

30 August 2021

## **NOTICE OF AUSTRALIAN CHILDCARE ALLIANCE NEW SOUTH WALES 2021 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, 11 October 2021**. 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/2021-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 26 October 2020
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](mailto: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/2021-annual-general-meeting>

and must arrive by 5.00 pm AEST, Sunday, 19 September 2021.

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 11 October 2021.

\_\_\_\_\_

Signature of Candidate

\_\_\_\_\_

Candidate's Mobile Number

**B.**

\_\_\_\_\_ of \_\_\_\_\_

(full name of Nominator)

(address)

Date \_\_\_\_\_ Signature \_\_\_\_\_

**C.**

\_\_\_\_\_ of \_\_\_\_\_

(full name Secunder)

(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/2021-annual-general-meeting> and must arrive by 5.00 pm AEST, Sunday, 19 September 2021.

## 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 s180(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 s181;
- not improperly use their position to gain an advantage for themselves or others, or to cause detriment to the Association – Corporations Law s182; 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 s183.

**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/2021-annual-general-meeting>

**So as to be received no later than 5.00 pm AEST on Sunday, 19 September 2021.**

**PART A.**

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

**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

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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.

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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.

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Signature

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Name

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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 **11 October 2021** 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).