GOVERNANCE INFORMATION TO CANDIDATES

Once the candidate has indicated his/her interest in the role, a meeting will need to be arranged to provide the opportunity to undertake some due diligence.

Once the meeting is arranged (see “Due Diligence Meetings Arranged”), a letter should be sent to the candidate clearly setting out the meeting arrangements and providing information about the process and the company/entity.

Letter contents

- Time and place of meeting.
- Attendees at meeting.
- Purpose of meeting and due diligence process.
- Summary of other information enclosed.

Letter enclosures

- Travel arrangements for candidate (if required).
- Article on the role of a director, Crown company governance and factors to consider when contemplating a director appointment (current article is by The Boardroom Practice).
- List of potential questions for the candidate to consider.
- Background Check forms for completion and return by the candidate. These will vary depending on the current provider of background check services.
- Declaration forms to be completed for compliance with the Crown Entities Act 2004 (or other legislative requirement) – if applicable*.
- Latest Annual Report for company/entity.
- Latest Statement of Corporate Intent, or similar document, for the company/entity.
- Any appropriate background information or promotional material that would assist the candidate to gain a better understanding of the entity.

*If the entity is subject to the Crown Entities Act 2004 (CE Act), a candidate must make certain statements and disclosures prior to appointment. If the organisation is a statutory entity, the requirements of section 31 of the CE Act will apply. If it is a Crown Entity Company, the requirements of sections 89 and 90 of the CE Act will apply. However, in both cases, the statements and disclosures should be the same, and comprise:

1. certification by the candidate that he/she is not disqualified from being a member (either under the CE Act or the Companies Act)
2. disclosure of the nature and extent of all interests that the candidate has in matters relating to the entity, and
3. consent in writing to be a member of the entity’s board

Steps 1 and 2 should be completed by all candidates about to undertake a due diligence process. Step 3 is to be completed by the final candidate agreed by the Minister, prior to the submission of the appointment proposal to APH.