



Maryborough Canegrowers Limited
ACN 111 775 583

Election of Five (5) Directors

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 Director of Maryborough 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 Maryborough Canegrowers Limited Constitution in Clause 2.1 "Member" (refer page 3 Important Notes).

Membership Name (Please print details)	Membership Number¹	Name of Member Representative who is supporting the nomination (Please print details)	Signature of Member Representative who is supporting the nomination²	Mill to which cane is supplied	Date signed

¹ The local CANEGROWERS office can assist with the Membership Number.

² 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 Maryborough Canegrowers Limited Constitution sets out the qualifications for a member of the Board as under:

Clause 13.3 'Qualification for membership of the Board':

- (a) A Director must be:
- i. a Member; or
 - ii. an officer of a Member; or
 - iii. an authorised representative of a Member in accordance with rule 12.3, who has the right to vote at a general meeting.
- (b) All Directors are required to be natural persons.

I hereby certify that I am qualified in accordance with the above clause to nominate for and hold the office of a Director of Maryborough Canegrowers Limited and accept this nomination.

Signature of Candidate: _____

Dated this _____ **day of** _____ **2025**

Once completed please email to 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 Directors of Maryborough Canegrowers Limited

The following Clauses of the Maryborough 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.

For a Nomination Form of a candidate to be valid, it is necessary to obtain the signatures of at least six (6) 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. The candidate should ensure that their list of nominators is checked against the draft roll that is held by the local Company Manager for the purposes of the election. Alternatively, candidates may submit their Nomination Form through their local Company Manager.

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 14.3 of the Constitution.

Clause 14.3 'Disqualification' The office of a director is vacated:

- (a) upon a Director becoming an insolvent under administration, suspending payment generally to creditors or compounding with or assigning the Director's estate for the benefit of creditors;
- (b) upon a Director becoming a person of unsound mind or a person who is a patient under laws relating to mental health or whose estate is administered under laws relating to mental health;
- (c) upon a Director being absent from meetings of the Board during a period of 3 consecutive calendar months without leave of absence from the Board where the Board has not, within 14 days of having been served by the Secretary with a notice giving particulars of the absence, resolved that leave of absence be granted;
- (d) upon a Director resigning office by notice in writing to the Company;
- (e) upon a Director being removed from office pursuant to the Law;
- (f) upon a Director being prohibited from being a director by reason of the operation of law; or
- (g) upon a Director failing to satisfy the qualification criteria in clause 13.3.

Clause 2.1 'Definitions' under the Constitution sets out the definition of a member as below:

'Member' means a person who becomes a member in accordance with clause 5.2.

Schedule 2 Clause 7 'Definitions for this Schedule' sets out the definition of eligible nominee as below:

- 'Eligible Nominee' means a person who may nominate for the election.