

**Aboriginal Legal Service of Western Australia Limited**  
**ACN 617 555 843**  
**Notice of Annual General Meeting**

Notice is hereby given that the Annual General Meeting of Aboriginal Legal Service of Western Australia Limited ACN 617 555 843 (the **Company**) will be held at the registered office Piccadilly Square 7 Aberdeen Street, Perth WA 6000 on Wednesday, 21 November 2018 at 2:00 pm.

**Business**

**1. Financial and Other Reports**

To receive and consider the Financial Report of the Company and the reports of the directors and the auditor for the financial year ended 30 June 2018.

**2. Declaration of Proxies**

**3. Election of Directors**

To elect three (3) only of the following candidates as directors of the board

- a. To re-elect as a director Mr Michael Blurton  
Who retires in accordance with rule 3.6(b) of the Company's Constitution and being eligible, offers himself for re-election.
- b. To re-elect as a director Ms Kathy Watson  
Who retires in accordance with rule 3.6(b) of the Company's Constitution and being eligible, offers herself for re-election.
- c. To re-elect as a director Mr Preston Thomas  
Who retires in accordance with rule 3.6(b) of the Company's Constitution and being eligible, offers himself for re-election.
- d. To elect as a director Ms Colleen Hayward  
Who has been nominated in accordance with rule 3.5(c) of the Company's Constitution and being eligible offers herself for election.
- e. To elect as a director Mr Craig Somerville  
Who has been nominated in accordance with rule 3.5(c) of the Company's Constitution and being eligible offers herself for election.
- f. To elect as a director Ms Barbara Hostalek  
Who has been nominated in accordance with rule 3.5(c) of the Company's Constitution and being eligible offers herself for election.

By order of the Board

  
John Poroch  
Company Secretary  
26 October 2018

## Explanatory Notes

### Financial Statements and Reports

Section 317 of the Corporations Act requires the Financial Statements of the Company and Directors report and Auditors report for the financial year to be laid before the Annual General Meeting.

There is no requirement for a formal resolution to approve the Financial Statements or reports. Accordingly, there will not be a formal resolution put to the Annual General Meeting in respect of this item of business. However, members will be given a reasonable opportunity at the Annual General Meeting to comment and raise questions on the Financial Statements and reports of the Company.

### Re-election of Directors

In accordance with rule 3.6(b) of the Company's Constitution, three Initial Elected directors, Mr Michael Blurton, Ms Kathy Watson and Mr Preston Thomas will retire and, being eligible offer themselves for re-election. The Company has also received nominations in accordance with rule 3.5(c) of the Company's Constitution for Ms Colleen Hayward, Mr Craig Somerville and Ms Barbara Hostalek.

Details of directors seeking election are set out below. There are 6 candidates for election to the Board at the meeting and no more than 3 may be elected.

**Each member entitled to vote (including via their proxy or attorney) can only vote for up to 3 of the 6 candidates. If you vote for more than 3 candidates, all your votes will be invalid and will not count. If you wish, you may vote for less than 3 candidates.**

The Company's Constitution provides that a resolution put to the vote at a meeting of members must be decided on a show of hands unless a poll is demanded under rule 18.2 either before or on declaration of the result of the vote on a show of hands. A separate motion for the election of each candidate will be put to the meeting, in the order set out in this notice. The Chairman of the meeting will declare the results only after all motions have been put to vote at the meeting. **The 3 candidates who receive most votes are thereby elected.**

### Details of directors seeking election

**Michael Blurton** was appointed as an Initial Elected Director on registration of the Company as a public company limited by guarantee on 10 March 2017. He previously served as an Executive Committee member for 13 years. He is a Ballardong Noongar man from the wheat belt town of Quairading. His involvement with the organisation spans back to the 1970s when he worked as a field/court officer. Michael supports and promotes the vital role that the Company plays in striving for justice and support for Aboriginal and Torres Strait Islander people within the legal justice system.

**Kathy Watson** was appointed as an Initial Elected Director on registration of the Company as a public company limited by guarantee on 10 March 2017. She had previously been an Executive Committee member since 2011. Kathy is from Broome in the west Kimberley. She is passionate about legal issues for our community; she would like to see more cultural input into court matters, particularly with in court districts.

Kathy has a diploma of Law from Deakin University Geelong Victoria. Trained as an Aboriginal health worker and is a Justice of the Peace.

Kathy holds or has held senior board positions:

- Board member of the Broome Regional Aboriginal Medical Service Board of Management
- Chairperson Milliya Rumurra Alcohol Treatment Centre Board
- Director Mamabulanjin Aboriginal Corporation
- Deputy Chairperson Goolari Media
- President Broome Community and Police relations.

**Preston Thomas** was appointed as an Initial Elected Director on registration of the Company as a public company limited by guarantee on 10 March 2017. He previously has been a member of the Executive Committee since 2006. He is from Laverton and has lived in Kanpa Community for over 20 years. Preston has also had a long

affiliation with the organisation. Preston is deeply committed to the issues facing our people and will support the vital work undertaken by the Company for the benefit of the Aboriginal and Torres Strait people.

Preston brings many years of experience in governance and organisational management and hold senior board roles:

- Director of the Aboriginal Land Trust Preston Thomas is a former Deputy Chairperson of the ALT. ALT members are chosen for their expertise in land and sea management, Aboriginal business and economic development and Aboriginal housing and infrastructure development.
- Current Chairperson of Kanpa Community Council.
- He is also a Board Member of the Ngaanyatjarra Council (Aboriginal Corporation). He is committed to increasing economic development opportunities for Aboriginal Western Australians.
- Director of the Aboriginal Community Health WA
- Chair of the Western Desert Nganampa Walytja Palyantjaku Tjutaku "Purple House"

**Colleen Hayward** is a senior Noongar woman from the southwest of Western Australia. She is the Pro-Vice Chancellor at the Edith Cowan University involved in overseeing all aspects of the wellbeing and progress of Aboriginal and Torres Strait Islander students, teaching curriculum and research programs that relate to Aboriginal life circumstances and aspirations.

Colleen has served in many management positions and on boards including:

- Methamphetamine taskforce
- Chair of Alcohols and other drug advisory board,
- Youth Justice board WA department of corrections
- Ministerial advisory council on child protection.

She previously has been the deputy chief executive officer of the Aboriginal Legal Service of Western Australia Inc. 1997 to 2002. Colleen has been involved in providing significant input to policies and programs on a wide range of issues including health, education, training, housing and employment. During her career Colleen has been recognised with the National NAIDOC Aboriginal person of the year, Premier of WA multicultural ambassador award, named as a member of WA's 100 most influential West Australians General division Order of Australia and many more.

**Craig Somerville** is a senior Martu Aboriginal man raised in Perth. He is the Deputy chair of the WA prisoners review board presiding on board meetings considering prisoners suitability for release on parole.

Craig has served in many senior management positions and on boards including:

- Director of Heritage and Culture
- Director WA Aboriginal affairs,
- Trustee WA Museum
- Together We Can Aboriginal Corporation
- Wirrapunda supplies
- Principal advisor to WA Aboriginal affairs and Premier of WA.

Craig is passionate about the Aboriginal Legal Service of Western Australia and previously served as the CEO 1985 to 1988 of the Aboriginal Legal service of Western Australia Inc.

**Barbara Hostalek** Is a Yawaru Aboriginal woman belonging to the Murphy and Clarke families on her maternal side. Barbara has always been involved in community issues. She is a successful veterinarian and has served on many boards including:

- Hangford Aboriginal Association
- Murdoch University Aboriginal advisory committee
- Aboriginal and Torres Strait Islander People Torture and Trauma Survivors.

Barbara has previously served as a project manager for pateau projects associates, project manager for the Edith Cowan University and a proprietor of successful veterinary clinics.

## Information for Members

1. **Eligibility to vote:** Only Ordinary members (Member (s)) may vote at the Annual General Meeting (the Meeting). Members will be eligible to vote at the Meeting if they are registered as Ordinary Members of the Company on 19 November 2018.
2. **Voting methods:** Members can vote in either of two ways:
  - a. By attending the Meeting and voting in person or by attorney; or
  - b. By appointing a proxy to attend and vote at the Meeting on their behalf. A proxy form accompanies this notice.
3. **Proposed arrival time:** If possible, a Member should arrive at the Meeting venue 15 minutes before the time designated for the Meeting, so that their Membership is verified against the Company's membership register and attendance is recorded.
4. **Attorneys:** A member may appoint an attorney to vote on his or her behalf. For an appointment to be effective for the Meeting, the power of attorney or a certified copy of it must be received by the Company at its registered office by **no later than 2:00pm on 19 November 2018 via any one of the methods noted in item 5.c.i to 5.c.iv below.**
5. **Voting by proxy:** A Member entitled to attend and vote at the Meeting is entitled to appoint a proxy to attend and vote at the Meeting.
  - a. A proxy need not be a Member of the Company and can be an individual or a body corporate.
  - b. A body corporate appointed as a Member's proxy may appoint a representative to exercise any of the powers the body may exercise as a proxy at the Meeting. The representative should bring to the Meeting evidence of his or her appointment, including any authority under which the appointment is signed, unless it has previously been given to the Company.
  - c. **In order for a valid appointment of a proxy, the completed proxy form, and, if the proxy form is signed by the appointor's attorney – the authority under which the appointment was signed (e.g. a power of attorney) or a certified copy of it, must be returned and received by 2:00pm on 19 November 2018 at the Company's registered office** by one of the following ways:
    - i. By mail: PO Box 8194, Perth Business Centre, Perth WA 6849;
    - ii. By email: [jporoch@als.org.au](mailto:jporoch@als.org.au);
    - iii. By fax: 08 9221 1767; or
    - iv. By hand: Piccadilly Square 7 Aberdeen Street, Perth Western Australia 6000.
  - d. Members are encouraged to direct their proxies how to vote on each resolution by marking the "For", "Against" or "Abstain" for each resolution on the proxy form (noting that as only 3 directors are to be elected, in order for your vote to count, do not vote in favour of more than 3 candidates). If a proxy chooses to vote, then he/she must vote in accordance with the directions set out in the proxy form.
  - e. If the Chairman of the Meeting is appointed as a proxy but the appointment does not direct the proxy how to vote on the resolution, **then the Chairman intends to exercise the relevant member's vote in favour of the relevant resolution.**
6. **Registered office:** Aboriginal Legal Service of Western Australia Limited ACN 617 555 483  
Piccadilly Square 7 Aberdeen Street, Perth Western Australia 6000. Telephone: 08 9265 6666  
Facsimile: 08 9221 1767 Website: [www.als.org.au](http://www.als.org.au)
7. **Asking questions at the Annual General Meeting**

In the interests of all present, members are asked to confine questions to the matters before the Meeting that are relevant to the members as a whole. Questions for the Company or Auditor to respond to at the Annual General Meeting should be submitted by sending the questions

  - i. By mail: PO Box 8194, Perth Business Centre, Perth WA 6849;
  - ii. By email: [jporoch@als.org.au](mailto:jporoch@als.org.au); or
  - iii. By hand: Piccadilly Square 7 Aberdeen Street, Perth Western Australia 6000.

Submitting questions in advance will not stop members from asking questions at the Annual General Meeting, should they wish to do so, but will facilitate a considered reply.  
Questions must be received by no later than 4:00 pm on 14 November 2018.

The Company and the Auditor will respond to as many of the more frequently asked questions as possible at the Annual General Meeting. Please note that individual responses will not be sent.



## Proxy Form

**Annual General meeting of the Aboriginal Legal Service of Western Australia Limited  
Held at the Company offices 7 Aberdeen Street Perth WA 6000 on 21 November 2018 at 2:00 pm (the  
'Meeting')**

Name and address of member:

\_\_\_\_\_

\_\_\_\_\_

- A. ☐ I, being a member of the Company and entitled to attend and vote, **appoint the Chairman of the meeting** to be my proxy to attend, and to act on my behalf including to vote in accordance with the following directions, at the Meeting and at any adjournment (or if no voting direction has been indicated below, and to the extent permitted by law, as the Chairman sees fit)

Or

- B. ☐ I appoint \_\_\_\_\_ to be my proxy to attend, and to act on my behalf including to vote in accordance with the following directions, at the Meeting and at any adjournment (or if no voting direction has been indicated below, and to the extent permitted by law, as the proxy sees fit).

Items of Business 3a to 3f please mark **X** in the box to indicate your directions

- **Only 3 directors are to be elected. To make sure your vote counts, do not vote in favour of more than 3 candidates.**
- **If you mark the "For" box for more than 3 candidates, all your vote will be invalid and will not count. If you wish, you may vote in favour of less than 3 of candidates.**

**For**

**Against**

**Abstain**

### Item 3a

to re-elect Mr Michael Burton as a director

☐☐☐

### Item 3b

to re-elect Ms Kathy Watson as a director

☐☐☐

### Item 3c

to re-elect Mr Preston Thomas as a director

☐☐☐

### Item 3d

To elect Ms Colleen Hayward as a director

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### Item 3e

To elect Mr Craig Somerville as a director

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### Item 3f

To elect Ms Barbara Hostalek as a director

☐☐☐

The Chairman of the Meeting intends to vote all available proxies For (in favour) of items 3a, 3c and 3e.

Please read the voting instructions overleaf before marking any boxes. Voting directions and proxies will be valid and accepted by the Company only if they are correctly completed and signed and received by 2:00pm (Perth time) on 19 November 2018, being no later than 48 hours before the commencement of the Meeting.

### Signature of Member

Members or Attorneys Name: \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Contact number: \_\_\_\_\_

## INSTRUCTIONS FOR COMPLETION OF PROXY APPOINTMENT FORM

### Your name and address

This should be your name and address as it appears on the register of members of the Company.

**Voting methods:** Ordinary Members (Member) can vote in either of two ways:

1. By attending the Annual General Meeting (the Meeting) and voting in person or by attorney; or
2. By appointing a proxy to attend and vote at the Meeting on their behalf.

**Attorneys:** A Member may appoint an attorney to vote on his or her behalf. For an appointment to be effective for the Meeting, the power of attorney or a certified copy of it must be received by the Company at its registered office by **no later than 2:00pm on 19 November 2018**.

**Voting by proxy:** A Member entitled to attend and vote at the Meeting is entitled to appoint a proxy to attend and vote at the Meeting.

- **If you wish to appoint the chairman of the meeting as your proxy, please mark box A above.**
- **If you wish to appoint someone else as your proxy, please mark box B and write the full name of that individual in the space provided. If you leave this space blank or your named proxy does not attend, the Chairman of the meeting will be your proxy in accordance with box A.**
- A proxy need not be a Member of the Company and can be an individual or a body corporate.
- A body corporate appointed as a Member's proxy may appoint a representative as permitted by section 250D of the *Corporations Act 2001* to exercise any of the powers the body may exercise as a proxy at the Meeting. The representative should bring to the meeting evidence of his or her appointment, including any authority under which the appointment is signed, unless it has previously been given to the Company.
- **In order for a valid appointment of a proxy, the completed proxy form, and, if the proxy form is signed by the appointor's attorney – the authority under which the appointment was signed (e.g. a power of attorney) or a certified copy of it, must be returned and received by 2:00pm on 19 November 2018 at the Company's registered office** by one of the following ways:
  - By mail: PO Box 8194, Perth Business Centre, Perth WA 6849;
  - By email: jporoch@als.org.au;
  - By fax: 08 9221 1767; or
  - By hand: Piccadilly Square 7 Aberdeen Street, Perth Western Australia 6000.
- Members are encouraged to direct their proxies how to vote on each resolution by marking the "For", "Against" or "Abstain" for each resolution on the proxy form (noting that as only 3 directors are to be elected, in order for your vote to count, do not vote in favour of more than 3 candidates). If a proxy chooses to vote, then he/she must vote in accordance with the directions set out in the proxy form.
- If the Chairman of the Meeting is appointed as a proxy but the appointment does not direct the proxy how to vote on the resolution, **then the Chairman intends to exercise the relevant member's vote in favour of the items 3a, 3c, and 3e.**

### Voting directions to your proxy

You may direct your proxy how to vote by marking ✕ in one of the three boxes opposite each item of business. If you do not mark any of the boxes relating to the items of business, your proxy will vote as he or she chooses. If you mark more than one box relating to the same item of business any vote by your proxy on that item will be invalid.

- **Only 3 directors are to be elected. To make sure your vote counts, do not vote in favour of more than 3 candidates.**
- **If you mark the "For" box for more than 3 candidates, all your vote will be invalid and will not count. If you wish, you may vote in favour of less than 3 of candidates.**

### Signing instructions

This Proxy Appointment Form must be signed and dated by the member or the member's attorney. Any joint member may sign. If this form is signed by an attorney and you have not previously lodged the power of attorney with the Company for notation, please attach a certified copy of the power of attorney to this form when you return it.

### Lodgement of Proxy Appointment Form

Proxy Appointment Forms and proxy appointment authorities, for example, the original or a certified copy of the power of attorney (if the Proxy Appointment Form is signed by an attorney) must be signed received: **by 2:00pm on 19 November 2018** at the Company's registered office by one of the following ways:

- By mail: PO Box 8194, Perth Business Centre, Perth WA 6849 ;
- By email: jporoch@als.org.au; or
- By fax: 08 9221 1767
- By hand: Piccadilly Square 7 Aberdeen Street, Perth Western Australia 6000.

Documents received after that time will not be valid for the scheduled meeting.