

## **Notice of Annual General Meeting and Explanatory information**

Notice is given that the Annual General Meeting 2021 of members of The Aboriginal Legal Service of Western Australia Limited will be held:

**Date:** Thursday 18 November 2021

**Time:** 2:00pm

**Place:** Aboriginal Legal Service of Western Australia Limited registered offices,  
7 Aberdeen Street, Perth Western Australia 6000

# 2021





## 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 Thursday, 18 November 2021 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 2021.

Note: there is no requirement for members to approve these reports

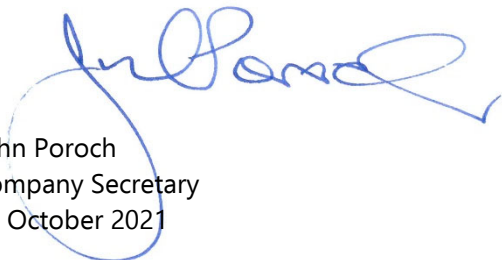
##### 2. Declaration of Proxies

##### 3. Election of Directors

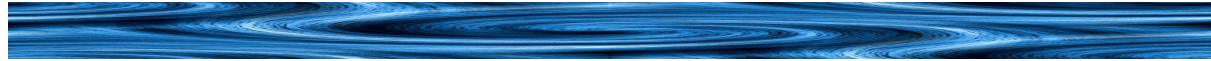
To elect **three (3) only** of the following candidates as directors of the board

- i. To elect Mr Paul Baron  
Who has been nominated in accordance with rule 3.5(c) of the Company's Constitution and being eligible offers himself for election; Or,
- ii. To re-elect as a director Mr Preston Thomas  
Who retires in accordance with rule 3.6(a) of the Company's Constitution and being eligible, offers himself for re-election; Or
- iii. To re-elect as a director Mr Michael Blurton  
Who retires in accordance with rule 3.6(a) of the Company's Constitution and being eligible, offers himself for re-election; Or
- iv. To re-elect as a director Ms Kathleen Watson  
Who retires in accordance with rule 3.6(a) of the Company's Constitution and being eligible, offers himself for re-election.

By order of the Board



John Poroch  
Company Secretary  
15 October 2021



## **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(a) of the Company's Constitution, Mr Michael Blurton, Ms Kathleen Watson and Mr Preston Thomas will retire and, being eligible offer themselves for re-election.

The Company also received a nomination for director in accordance with rule 3.5(c) of the Company's Constitution for Mr Paul Baron. Who being eligible offers himself for election.

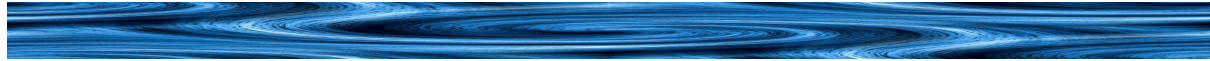
Details of director seeking election are set out below.

**Each member entitled to vote (including via their proxy or attorney) can only vote in favour of three (3) candidate. If you vote in favour of more than three candidate all your votes will be invalid and will not count.**

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 result only after all motions have been put to vote at the meeting.

### **All resolutions will be by poll**

The Chairman intends to call a poll on each of the resolutions set out in this notice.



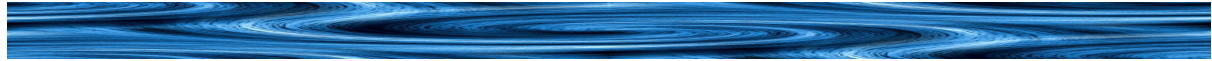
## **Details of directors seeking election**

**Paul Baron** was appointed as a Co-Opted Director on registration of the Company as a public company limited by guarantee on 10 March 2017. Paul is a Yamatji man from Carnarvon. He previously served as an executive committee member of ALSWA Inc. prior to the transition of ALSWA to a company limited by guarantee. Paul has been involved in Aboriginal affairs for more than 25 years and has a wealth of experience in remote township regions and has a background in business management of Aboriginal Corporations.

**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 and was re-elected on 21 November 2018 and is the current Vice Chairman. 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 Islander people.

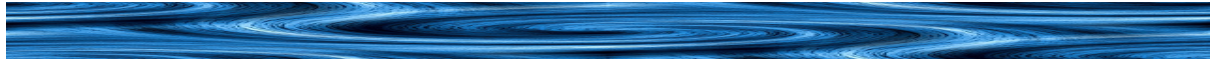
**Michael Blurton** was appointed as an Initial Elected Director on registration of the Company as a public company limited by guarantee on 10 March 2017 and re-elected on 21 November 2018 and is the current Chairman. He previously served as an Executive Committee member for 13 years. He is a Ballardong 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 and was re-elected on 21 November 2018. 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.



## Information for Members

1. **Eligibility to vote: Only Ordinary members (Members) 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 16 November 2021.
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 2:00 pm on 16 November 2021 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 16 November 2021 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. **Only three (3) director will be elected; in order to validly vote do not vote in favour of more than three (3) candidate.**
  - e. If a proxy chooses to vote, then he/she must vote in accordance with the directions set out in the proxy form.
  - f. 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 as required.**



- 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 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 5 November 2021.

The Company 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 18 November 2021 at 2:00 pm  
(the 'Meeting')**

<b>Name and address of member:</b>	 <hr/> <hr/>
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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).

#### Notes

- 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.
- **Only Three (3) director will be elected. To make sure your vote counts, do not vote in favour of more than three (3) candidates. If you mark the "For" box for more than three (3) candidates, all your vote will be invalid and will not count.**

Item of Business 3 please mark  in the box to indicate your directions	For	Against	Abstain
<b>Item 3(i)</b> – to elect Mr. Paul Baron as a director	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Item 3(ii)</b> – to re-elect Mr. Preston Thomas as a director	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Item 3(iii)</b> – to re-elect Mr. Michael Blurton as a director	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Item 3(iv)</b> – to re- elect Ms Kathy Watson as a director	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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 16 November 2021, 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 16 November 2021**.

**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 on the proxy form.**
- **If you wish to appoint someone else as your proxy, please mark box B on the proxy form 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 16 November 2021 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. 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 will vote as the Chairman sees fit.**

### Voting directions to your proxy

You may direct your proxy how to vote by marking **X** 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.

### 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 16 November 2021** 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 meeting.