



# Bowls ACT Incorporated Director Nomination Form

**Note:** Director Nomination forms must be completed and returned to [exec@bowlstact.org.au](mailto:exec@bowlstact.org.au) by no later than **COB Wednesday the 14<sup>th</sup> May 2019**. Details of all nominations will be made available to all voting members at least seven days prior to the AGM.

Name of Candidate:	
Contact details:	Address:
	Phone:
	Email:

<b>Candidate's Declaration:</b>	
<p>As a candidate for the position of Director, I do hereby solemnly declare that:</p> <ul style="list-style-type: none"> <li>a) I am not ineligible to be elected as a member of the Board under section 63, section 63A or section 63B of the Associations Incorporation Act 1991 (the Act) (see below);</li> <li>b) I meet the requirements of the Constitution to be a member of the Board;</li> <li>c) I will promptly inform the Association should I become ineligible to be a member of the Board at any time during my term in office;</li> <li>d) I have no conflicts of interest or that I have declared all of my conflicts of interest arising as a result of my membership of the Board;</li> <li>e) I will promptly inform the Board should any new conflict of interest arise;</li> <li>f) I understand my responsibilities and obligations as a member of the Board, and will use my best endeavours to fulfil those responsibilities and obligations at all times;</li> <li>g) I have read, understood and agree to abide by the Bowls ACT Position Statement for Directors; and</li> <li>h) I will abide by the Association's Constitution, policies and codes of conduct at all times.</li> </ul>	
Signature of Candidate:	Date:
Signature (and Name) of Affiliated Member:	Date:
	Name:
Signature (and Name) of Affiliated Member:	Date:
	Name:

**CANDIDATE'S STATEMENT OF EXPERIENCE AND QUALIFICATIONS:**

The candidate may include a statement of up to an absolute maximum of 200 words relating to his or her experience and qualifications to be a member of the board of Bowls ACT. Any words over the 200-word limit will not be published.

If the statement is in a form acceptable to the Returning Officer, and is received no later than 14 May 2019 it will be made available to Bowling Clubs at least seven days prior to the AGM.

A candidate is not obliged to provide a statement, but the absence of a statement from one candidate will not affect the publication of acceptable statements from other candidates.

*Maximum 200 words:*

**DECLARATION OF INTERESTS:**

*I declare the following interests:*

## **POSITION STATEMENT: BOWLS ACT DIRECTOR**

### **INTRODUCTION**

Bowls ACT is a non-profit state sporting organisation established to support and promote the sport of Bowls in the ACT through the marketing, organisation and facilitation of all aspects of the game in the Territory. The following position description provides an overview of responsibilities associated with the role of Director.

### **PRIMARY RESPONSIBILITY**

#### **General**

On being elected to the Board, undertake induction and training procedures as provided by the Board

#### **Governance**

In partnership with the Board, Directors are to:

- a) Advance the Association's purposes as set down in the Constitution
- b) Set a strategic vision and plan for the Association
- c) Consider, debate, and vote on issues before the Board on the basis of the best interests of the Association only
- d) Comply with the Constitution, policies, and codes of conduct of the Association
- e) Ensure the Association is financially and legally accountable
- f) Appoint and monitor the Association's Executive Officer;
- g) Ensure the Association has adequate resources
- h) Assess the Board's effectiveness

#### **Planning**

- i) Review and approve the Association's Strategic Plan, and other consequential arrangements (Business Plan, Marketing Plan, etc)

#### **Meetings**

- j) Attend all meetings, or, if absolutely unavoidable, apologise in advance for absence
- k) Where Board papers are circulated in advance of the Board meeting, read papers and consider issues before the meeting
- l) Contribute to the discussion and resolution of issues at meetings in a conscientious and efficient manner

#### **Administrative & Management**

- m) Serve on Board committees as required
- n) Manage, in partnership with the Board, the succession of the position of President
- o) Approve major programs and projects, in partnership with the Board, to be undertaken by the Association in achieving its mission
- p) Approach employees of the Association (paid or unpaid) only through the Executive Officer

#### **Media**

- q) Make comments to the media only as provided in the Association's Media Policy

**Promotion**

- r) Promote the Association in the community as opportunities arise

**Legal and Ethical**

- s) Perform the functions and discharge the duties of Director with care and diligence, in good faith and in the best interests of the Association
- t) Avoid making improper use of the position of Director so as to gain any advantage for themselves, or for any other person, or to cause detriment to the Association
- u) Avoid making improper use of any information acquired by virtue of their position as Director so as to gain any advantage for themselves, or for any other person, or to cause detriment to the Association
- v) Comply with the requirements of the Constitution concerning the disclosure of material personal interests in matters before the Board, including contracts
- w) At all times conduct Board business cooperatively, without animosity and with consideration for others

**Finance**

- x) Set and approve the Association's Budget, in partnership with the Board
- y) Review and approve the Association's systems for financial control and risk management
- z) Understand the Association's finances (including solvency)
- aa) Work with the Executive Officer to manage risk

**KNOWLEDGE AND SKILL REQUIREMENTS**

- 1) A desire to grow the sport of Bowls
- 2) A capacity to represent the Association in a professional manner
- 3) A commitment to improving the status of Bowls within the ACT and at the national level
- 4) A knowledge and understanding of current issues facing the sport of Bowls
- 5) Ability to actively contribute to the work of Bowls ACT through Board and other activities
- 6) A strong strategic and policy focus
- 7) Knowledge of, and capacity to comply with, the legal responsibilities of a Director contained in the Associations Incorporation Act.

## **Associations Incorporation Act 1991 EXTRACTS**

### **Section 63 Eligibility for election to a management committee**

63 Disqualification from office—convictions or bankruptcy

(1) A person who has been convicted, whether in or outside the ACT, of—

(a) an indictable offence in relation to the promotion, formation or management of a body corporate; or

(b) an offence involving fraud or dishonesty punishable by imprisonment for a period of 3 months or more;

must not, within the period of 5 years after the person was convicted or released from imprisonment for the offence, whichever is later, without leave of the Supreme Court, accept an appointment or act as the public officer or a member of the committee of an incorporated association.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

(2) A person who is bankrupt or personally insolvent must not, without leave of the Supreme Court, accept an appointment or act as the public officer or a member of the committee of an incorporated association.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

(3) A person referred to in subsection (1) may apply to the Supreme Court for leave to accept an appointment or to act as the public officer or a member of the committee of an incorporated association.

(4) A person referred to in subsection (2) may apply to the Supreme Court for leave to accept an appointment or to act as the public officer or a member of the committee of an association.

(5) A person intending to make an application under subsection (3) or (4) must lodge with the registrar-general at least 21 days notice of intention to make the application.

(6) On hearing an application under subsection (3) or (4), the Supreme Court may grant or refuse to grant the applicant leave to accept an appointment or to act as the public officer or a member of the committee of an incorporated association, and may, when granting leave, make the grant subject to any conditions or limitations the court thinks fit.

(7) On the application of the registrar-general, the Supreme Court may revoke or vary leave granted to a person by the court under subsection (6).

(8) A person must not contravene the requirements of any conditions or limitations included in a grant of leave under subsection (6). Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

### **63A Disqualification from office—noncompliance with Act**

(1) This section applies if the registrar-general is satisfied that—

(a) a person is, or has been, the public officer or a committee member of an incorporated association; and

(b) the person or the association has failed to comply with this Act.

(2) The registrar-general may apply to the ACAT for an order to disqualify the office-holder.

(3) On application under subsection (2), the ACAT may make an order disqualifying the person from being the public officer or a committee member of an incorporated association for the period the ACAT considers appropriate if satisfied that—

(a) either—

(i) the person has failed to comply with this Act; or

(ii) while the person was the public officer or a committee member of an incorporated association, the association failed to comply with this Act; and

(b) having regard to the extent of the noncompliance, the disqualification is justified.

(4) The ACAT may revoke the order on the application of the person against whom the order was made.

### **63B Disqualification from office—disqualified under other legislation**

(1) A person commits an offence if the person—

(a) has been disqualified from managing a corporation or an Aboriginal and Torres Strait Islander corporation under—

(i) any of the following provisions of the Corporations Act:

(A) section 206B (1) (a) and (b) (Convictions);

(B) section 206B (3) and (4) (Bankruptcy or personal insolvency agreement);

(C) section 206E (Court power of disqualification— repeated contraventions of Act); or

(ii) any of the following provisions of the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cwlth):

(A) section 279-5 (1) (a) and (b) (Convictions);

(B) section 279-5 (3) and (4) (Bankruptcy or personal insolvency agreement);

(C) section 279-25 (Court power of disqualification— repeated contraventions of Act); and

(b) accepts an appointment or acts as the public officer or a member of the committee of an incorporated association while the person is disqualified; and

(c) does not have the Supreme Court's leave to do so. Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

(2) A person mentioned in subsection (1) may, after giving the registrar-general at least 21 days written notice, apply to the Supreme Court for leave to—

(a) accept an appointment or to act as the public officer; or

(b) a member of the committee of an incorporated association.

(3) On hearing an application, the Supreme Court may—

(a) give leave, including on any condition the court considers appropriate; or

(b) refuse to give leave.

(4) On the application of the registrar-general, the Supreme Court may revoke or vary leave granted to a person by the court.

(5) A person commits an offence if the person fails to comply with any condition imposed by the court under subsection (3) (a).

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.