



## 2023 NOMINATION FORM

### ELECTION OF OFFICE BEARERS AND COMMITTEE MEMBERS

I, (name) \_\_\_\_\_ of \_\_\_\_\_ (address)

hereby nominate for a position on the committee of the Kelmscott Community Garden.

I wish to nominate for the following position/s (please circle) :

- President
- Vice President
- Secretary
- Treasurer
- General Committee Member (4 x positions)

I understand that in nominating for this position, I have met the following conditions and/or agree to the following statements:

- I am a current financial member of the Kelmscott Community Garden (Inc).
- I have read, understood and meet all conditions regarding appointment to a management committee on the reverse of this nomination form.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Please see following pages for sections of the *Associations Incorporation Act 2015* regarding appointment to a management committee.

As per the terms of the Incorporated Associations Act, all nominations for board member positions must be seconded by another member of the Kelmscott Community Garden Inc. This may occur at the Annual General Meeting if the nomination is accepted.

Nomination seconded by:

Kelmscott Community Garden member (name): \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Sections of the *Associations Incorporation Act 2015* regarding appointment to a management committee:

**Part 4 — Management**

39. Persons who are not to be members of management committee

(1) Subject to section 40, this section applies to the following persons —

(a) a person who is, according to the *Interpretation Act 1984* section 13D, a bankrupt or person whose affairs are under insolvency laws;

(b) a person who has been convicted, within or outside the State, of —

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

(ii) an offence involving fraud or dishonesty punishable by imprisonment for a period of not less than 3 months; or

(iii) an offence under Division 3 or section 127.

(2) A person to whom this section applies must not, without leave of the Commissioner, accept an appointment or act as a member of a management committee of an incorporated association.

Penalty: a fine of \$10 000.

40. Limitation of period for which section 39 applies to certain persons

Section 39 applies to a person referred to in subsection (1)(b) of that section, in relation to the person's conviction of an offence, only for the period of 5 years —

(a) from the time of the person's conviction; or

(b) if the conviction results in a term of imprisonment, from the time of the person's release from custody.