Do you have an understanding of your legal responsibilities and duties of being a director of an Association? Yes ☐ No ☐
11. Do you have skills in at least 5 of the following competencies relevant to being a director of the Association? Yes ☐ No ☐
- | | | |
|---|------------------------------|-----------------------------|
| (i) directorship experience (company, not-for-profit); | Yes ☐ | No ☐ |
| (ii) private sector business experience; | Yes ☐ | No ☐ |
| (iii) child care industry experience of more than 5 years; | Yes ☐ | No ☐ |
| (iv) high profile and responsible appointments in community activities; | Yes ☐ | No ☐ |
| (v) senior managerial experience; | Yes ☐ | No ☐ |
| (vi) marketing experience, particularly in a service industry; | Yes ☐ | No ☐ |
| (vii) formal/academic qualifications; | Yes ☐ | No ☐ |
| (viii) government relations experience; | Yes ☐ | No ☐ |
| (ix) risk management, audit or finance experience; | Yes ☐ | No ☐ |
| (x) industrial relations or HR Management experience; | Yes ☐ | No ☐ |
| (xi) experience in the use of information technology. | Yes ☐ | No ☐ |

Declaration

I declare that the answers given above, and any other information that I have given the Association in connection with this eligibility questionnaire, is complete and accurate as at today's date.

I also provide ACA NSW with permission to make the enquiries as specified in Part B of this form.

Signature

Name

Date

FORM OF APPOINTMENT OF PROXY

I, _____ of _____
(full name) (address)

being a financial member of the Association of Quality Child Care Centres of NSW Inc. (trading as Australian Childcare Alliance (ACA) NSW) hereby appoint

(full name of proxy)

of _____
(address)

being a financial member of the Association, as my proxy to vote for me on my behalf at the general meeting of the Association (annual general meeting or special general meeting, as the case may be) to be held on the **17 October 2022** and at any adjournment of that meeting.

- My proxy is authorised to vote in favour of/against (delete as appropriate) the resolution (insert details).

Signature of member appointing proxy

Date: _____

NOTE:

- A Proxy Vote may not be given to a person who is not a financial member of the Association.

Completed Proxy Forms should be sent to:

The Secretary, Australian Childcare Alliance New South Wales, PO Box 660, Parramatta NSW 2124 and received no later than 24 hours before the time of the Annual General Meeting (as per Clause 37.1 of the Constitution).