



Expression of Interest – Independent Member

Background

The Niyaparli People and The Myer Family Company Ltd (**MFCo**), the Trustee of the Niyaparli Direct Benefits Trust and Niyaparli Charitable Trust, are looking to secure the services of an experience individual to be the Independent Member of the Decision Making Committee (**DMC**) for the Niyaparli Direct Benefits Trust and Niyaparli Charitable Trust.

The Independent Member will sit as a member of the DMC with the Niyaparli member representatives and Trustee Representative and will be involved in providing financial, management and corporate governance advice and support to the DMC.

The successful candidate should demonstrate proven business and administration skills as well as excellent communication (written and oral), extensive network, community development and or commercial experience and relationship building skills. The candidate must also display a demonstrated commitment to collaborative work practices and competence in analysing the critical issues affecting Indigenous Australians.

Decision Making Committee

A person is eligible for appointment if they:

- Are independent*
- Has a minimum 3 years' experience as;
 - A director of an Australian company; or
 - In a professional, financial or business management role
- Are financially literate
- Do not have commitments that would conflict with the commitments of being a member of the DMC
- Have not been disqualified from managing corporations or from doing anything else contemplated by the role of an Independent Member under the *Corporations Act* or any other applicable law
- Have no previous convictions in relation to a fraud offence.

Regard is given to whether the person:

- Has experience in working with Aboriginal communities
- Has experience in dealing with the administration of charitable and other trusts
- Has experience with successful business developments, and
- Is willing to undertake cultural awareness training.

Commitment:

The appointment is for the remainder of this financial year and for 1 subsequent financial year.

The expected commitment of the DMC members is approximately once per quarter each year. DMC meetings are held on country in Newman and also in South Hedland.

Applicants:

Your Expression of Interest and CV should be provided by email to nicole.hutchinson@mutualtrust.com.au by the 25 May 2018.



*Independent means that the person, and any person who is a relative of that first person, so far as the first person is, or ought to be, reasonably aware:

- (i) is not and has not been a member of the Niyaparli People;
- (ii) is not and has not been a Beneficiary of the Niyaparli Direct Benefits Trust or the Niyaparli Charitable Trust;
- (iii) has not received (directly or indirectly) a distribution from the Niyaparli Charitable Trust;
- (iv) is not and has not been a spouse of a member of the Niyaparli People;
- (v) does not have a membership interest (in accordance with section 960-135 of the Income Tax Assessment Act 1997 (Cth)) in a Related Entity;
- (vi) is not and has not, within the previous 3 years or within the period of 3 years prior to their appointment as a director of an Eligible Company, as applicable, been:
 - A. an employee of, officer of, consultant to, advisor to, auditor of or other Service Provider to the Niyaparli People or to a Related Entity; or
 - B. an employee or officer of a Related Entity, or a partner in a partnership, or a direct or indirect associate of a Related Entity or partnership, which is, or has been within that 3 year time period, consultant to, advisor to, auditor of or other Service Provider to, the Niyaparli People or a Related Entity;
- (vii) has no material contractual relationship with a Related Entity or with the Niyaparli People, other than (when considering the person's eligibility to be a director of an Eligible Company only) as a director;
- (viii) has not served on the Board for a period which could, or could be perceived to, materially interfere with the person's ability to impartially and objectively discharge their duties as a director;
- (ix) has no material interest in, business affiliation with or other relationship with any members of the Niyaparli People or a Related Entity which would hinder the person in the impartial and objective discharge of their duties; and
- (x) is not an officer, employee or consultant of a Contributor or of a related body corporate of a Contributor to the Niyaparli Direct Benefits Trust or the Niyaparli Charitable Trust.