

# Interim Rules for the Gellung Warl CEO and Recruitment of Staff



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# Lighting the Fire Stick

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## 1 Name

The name of these rules is the Interim Rules for the Gellung Warl CEO and Recruitment of Staff.

## 2 Authority

- (a) As First Peoples, the source of our authority is our inherent rights.
- (b) The authority to make these rules derives from the Statewide Treaty, and they are made by the Assembly under sections 20(4) and 33 of the Statewide Treaty Act and Schedule 1, Items 2.1, 2.2 and 2.3 to that Act.

## 3 Teachings that have Informed the Creation of these Rules

### 3.1 Our Identity, Our Strength, Our Wisdom

*“We, the First Peoples of this Country now called Victoria, affirm that Aboriginal Lore and Law continue. Passed down through Ancestors and Elders, carried in language, story, ceremony and Country. Though colonisation sought to silence them, they were never ceded or extinguished. These rules are created not in isolation, but as a part of this continuing legacy – a living expression of cultural authority and the right to self-determination.*

*In developing these rules, we are guided by the Gitjawil Yurpa.<sup>1</sup> Gitjawil Yurpa reminds us that governance is not only about structure or policy – it is about relationships, responsibility and respect. Our rules honour the authority of those who hold knowledge, uphold the protocols that connect us to each other and to Country, and reflect the way our communities have always made decisions. Decisions through yarning, consensus building, accountability and care.*

*We acknowledge that we exist within a time of legal pluralism. Aboriginal Lore and Law, the first lore/law of this place, has never ceased to operate, even as a colonial legal*

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<sup>1</sup> Gitjawil Yurpa expresses *many having to put forth* in Dja Dja Wurrung language.

<sup>4</sup> Interim Rules for the Gellung Warl CEO and Recruitment of Staff, Version 1.0, approved 7 May 2026

system has tried to deny it. We recognise the need to navigate between legal systems, and in doing so, we affirm that Aboriginal Lore and Law are not secondary, symbolic or historical – but are legitimate, living and continuing. These rules are created as a bridge between systems. They speak to our people, they speak back to the state, they speak to all who wish to engage with it.

The fact that we are here, making rules in our own name, is a testament to our survival. It reflects generations of resistance – through public leadership, quiet strength, cultural practice and legal knowledge carried in kinship, Country and ceremony. This is not a new beginning, but a continuation of what has always been true, that we are the First Peoples.

As we are our Ancestors, and we are our Country, we claim our Ancestral birthright. It is in this spirit that the fire stick has been lit, to tend to the fires awoken by our Elders and Ancestors, for this fire stick to be carried and nurtured by Gellung Warl. The fire stick is how we take fire across Country, across generations – for Gellung Warl to light its own fire. One that will cleanse, will nourish, will maintain Country, will draw on many voices to carry forward one strength.

In a time now shaped by treaty-making, truth-telling and institutional change, we hold firm to what must not be lost – our ways of being, our cultural foundations, our obligations to future generations. These rules are made not only to meet current needs but to reflect who we are, where we come from, and where we are going. They are made with respect for the past, commitment to the present, and vision for the future we traverse in the Treaty era.”

### 3.2 Grounded in Culture

These rules speak to the act of welcoming – welcoming people into place into trust, into shared responsibility. Those entrusted to guide the work of Treaty, the work that strengthens and empowers our communities, do so not as holders but as stewards of Treaty. Their work is not separate from, but bound to obligations to Ancestors, Country, and to Community. In this, these rules hold true that Treaty is for all.

## 4 Purpose

These rules set out interim arrangements for matters relating to the CEO and recruitment of Gellung Warl staff members to uphold and respect:

- (a) accountability and transparency in the appointment, performance and removal of the CEO and the recruitment of Gellung Warl staff members;
- (b) merit-based recruitment, inclusiveness and diversity;
- (c) cultural protocols; and
- (d) continuity and efficient and effective internal processes.



## 5 Application

- (a) These rules apply to Gellung Warl and its constituent arms including the Assembly, Nginma Ngainga Wara and Nyerna Yoorrook Telkuna, and to the CEO, in respect of the CEO and the recruitment of Gellung Warl staff members.

## 6 Commencement

These rules commence on the day they are made by the Assembly.

## 7 Definitions

- (a) Unless the contrary intention appears, a term has the same meaning given to it in the Statewide Treaty Act or in any other internal rules made by the Assembly.
- (b) Unless the contrary intention appears, in these rules the following terms have the corresponding meanings:

Term	Meaning
<b>Acting CEO</b>	An Acting Chief Executive Officer of Gellung Warl appointed under <a href="#">rule 8.4</a> .
<b>Assembly</b>	First Peoples' Assembly
<b>Assembly Internal Governance Rules</b>	Internal rules made or amended by the Assembly and in force from time to time under section 33 of the Statewide Treaty Act that provide for the matters set out in Schedule 1, Items 1, 4 and 5 to that Act relating to internal governance.
<b>Assessor</b>	In the case of recruitment of employees, a selection panel under <a href="#">rule 9.4</a> , the CEO or any other person making a recruitment decision (whichever the case).
<b>Assembly Member</b>	A member of the First Peoples' Assembly.
<b>CEO</b>	The Chief Executive Officer of Gellung Warl.
<b>CER Committee</b>	The CEO Employment and Remuneration Committee referred to in <a href="#">rule 8.3(a)</a> .
<b>Employee</b>	A Gellung Warl staff member employed by the CEO under the Statewide Treaty Act.
<b>Executive Employment and Remuneration Policy</b>	A policy made by the Assembly, as in force from time to time, titled the Executive Employment and Remuneration Policy (or

	similar name) in relation to the employment of executive staff of Gellung Warl.
<b>Executive Staff</b>	Employees appointed to senior leadership roles who hold day-to-day managerial, supervisory, or decision-making authority, including the CEO, Executive Directors, and Heads of Departments, as well as any other positions designated as executive roles by the CEO.
<b>Gellung Warl Allegations of Misconduct Rules</b>	Internal rules made or amended by the Assembly and in force from time to time under section 33 of the Statewide Treaty Act that provide for the matters set out in Schedule 1, Item 6 to that Act relating to misconduct.
<b>Gellung Warl Values</b>	Values that are developed and adopted by the Assembly from time to time to give practical expression to the objects and principles in section 2 of the Statewide Treaty Act, or where no such values have been developed and adopted, the objects and principles in section 2 of the Statewide Treaty Act.
<b>Gellung Warl staff member</b>	As defined in section 4 of the Statewide Treaty Act, a person employed or engaged by the CEO under this Act and includes: <ul style="list-style-type: none"> <li>(a) a First Peoples' Assembly staff member;</li> <li>(b) a Nyerna Yoorrook Telkuna staff member;</li> <li>(c) a Nginma Ngainga Wara staff member; and</li> <li>(d) a contractor engaged under section 28.</li> </ul>
<b>Interim CEO</b>	The interim Chief Executive Officer of Gellung Warl employed under section 205 of the Statewide Treaty Act.
<b>Key Capabilities</b>	The capabilities required to perform a role, which may include the required knowledge, skills or abilities to perform the role.
<b>Vacant Position</b>	A Gellung Warl staff member position that is unfilled.
<b>Statewide Treaty Act</b>	The <i>Statewide Treaty Act 2025</i> .

# Carrying the Fire Stick

## 8 CEO

### Outline

Rule 8 provides for:

<sup>7</sup> Interim Rules for the Gellung Warl CEO and Recruitment of Staff, Version 1.0, approved 7 May 2026

- the role, functions and powers of the CEO
- the terms of appointment of the CEO
- the period of any appointment and process for managing any vacancy in the role of the CEO, including the appointment of, and the fixing of a maximum term for, any Acting CEO including where an acting appointment power is delegated to the CEO
- the processes for removing a CEO or terminating the CEO's appointment

## 8.1 Role, functions and powers

- (a) The CEO has the role, functions and powers given to the CEO by the Statewide Treaty Act, internal rules, policies made under that Act or under internal rules and by any other Act.
- (b) Without limiting [rule 8.1\(a\)](#), the CEO's functions include:
  - (i) supporting the Assembly, Nginma Ngainga Wara and Nyerna Yoorrook Telkuna in the performance of their functions;
  - (ii) ensuring the effective and efficient management of day-to-day operations of the Assembly, Nginma Ngainga Wara and Nyerna Yoorrook Telkuna;
  - (iii) performing any other function as directed or delegated by the Assembly, Nginma Ngainga Wara and Nyerna Yoorrook Telkuna, from time to time; and
  - (iv) recruitment, management and oversight of Gellung Warl staff members.
- (c) The CEO has the powers to do all things that are necessary and convenient for or in connection with the performance of their role and functions and duties under the Statewide Treaty Act and internal rules and any policies made under those rules or under that Act.
- (d) The CEO may delegate their role, functions and powers in accordance with the Statewide Treaty Act and any internal rules and policies that are consistent with the Statewide Treaty Act.

## 8.2 Period and terms of appointment

- (a) A CEO must be employed by the Assembly under a contract of employment with Gellung Warl for a period not exceeding five years.
- (b) The Executive Employment and Remuneration Policy applies to the employment of the CEO.
- (c) The terms of appointment of the CEO are set out in the CEO's contract of employment, which, must, at a minimum, provide for:
  - (i) the position title;
  - (ii) the employment type and term of the appointment, which must not exceed five years;
  - (iii) the responsibilities and duties of the position;
  - (iv) the amount of the CEO's earnings under the contract in the year the contract is entered into to be above the high income threshold for that year for the purposes of the *Fair Work Act 2009* (Cth) (whether or not that Act otherwise applies to the CEO);

- (v) the total remuneration package including superannuation and leave entitlements;
  - (vi) legislative and contractual obligations, including those during and continuing after employment;
  - (vii) termination of employment, which must be in accordance with these rules and the Gellung Warl Allegations of Misconduct Rules and any applicable laws;
  - (viii) process for removal, which must be in accordance with these rules;
  - (ix) the CEO's obligations in respect of internal rules, policies and procedures of Gellung Warl (which are not incorporated into the contract of employment);
  - (x) processes for managing unsatisfactory performance;
  - (xi) any other matters required to be contained in the contract of employment by the Statewide Treaty Act and any other applicable laws; and
  - (xii) dispute resolution procedures.
- (d) The contract of employment may only be varied if authorised by the Assembly and with the CEO's acceptance in writing.
- (e) A CEO is eligible to be reappointed under a new contract of employment under [rule 8.2\(a\)](#).

### 8.3 CEO Employment and Remuneration Committee

- (a) The Assembly will establish the CER Committee in accordance with the Assembly Internal Governance Rules. To avoid doubt, an existing Committee established in accordance with the Assembly Internal Governance Rules can have the functions and responsibilities of the CER Committee and be the CER Committee.
- (b) The CER Committee has the function of advising the Assembly on the implementation of these rules by considering and making recommendations to the Assembly with respect to:
- (i) provisions to be included in the contract of employment under which the CEO will be engaged from time to time, consistent with [rule 8.2\(c\)](#); and
  - (ii) matters that relate to recruitment and remuneration of the CEO, consistent with the Executive Employment and Remuneration Policy, once in force.
- (c) To avoid doubt, nothing in this rule requires the Assembly to accept any or all of the CER Committee's recommendations.
- (d) To avoid doubt, this [rule 8.3](#) does not apply to the employment of the Interim CEO.

### 8.4 Process for managing any vacancy in the role of the CEO

- (a) The Assembly must appoint an Acting CEO where:
- (i) there is a vacancy in the role of the CEO; or
  - (ii) the CEO is unable to perform their duties under the contract of employment for a period exceeding 28 days.

- (b) The Assembly may delegate to the CEO the power to appoint an Acting CEO and any appointment under that delegation must be for a period not exceeding 28 days.
- (c) An Acting CEO appointed by the Assembly under [rule 8.4\(a\)](#), holds the position for a period not exceeding 12 months subject to the terms specified in the contract of employment.
- (d) The CER Committee may advise the Assembly on:
  - (i) the selection and appointment of an Acting CEO, including whether it is appropriate to:
    - A. recruit an external candidate who is not currently a Gellung Warl staff member; or
    - B. appoint an internal candidate who is a current Gellung Warl staff member; and
  - (ii) the terms of the Acting CEO's contract of employment (to the extent that the terms set out in [rule 8.2\(c\)](#) are inappropriate having regard to the nature and duration of an acting appointment).

## 8.5 Dismissal, removal or termination of appointment

- (a) Subject to [rule 8.5\(b\)](#), the Assembly may dismiss or remove a CEO, or terminate the CEO's appointment.
- (b) Any decision by the Assembly to dismiss or remove the CEO or terminate the CEO's appointment must be made in accordance with the CEO's contract of employment, Gellung Warl Allegations of Misconduct Rules and applicable laws.

## 8.6 Interim CEO

- (a) Subject to [rule 8.6\(b\)](#), [\(c\)](#) and [\(d\)](#), these rules and any internal rules or policies made under the Statewide Treaty Act that apply to the CEO apply to the Interim CEO employed under section 205 of the Statewide Treaty Act, with any necessary modifications, as if a reference to the CEO were a reference to the Interim CEO.
- (b) In accordance with section 205(2) of the Statewide Treaty Act, the Interim CEO holds office for a period not exceeding six months subject to the terms specified in the contract of employment.
- (c) The Executive Employment and Remuneration Policy does not apply to the employment of the Interim CEO.
- (d) [Rule 8.3](#) does not apply to the employment of the Interim CEO.

## 8.7 Acting CEO

- (a) Subject to [rule 8.7\(b\)](#) and [\(c\)](#), the Statewide Treaty Act, these rules and any internal rules or policies made under internal rules that apply to the CEO apply to an Acting CEO appointed under these rules, with any necessary modifications, as if a reference to the CEO were a reference to the Acting CEO.

- (b) In accordance with [rule 8.4\(c\)](#) and without limiting [rule 8.4\(b\)](#), an Acting CEO may only act in the office of CEO for a period not exceeding 12 months.
- (c) [Rule 8.2\(b\)](#) and (c) applies to the appointment of an Acting CEO, subject to such modifications the Assembly considers appropriate, having regard to the nature and duration of the acting appointment and any applicable laws.

## 9 Staff recruitment

### Outline

Rule 9 sets out the processes and considerations Gellung Warl must follow when recruiting Gellung Warl staff members, in particular, the recruitment, assessment and selection of candidates.

### 9.1 Recruitment policy

- (a) [Rule 9](#) provides the recruitment policy, which applies to the recruitment of Gellung Warl staff members.
- (b) To avoid doubt, [rule 9](#) applies to the recruitment of Executive Staff and contractors, except where the contrary intention appears, and applies in addition to the Executive Employment and Remuneration Policy and the Gellung Warl Procurement Policy, as applicable.
- (c) The CEO is responsible for ensuring that the recruitment of Gellung Warl staff members is consistent with the recruitment policy set out in [rule 9](#).

### 9.2 Recruitment requirements and principles

#### 9.2.1 Requirements

- (a) Recruitment decisions must be based on merit, having regard to inclusiveness measures.
- (b) There must be transparency in the recruitment process.

#### 9.2.2 Principles

- (a) Without limiting [rule 9.2.1](#), the following recruitment principles guide recruitment of Gellung Warl staff members:
  - (i) recruitment decisions are fair, transparent and free from bias and unlawful discrimination;
  - (ii) all candidates are treated fairly, respectfully and equitably, in a safe (including culturally safe) environment that enables each candidate to compete equitably for positions;



- (iii) recruitment decisions are underpinned by Gellung Warl Values and the Strategic Plan, or, if that Plan is not yet in force, such strategic goals and objectives as are developed and adopted by the Assembly from time to time;
- (iv) candidates are selected whose values are aligned with Gellung Warl Values; and
- (v) the process is efficient and fosters recruitment in a timely manner.

### 9.3 Position descriptions and advertising

- (a) Vacant Positions will be advertised internally and externally, unless:
  - (i) the position is intended to meet a short-term requirement;
  - (ii) the position is to be filled by a contractor; or
  - (iii) the CEO otherwise determines on a reasonable basis.
- (b) In the case of employees position descriptions will be prepared for Vacant Positions and will include:
  - (i) the title of the position and associated remuneration;
  - (ii) the employment type;
  - (iii) the duties and requirements of the position;
  - (iv) a description of the Key Capabilities; and
  - (v) Gellung Warl Values.

### 9.4 Selection Panel

- (a) Subject to [rule 9.4\(b\)](#), the CEO may decide that recruitment for Vacant Positions must be conducted by a selection panel and may convene a selection panel for that purpose in accordance with this rule.
- (b) The CEO must have regard to:
  - (i) [rule 9.2.2\(a\)\(i\)](#) and [\(ii\)](#) and the need to eliminate individual bias from the selection decision;
  - (ii) whether the position is intended to meet a short-term requirement;
  - (iii) whether the position is to be filled by a contractor; and
  - (iv) applicable laws.
- (c) A selection panel must:
  - (i) consist of a minimum of two people;
  - (ii) include a panel member who is assigned the role of chairperson, who is responsible for ensuring that the selection panel is provided with all relevant materials needed to undertake the assessment of candidates; and
  - (iii) include a panel member with familiarity with the role and requirements and/or technical expertise in the area.



- (d) The following applies to a selection panel:
  - (i) panel members should have an understanding of, or training in this policy and in diversity awareness and inclusive recruitment practices;
  - (ii) the panel should include Aboriginal and/or Torres Strait Islander panel members;
  - (iii) the panel should be diverse in composition, with respect to gender balance, expertise, and other personal attributes; and
  - (iv) selection panel members must disclose any conflict of interest prior to shortlisting applicants.
- (e) A selection panel may make a recommendation of one or more candidates to the relevant decision-maker with authority under the Statewide Treaty Act. To avoid doubt, nothing in this rule requires the relevant decision-maker to accept any or all of a selection panel's recommendations.

## 9.5 Selection process for employees

- (a) **Rule 9.5** applies to recruitment of employees.
- (b) The CEO will decide the selection process to be used to recruit for a Vacant Position, taking into account:
  - (i) **rule 9.2.2(a)(i)** and **(ii)**;
  - (ii) the nature of the position, including if the position is intended to meet a short-term requirement; and
  - (iii) any applicable laws.
- (c) A selection process may have the following elements:
  - (i) the candidate submits a written application that outlines their interest and suitability for the position, ensuring their application addresses how they meet each of the Key Capabilities;
  - (ii) shortlisted candidates will be invited for an interview to further demonstrate their suitability for the role;
  - (iii) at least one reference check on the candidate must be obtained; and
  - (iv) each candidate is posed the same core set of questions (in order to provide a consistent basis for comparison), wherever possible.
- (d) The CEO may elect to utilise further selection methods, depending on the nature of the position, including but not limited to:
  - (i) psychometric or competency assessments;
  - (ii) works tests;
  - (iii) video applications; and
  - (iv) phone screening.



## 9.6 Assessment of employee candidates

- (a) Rule 9.6 applies to the recruitment of employees.
- (b) An Assessor will assess the suitability of a candidate by objectively assessing the candidate against the Key Capabilities.
- (c) An Assessor must document their assessment of each candidate in writing.
- (d) An Assessor must ensure appropriate pre-employment screening is conducted before an offer of employment is made, including a reference check.

**Example:** Pre-employment screening may include a police check or a misconduct declaration form.

- (e) Where the decision-maker approves a candidate, they must ensure that a formal written offer is provided to the preferred candidate and that unsuccessful candidates are notified of the outcome of their application.

# Nurturing the Fire Stick

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## 10 Information Walking with these Rules

At the time these rules were made, the following rules and other documents are relevant to their operation. Other rules and other documents may be made from time to time that are also relevant to their operation.

### 10.1 Internal Rules

- (a) Assembly Internal Governance Rules
- (b) Gellung Warl Allegations of Misconduct Rules

### 10.2 Policies and Procedures

- (a) Gellung Warl Executive Employment and Remuneration Policy
- (b) Gellung Warl Procurement Policy

## 11 Amendments

Version	Date Approved	Approved By	Review Date	Changes Made

