



**Mackay Canegrowers Limited**  
ACN 111 817 559

**Election of up to Eleven (11) Members on Mackay Area Committee**

**NOMINATION FORM**

**Important Message for Candidate:** The nominated candidate must sign the **Candidate's Acceptance of Nomination & Declaration of Qualification** to be valid. The Candidate must be the Authorised Representative for the Member (refer to page 3 – Important Notes). This nomination form must reach the Returning Officer on or before **5.00pm Monday, 24 March 2025**.

We, the undersigned, do hereby nominate the following candidate for the office of Member of the Mackay Area Committee of Mackay Canegrowers Limited:

**Candidate's Name:** \_\_\_\_\_  
**Membership Name (if different):** \_\_\_\_\_  
**Membership Number:** \_\_\_\_\_  
**Candidate's Residential Address:** \_\_\_\_\_  
**Postcode:** \_\_\_\_\_

This nomination must be signed by at least six (6) members as defined under the Mackay Canegrowers Limited Constitution in Clause 2.1 "Member" (refer page 3 Important Notes).

<b>Membership Name (Please print details)</b>	<b>Membership Number<sup>1</sup></b>	<b>Name of Member Representative who is supporting the nomination (Please print details)</b>	<b>Signature of Member Representative who is supporting the nomination<sup>2</sup></b>	<b>Mill to which cane is supplied</b>	<b>Date signed</b>

<sup>1</sup> The local CANEGROWERS office can assist with the Membership Number.

<sup>2</sup> The seconder of this nomination certifies that he/she is a Member whose name is stated on the roll for the election; or he/she is a person authorised by the corporate Member, in the case of a corporate Member, whose name is stated on the roll for the election.

## CANDIDATE'S ACCEPTANCE OF NOMINATION & DECLARATION OF QUALIFICATION

I, \_\_\_\_\_ (insert full name of Candidate) hereby agree to accept nomination as a candidate for the office of Director of the said Company.

Candidate contact details:

Telephone/Mobile: \_\_\_\_\_

Postal Address: \_\_\_\_\_

Email: \_\_\_\_\_

### Declaration of Qualification

The Mackay Canegrowers Ltd Constitution sets out the qualifications for a member of the Mackay Area Committee as under:

**Clause 25.4 'Eligibility to Hold Office'** - A person may only be elected as a member of an Area Committee or continue to hold office as a member of an Area Committee if the person is:

- (a) An individual who is:
- i. an Eligible Grower; or
  - ii. an authorised representative of a Member which is an Eligible Grower appointed under Clause 12.3 'Voting by representative'.

**I hereby certify that I am qualified in accordance with the above clause to nominate for and hold the office of a Member of the Mackay Area Committee and accept this nomination.**

**Signature of Candidate:** \_\_\_\_\_

**Dated this** \_\_\_\_\_ **day of** \_\_\_\_\_ **2025**

Once completed please email to [Election2025@canegrowers.com.au](mailto:Election2025@canegrowers.com.au) or post to:

**The Returning Officer  
CANEGROWERS  
GPO Box 1032  
BRISBANE QLD 4001**

**Please Note: Nominations close at 5.00pm Monday, 24 March 2025.**

### Office use only

#### CERTIFICATE OF RETURNING OFFICER

I, the undersigned returning officer, do certify that I have received this nomination form at Brisbane and that the provisions of the Constitution with respect to it have been complied with.

**Signature of Returning Officer:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## Important Notes

### Memorandum for Candidates and Members obtaining signatures to Nomination Forms relating to Election of Members of the Mackay Area Committee of Mackay Canegrowers Limited

The following Clauses of the Mackay Canegrowers Limited Constitution are applicable for candidates and members supporting the candidates for election.

**Clause 12.3 'Voting by representative'** A member other than a natural person must appoint an individual as its authorised representative:

- (a) for a corporation – an officer or member of the corporation;
- (b) for an estate – a personal representative or beneficiary of the estate;
- (c) if a Member holds his/her membership jointly with or in partnership with another person or persons, the person first recorded in the register shall be entitled to exercise the right to vote on behalf of all joint Members in the absence of any authorisation in writing signed by the Member to the contrary. In any instance where a membership is held jointly with or in partnership with another person or persons and the first person recorded in the register is absent or unable to vote and in the absence of any authorisation in writing signed by the Member to the contrary, the person next named in the register (or, as applicable, consequentially named thereafter) and who is present and able to vote shall be entitled to exercise the right to vote on behalf of all such Members;
- (d) for a trust – a trustee or beneficiary of the trust;
- (e) the instrument of appointment must be in writing and lodged with the Company.

**Schedule 2 Clause 7 'Nomination - Eligibility'** Only individuals as follows when nominations close may nominate for the election –

- (a) a Member; or
  - (b) an authorised representative nominated by a corporate Member that is a Member,
- and in either case, the person satisfies the eligibility criteria in clause 13.3 (as the case may be) of the Constitution.

**With the above clauses in mind it is imperative that all nominating candidates in partnerships, corporations, estates or trusts (if the candidate has not already done so) returns an Authorised Representative form with the completed nomination form.**

For a Nomination Form of a candidate to be valid, it is necessary to obtain the signatures of six (6) or more cane growers members as defined in **Clause 2.1 'Member'** at the date when supporting the nomination.

All candidates should ensure that all details on their Nomination Form are correct in every particular before forwarding it to the Returning Officer. Candidates may submit their Nomination Form through their local Company Manager, or if they so choose, post it direct to the Returning Officer. In either case the candidate should ensure that their list of nominators is checked against the draft roll that is held by the Company Manager for the purposes of the election, before forwarding the completed Nomination Form to the Returning Officer.

**Special Note:**

A grower who is a shareholder member of a corporation holding membership, can nominate as a candidate for election provided the grower is appointed as the "authorised representative" by the corporation and additionally is not disqualified by Clause 12.3 of the Constitution.

**Clause 25.7 'Vacation of Office'** - The office of a member of an Area Committee becomes vacant if the member –

- (a) Dies; or
- (b) Resigns by signed notice given to the Board; or
- (c) Ceases to be an Eligible Grower; or
- (d) Is absent from three (3) consecutive meetings of the Committee without the Committee's leave and a reasonable excuse.

**Clause 25.16 'Definition of Eligible Grower'** - In this clause "eligible grower" means a member who is a financial Member, and is a grower who supplies from the zone represented by that Committee.

**Clause 2.1 'Member'** under the Constitution sets out the definition of a member as below and Schedule 2 'Election Procedure', Clause 1.1 sets out the definition of eligible nominee as below:

**Clause 2.1 - 'Member'** means a person who becomes a member in accordance with clause 5.2 Members.

**Clause 1.1 - 'Eligible Nominee'** means a person who may nominate for the election under Clause 7 Nomination-Eligibility.