



Northern Settlement Services Ltd

Director Nominee Declaration Form

Instructions

- Complete this declaration if you have been nominated to be elected as a director of Northern Settlement Services Ltd (NSS)
 1. Enter your name and address in the section provided on the first page
 2. Read the information within and seek advice if necessary
 3. Sign and date the last page and return to NSS
- By completing this declaration, you authorise NSS to carry out probity checks and you consent to act as a director if elected. Probity checks include:
 - Criminal record check
 - Insolvency check
 - Working with children check

Where do I get help to understand this declaration?

For enquiries or assistance please contact NSS on 02 4969 3399.

Return completed form by 5pm on 28 October 2020

- ✉ **Deliver** to 8 Chaucer Street, Hamilton NSW 2303
- 📧 **Post** to PO Box 157 Hamilton NSW 2303
- ✉ **Email** to nss@nsservices.com.au

Declaration

I,

Full Name

of

Full Residential Address

declare as follows:

1. I am a current Member of Northern Settlement Services Ltd (NSS).

Constitution of NSS

2. I meet all the necessary requirements and qualifications to nominate for the position of Director as detailed in the NSS Constitution or as established by the Board of NSS from time to time.

Corporations Act

3. I am not subject to Section 206B(1), Prior Convictions, under the *Corporations Act 2001* (Cth).

4. I am not an undischarged bankrupt under the law of Australia, its external Territories or another country as referred to in Section 206B (3) of the *Corporations Act*.
5. I have not executed a Deed of Arrangement under Part X of the *Bankruptcy Act 1966 (Cth)* of which the terms have not been fully complied with nor has a composition under Part X of the *Bankruptcy Act 1966* been accepted by creditors whereby a final payment has not been paid under the composition.
6. I have not had a personal representative or trustee appointed to administer my estate or property under the provision of any legislation relating to protected persons.



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Director Nominee Declaration Form

7. I have not been disqualified from managing a corporation nor have I been convicted of any offence as referred to in Part 2D.6 (prior court disqualification from managing corporations) under the *Corporations Act*.

8. I am aware of and accept the responsibilities of the office of Director of NSS, in particular my duties under the *Corporations Act* under:

- Section 180 (Care and Diligence);
- Section 181 (Good Faith);
- Section 182 (Use of Position);
- Section 183 (Use of Information);
- Section 184 (Good Faith, use of position and Use of Information);
- Sections 191 - 195 (Conflict of Interest);
- Sections 295, 304 (Annual Accounts); and
- Section 588G (Company Debts) of the Corporations Law.

9. I am aware that, in accordance with Section 300 (10) of the *Corporations Act*, I am required to disclose in the Directors report the following:

- a. Qualifications - any tertiary qualifications or membership of professional bodies, the attainment of which required additional study or work, experience including tertiary degrees, undergraduate, postgraduate, diplomas or certificates.
- b. Experience including such matters as:
 - Other directorships;
 - Experience with NSS as a director or employee;
 - Other relative experience; and
 - Special responsibilities or membership of Board subcommittees. Australian Charities and *Not-for-Profits Act 2012*

10. Should I be elected to the position of Director I will make all the required disclosures to the Secretary of NSS as required under the *ACNC Act*. I will comply with the following requirements of Governance Standard 5:

- to act with reasonable care and diligence;
- to act honestly and fairly in the best interests of the charity and for its charitable purposes;
- not to misuse the position or information gained as a Responsible Person;
- to disclose conflicts of interest;
- to ensure that the financial affairs of the charity are managed responsibly; and
- not to allow the charity to operate while it is insolvent.

Aged Care Act and Aged Care Standards

11. I understand that as a director of NSS, I have obligations under relevant legislation and responsibilities to users and proposed users of NSS aged care services.
12. I consent to NSS verifying that I am not a disqualified person under the *Aged Care Act 1997*.

Consent to provide information

13. I consent to providing NSS with documents and information necessary to verify my identity and sufficient information for NSS to conduct a National Criminal History Check, and should I remain on the Board of NSS, for this criminal history check to be renewed every three years.
14. I will apply to the NSW Office of the Children's Guardian to obtain a working with Children Check and I will provide this verification number to NSS.
15. I consent to sufficient information for NSS to conducting a bankruptcy check through the Australian government bankruptcy register search.
16. I consent to NSS verifying that I am not a disqualified person under the *ACNC Act*.



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Change in Circumstances

17. I undertake to inform the Secretary of NSS of any change in my circumstances that could cause an actual or potential conflict of interest as a result of such a change that could render NSS or myself in potential breach of any act or regulation.

Insurance

18. I have never been refused insurance under a Director's & Officers insurance policy.

Training

19. I will undertake ongoing training as required by law or recommended by the Board of NSS.
20. I will attend such conferences, or other educational functions as recommended by the Board.

Committees

21. I will accept nomination for such committees as directed by the Board and will carry my duties in respect of such to the best of my ability.

Directors Code of Conduct/Corporate Governance Manuals

22. I will comply with any Code of Conduct or Corporate Governance Manuals approved by the Board.

Confidentiality

23. I hereby agree to keep all matters dealt with the Board strictly confidential and shall only disclose these to other parties with the consent of the Board.

Disclosure of interests

24. I will disclose all related parties, conflicts of interest and material personal interests and comply with the policies and procedures of NSS in this regard.

Keeping of Records

NSS will ensure that nomination forms are maintained and securely kept according to the Records Management Policy and the requirements of the Corporations Act.

Signed:

Dated:

Please note:

- This form must be completed and lodged by the due date
- All probity checks must be completed with satisfactory results before you are eligible to be a director
- Director appointments will be made at the Annual General Meeting of members. An election will be held if the number of eligible director candidates is more than the number of vacancies on the board.

Thank you for being willing to volunteer your time and expertise to serve on the board of directors of Northern Settlement Services.