

# Frequently Asked Questions

South West Native Title Settlement

## REGIONAL PRE-INCORPORATION MEETINGS

**1. Can I vote if I do not attend the pre-incorporation/agreement group meeting?**

Only people attending the meeting can vote. The six regional pre-incorporation meetings are important, as the resolutions that will be voted on will shape the future of the Noongar corporations. We want as many Noongar people as possible to attend these meetings and be part of the future of their South West Native Title Settlement (Settlement).

**2. Who can attend the pre-incorporation/agreement group meetings?**

You are allowed to attend the pre-incorporation meetings for any of the agreement groups that you have a connection with.

If you aren't registered as an agreement group member, want to discuss your eligibility for any agreement group, or want to request meeting documents for additional meetings please contact SWALSC on (08) 9358 7400.

You can also access hard copies of all the relevant documents at SWALSC regional office locations or download them [here](#).

**3. Can I pre-register my attendance before the meeting?**

Yes! This will mean you do not need to register on the day, and will help minimise waiting times for all attendees. Please pre-register via the SWALSC [website](#). SWALSC will contact you before the meeting to confirm your registration.

**4. Why are there two meetings for each regional agreement group at the same time? Is there a difference between the two meetings?**

The meeting is being held in two locations to give as many people as possible the chance to attend and vote. The meeting on country will be the primary meeting, and it will be video conferenced/streamed to the Perth venue.

Attendees at both meetings will have the same voting and participation rights. You can attend whichever of the meetings is most convenient for you. A facilitator will lead the on-country meeting and a representative of the returning officer will attend both meetings.

Whadjuk will have one meeting in Perth.

**5. Item B - Resolution 2 Why is it an "initial" Cultural Advice Policy? What does that mean?**

The initial Cultural Advice Policy (CAP) is the first CAP. It has been prepared based on community feedback and engagement. Once the Regional Corporation is established the Board must, with participation of the Regional Agreement Group, establish and regularly update the CAP. The CAP has to be endorsed through a resolution of the General Meeting, so it will be draft until it is endorsed at a General Meeting.

**6. Item C - Resolution 3 Why is there a summary of changes to the rulebook since it was last provided to the agreement group?**

The summary is to provide a plain English explanation of the changes that have been made to the rulebook. Those changes are non-substantive, or have been included to ensure compliance with the ILUA and other requirements (eg Office of the Registrar of Indigenous Corporations (ORIC)). If you have any questions about the changes, please contact SWALSC on (08) 9358 7499 or [reception@noongar.org.au](mailto:reception@noongar.org.au).

**7. What is the difference between an 'initial director' and a 'member director'?**

The initial directors are the directors that the agreement group elect to register and set up the regional corporation. Member directors will be nominated and elected after the initial directors, through a postal vote process.

**8. What are the key roles of the initial directors?**

The initial directors will be responsible for setting up the regional corporation. They will:

- continue the membership drive;
- progress the registration of the regional corporation with ORIC and as a charity;
- consider and approve membership applications;
- call for EOI for member directors;
- arrange for the member director postal vote to be conducted; and
- call the first Annual General Meeting.

Your meeting pack includes bios for the initial director nominees.

**9. When will our regional corporation have member directors?**

The Member Directors will be appointed at the first Annual General Meeting of the Regional Corporation. It is expected that this will occur in early to mid 2022.

**10. Can I become a member director?**

You first have to be a member of the regional corporation – you can download a membership expression of interest form [here](#). After the pre-incorporation meeting, the initial directors will call for nominations for member directors. You will have to submit a nomination form and then be elected through a postal vote process to be appointed as a member director at the first annual general meeting.

**11. Item F - Resolution 5 What happens if the agreement group does not endorse the regional corporation?**

If an agreement group does not endorse the regional corporation, a new corporation will need to be established, and another pre-incorporation meeting will need to be called. This new process will be facilitated by the Trustee with the agreement group, at the cost of the Noongar Boodja Trust.

**12. What happens if the corporation does not do all the things it is meant to, in order to be endorsed by the Trustee as the regional corporation?**

If the regional corporation is not established in accordance with the Transition Principles (Annexure Y of the ILUA), it will not be eligible to be endorsed and to receive funding from the Noongar Boodja Trust.

**13. Item G - Resolution 6 What happens if the agreement group does not endorse SWALSC as the Central Services Corporation (CSC)?**

SWALSC will not become the CSC until it receives an endorsement from at least four agreement groups. If not endorsed, another entity will have to put itself forward to be established as the CSC, and will also have to be endorsed by at least four of the agreement groups. This new process would be at the cost of the Noongar Boodja Trust.

**14. Item H - Resolution 7 What happens to our cultural information if we don't endorse SWALSC to hold it?**

SWALSC currently holds a range of cultural and traditional information, documents, records, data and material that it has for the purpose of native title claim matters. In accordance with the wishes of the agreement group, it is intended that the regional corporation will accept a transfer of the cultural material when ready to do so.

**15. How do I become a member of the regional corporation? When will I become a member?**

The rulebooks set out the application process. You will need to fill out the membership expression of interest form [here](#) and return it to SWALSC. Membership forms will also be available at the pre-incorporation meetings. The initial directors will consider and approve the membership application forms after the corporation is registered with ORIC.

**16. Where can I find more information about how the Settlement will impact me?**

The SWALSC website has lots of information about the Settlement [here](#), and information is also available on the Department of the Premier and Cabinet's [website](#). The Noongar Boodja Trust Community Guide is also a good source of information about the governance structure, you can access it [here](#).

**17. What precautions are being taken to keep meeting attendees COVID safe? What will happen if there is a lock down when our meeting is scheduled?**

The meetings will adhere to any government COVID-19 restrictions, and social distancing guidelines. Hand sanitiser and disposable masks will be available for those wish to use them. If restrictions are introduced that prevent holding a meeting, SWALSC will postpone the meeting and contact those who may be impacted.

**18. When will regional corporations be eligible to receive Trust funds for their operations?**

The regional corporations will only be able to receive Trust funds once they are fully established and have completed the following steps:

- The agreement group must endorse the regional corporation (this is a resolution at the pre-incorporation meetings)
- The regional corporation must be registered with ORIC and as a charity
- The board of directors have been elected and expert directors have been appointed
- The WA government must endorse the regional corporations in accordance with the Transition Principles and the Regional Corporation Principles
- The Trustee must endorse the RC in accordance with the Transition Principles and the RC Principles

Please see the Regional Corporation Transition Program for more information [here](#).

**19. Why is a facilitator running the meeting instead of SWALSC?**

As per Schedule 6 of the Trust Deed the Trustee has nominated an independent facilitator to run the regional pre-incorporation meetings to ensure independence.

**20. Who prepared all of the meeting materials?**

SWALSC prepared the meeting materials, working with the Noongar Boodja Trustee, the returning officer, the independent facilitator and the Department of the Premier and Cabinet to ensure all of the meeting documents met the requirements in the Transition Principles and the Indigenous Land Use Agreements.

**21. Who has assessed the eligibility of Initial Director candidates?**

The Noongar Nominations Committee, which is chaired by the Noongar Boodja Trustee has assessed the eligibility of the initial director candidates against the criteria that is set out in the rulebooks for each of the regional corporations.