

Barada Barna Group

Socio Policy
24th of November 2021



Document Name	Socio Policy
Applicability	Policy applies to – 1. Barada Barna Limited ACN 142 559 135 as trustee for Barada Barna Charitable Trust ("the Trust")
Authorisation	Board of Directors of Barada Barna Limited ACN 142 559 135
Policy date	24 th of November 2021
Policy owner	Barada Barna Limited ACN 142 559 135

BARADA BARNA SOCIO POLICY**24 November 2021****1. Introduction**

The Board of Directors of Barada Barna Ltd (on behalf of the Barada Barna Charitable Trust) ("Board") is committed to ensuring that its charitable objects of the trust are delivered in an ethical manner and in accordance with principles of good governance, equity and fairness together with any current corporate plan.

2. Purpose

The purpose of this Socio Policy ("Policy") is to establish the guidelines within Barada Barna Charitable Trust for the provision of financial and other socio support to Eligible Applicants (See definition below).

This Policy covers the following areas:

1. Educational Purposes (Appendix A);
2. Sporting Endeavours (Appendix B);
3. Funeral Expenses (Appendix C);
4. Elders Christmas Support (Appendix D);
5. Medical Assistance (Appendix E);
6. Aged Support (Appendix F);
7. General Applications (Appendix G);
8. Job Readiness (Appendix H).

3. Applicants Eligibility

- a) A person is eligible ("Eligible Applicant") to apply for distributions ("Socio Payment") from the Barada Barna Charitable Trust ("Trust") if they are bloodline descendants of the following Apical Ancestors: -

Apical Ancestors ("Apical/s")

- Bob Lotus;
 - Lizzy Payne;
 - Daisy (wife of Booya McDonald);
 - Maggie (wife of Toby Barker and Peter Darwin and Michael Angus);
 - 'Polly' Mary (wife of Robert Noble and Bert Fox);
 - Lizzie (wife of Paddy Flynn);
 - Polly (wife of Thomas Mitchell);
 - Lucy Ross;
 - Laura (wife of Duke/George Barker, Neddy/Teddy Sauney and Adam Bowen);
 - and
 - Charles Budby (father of George 'Salt Bush' Budby).
- b) Membership of any Barada Barna companies or the registered native title body corporate is not necessary to become an Eligible Applicant.
- c) All applications for Socio Payments ("Applications") must include a statement as to the identity of the Apical. The Board has a discretion to disallow an Application if they believe that there is insufficient evidence of a connection to an Apical.

- d) Children adopted by an Eligible Applicant are not eligible for Socio Payments.
- e) Children born from a relationship between an Eligible Applicant parent and a Non-Eligible Applicant parent and who are no longer in a relationship are entitled to make a claim for financial assistance from the Trust but must produce evidence from the Eligible Applicant Parent to state that he or she recognises the child/children as their own. Subject to other Socio rules set out below, an Eligible Applicant is not disqualified from receiving Socio Payments just because they are also eligible to receive socio payments from another indigenous group.
- f) Subject to paragraph g) below, Eligible Applicants who are also members of one (1) or more other indigenous groups are entitled to Apply for assistance under this Policy regardless of whether they are also obtaining assistance from another indigenous group.
- g) Where an Eligible Applicant has applied for or intends to apply for a scholarship (or similar) from another indigenous group or any other entity such as a mining company, they will not be eligible for assistance from Barada Barna under section 2 (c) of the Educational Purpose Guidelines (Appendix A) for University or Tafe support.
- h) For the purpose of this Policy, an Elder shall be any Eligible Applicant over 50 years of age and a Senior Elder shall be any Eligible Applicant over 60 years of age.

4. Process for Authorisation by Directors

- a) The Board is delegated with responsibility to approve Applications for Socio Payments.
- b) Due to the fact that assistance provided under this Policy is an administrative task rather than a formal executive function of the Board, there must be a streamlined process for the review of Applications, rather than a need for the Directors to convene a formal board meeting for each Application. For this reason, the following process is applied for the consideration of Applications:
 - i) Applications should be made by completion of the Application Form found in **Schedule 3**.
 - ii) All Applications are to be sent to either the Barada Barna Administration Officer (admin@baradabarna.com.au), via text message to a Director, via personal delivery to a Director, or by any other means approved by the Board from time to time.
 - iii) Due to the importance of keeping a centralised process and filing system, Directors who receive Applications must forward all Applications to the Barada Barna Administration Officer as soon as possible after receipt.
 - iv) As soon as possible after an Application is received, the Barada Barna Administration Officer (or Chairperson) must:
 1. email a copy of the Application to all Directors with a copy to the group's accountant; and

2. send a text to all Directors notifying them that an Application has been sent by email (“Application Alert”).

An Application is only treated as having been notified to a Director after the Director has received both the details of the Application by email and an Application Alert by text. (“Notified Application”)

- v) A Notified Application sent to a Director after 6pm on any day is treated as having been received by the Director at 9 am on the next business day.
- vi) For the purposes of this policy, Saturdays, Sundays and public holidays in Townsville, Moranbah and Brisbane are not business days.
- vii) For a normal Application, a Director must respond to the Application by email by 5pm on the next business day after the date the Director was sent the Notified Application (“Standard Consideration Period”). The following are examples of when the Director’s will need to respond to a normal Application in certain circumstances:
 1. Example 1: if a Notified Application is sent to a Director for voting at 2pm on a Wednesday, and there are no public holidays in Townsville, Moranbah or Brisbane on the Thursday, the Director must respond to the Application by 5pm on Thursday of the same week.
 2. Example 2: if a Notified Application is sent to a Director at 2pm on a Friday, and the following Monday is a public holiday in either Townsville, Moranbah or Brisbane, the Director must respond to the Application by 5pm on Tuesday of the next week.
 3. Example 3: if a Notified Application is sent to a Director at 7 pm on a Tuesday, and Wednesday is not a public holiday Townsville, Moranbah or Brisbane, the Director must respond to the Application by 5pm on the Thursday as the Director is only taken to have received the Application at 9 am on the Wednesday.
- viii) Failure to vote on an Application (or on a second vote after objection as set out below) within the Standard Consideration Period will mean that the Director is treated as having abstained from voting on the Application.
- ix) If a Director has a concern with or objection to an Application, the Director must within the Standard Consideration Period, provide the other Directors with a detailed emailed statement setting out the basis of their concern or objection (“Objection with Cause”).
- x) Where a Director has notified an Objection with Cause within the Standard Consideration Period, the Barada Barna Administration Officer and/or the group’s accountant:
 1. is not to process the Application until the further vote is complete; and
 2. must as soon as reasonably practicable, advise the Eligible Applicant that there is a 24 hour delay due to an objection to the Application.
- xi) Where a Director has lodged an Objection with Cause relating to a particular Application within the Standard Consideration Period, the Directors are

required to cast their votes again within 24 hours of receiving the Objection with Cause. The original votes of all Directors will no longer be of effect after a Director sends an email notifying the Objection with Cause.

- xii) If after the expiry of the Standard Consideration Period, a majority of Directors comprising at least three (3) Directors have approved the Application, and no Director has notified an Objection with Cause within the Standard Consideration Period, then the Application is considered to have been approved by flying minute (i.e. resolution by email).
- xiii) Payments must be approved by a minimum of 3 Directors in all cases. The Chairperson will have a casting vote if the votes are tied. In the event that the Chairperson has a conflict of interest, the casting vote will go, in the following order, to the next most senior member of the board that does not have a conflict; firstly, to the Vice-Chairperson, then to the Secretary, and then to the Treasurer.
- xiv) There must always be a minimum of three (3) Directors voting on each item of funding approval. For example, if only two (2) Directors vote in favour and one (1) against, the Application is declined. If after expiry of the Standard Consultation Period, only 3 Directors vote and all are in favour of the Application, the Application is approved.
- xv) Emergency Applications

An expedited process for authorisation applies in the case of emergency Applications:

1. Where an Application involves some type of emergency that requires urgent funding (e.g. medical emergencies, funerals or other issues of an unusually time sensitive nature), the Chairperson of the Board may, acting reasonably, declare by email and text that an Application is an Emergency Application.
 2. The Chairperson (or Administration Officer under instructions from the Chairperson) must notify all Directors by both email and text of the emergency ("Emergency Notice") and may set a time for a final vote which must not be less than 16 hours after the details of the Emergency Application have been distributed to all Directors ("Emergency Consideration Period").
 3. The Emergency Consideration Period is not extended or delayed by public holidays or weekends.
 4. The Chairperson may declare in the Emergency Notice that the usual Application Form is not required for the particular Emergency, but reasonable details of the Emergency Application should be provided to the Directors.
 5. Emergency Applications will be passed when approved by a majority of Directors, regardless of whether any Director raises an Objection with Cause to the Application.
- xvi) Directors must comply with article 16 of the Constitution which requires Directors to declare any conflict of interest and exclude themselves from any

part of a meeting when the Board is discussing or voting on matters where they have a direct personal interest.

- xvii) No Director will authorise funding or payments that they receive personally.
- xviii) If an Emergency Application is not approved, then the Application automatically reverts to the normal Application process with no time lost and the Standard Consultation Period running from the when Directors first received the Emergency Application which is then deemed to be a Notified Application.

5. Application Requirements

- a) When applying for financial assistance, Eligible Applicants should complete and submit an Application Form approved by the Board from time to time. Applications must include –
 - i) full personal details and address and phone number;
 - ii) nominate the details of their Bank and provide their BSB No and Account No.
 - iii) reference the apical ancestor they are connected to;
 - iv) any additional material required in the relevant Appendix under which the assistance is sought; and
 - v) the signature of Eligible Applicant;
- b) The approved Application Form can be found in **Schedule 3**.
- c) The Board may require an Eligible Applicant to provide photo and signature ID to protect against fraudulent Applications.
- d) Applications can be submitted by either:
 - i) personal delivery to a Director;
 - ii) email to the Barada Barna Administration Officer (admin@baradabarna.com.au);
 - iii) sending a photograph of the completed Application Form by text message to a Director; or
 - iv) by any other means approved by the Board from time to time.
- e) The Barada Barna Group's accountants will safely store these details in their data base subject to the Barada Barna Privacy Policy.

NB- it is the responsibility of the Eligible Applicant to provide the accountants with any changes to their nominated Bank and Account Numbers.

6. Responsibility/Review

The Board is responsible for the implementation and review of this Policy.

All Board members are responsible for adhering to this Policy.

7. Fraudulent or Misleading or Duplicated Applications

- a) Any fraudulent Applications from Eligible Applicants proven to the reasonable satisfaction of the Board will be subject to a ban from socio payments for a period of up to five (5) years.
- b) Any misleading or deceptive Applications from Eligible Applicants proven to the reasonable satisfaction of the Board will be subject to a ban from socio payments for a period of up to two (2) years.
- c) Where an Eligible Applicant has recently been awarded a substantial scholarship, bursary or other financial grant from any other entity (including another indigenous group, mining company or Government) for tertiary education or training purposes (“Educational Grant”) over and above standard Government educational funding for indigenous persons, the Eligible Applicant will not be entitled to “double dip” and receive similar support under this Policy from the Trust. There is a positive duty on all Eligible Applicants to disclose any other pending applications or existing scholarships, bursaries, or other financial grants, at the time of making an Application. Any Eligible Applicant found to be in breach of the mandatory disclosure under this Policy may be subject to a ban from socio payments for a period of up to two (2) years.
- d) Eligible Applicants who receive financial assistance for funeral expenses under Appendix C must apply those funds to those specified expenses. Any Eligible Applicants found to be in breach of this sub-clause may be liable to a ban from socio payments for a period of up to two (2) years at the Board’s discretion.
- e) The Board must give any Eligible Applicant accused under paragraphs a) or b) above the right to be heard and otherwise afforded natural justice with respect to any such alleged behaviour.

8. Threatening or Illegal Behaviour

- a) The Board maintains a zero-tolerance policy to any harassment, bullying, threats, or acts of violence for any reason from its Eligible Applicants to any members of the Board or Barada Barna people.
- b) Any Eligible Applicant who in the opinion of the Board, harasses or bullies another Eligible Applicant or a member of the Board, may receive a suspension of socio payments ranging anywhere from three (3) months up to 12 months, depending on the seriousness of the harassment or bullying and the circumstances of the case.
- c) Any Eligible Applicant who in the opinion of the Board, severely harasses or threatens another Eligible Applicant or a member of the Board, or commits acts of violence against an Eligible Applicant or a member of the Board when conducting business or activities associated with the Barada Barna Group of Companies, may be referred to the police for investigation, and any persons convicted in relation to the above may receive a suspension of socio payments ranging anywhere from 12 month up to a life ban depending on the serious of the conviction and circumstances of the case.
- d) Any Eligible Applicant who in the opinion of the Board, interferes with negotiations by any Barada Barna Group company with third parties in a way that may have the effect of undermining negotiations to the detriment of the Barada Barna Group company, may receive a suspension of socio payments ranging anywhere from three (3) months

up to 12 months, depending on the seriousness of the interference and the circumstances of the case.

- e) The Board must give any Eligible Applicant, accused under sub-paragraphs b), c) or d) of this clause, the right to be heard and otherwise afforded natural justice with respect to any such alleged behaviour.

Approved by resolution of the Board of Barada Barna Aboriginal Corporation RNTBC ICN 8343.

24th day of November 2021.

Chairperson

Signature of chairperson

Director

Signature of director

