

Gellung Warl Allegations of Misconduct (Gellung Warl CEO and Staff) Rules



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Lighting the Fire Stick

1 Name

The name of these rules is the Gellung Warl Allegations of Misconduct (Gellung Warl CEO and staff) Rules.

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 First Peoples' Assembly under sections 33 and 156 of the Statewide Treaty Act and Schedule 1, Item 6 to that Act.
- (c) The Assembly consulted with the Treaty Authority before making this rule pursuant to section 36 of the Statewide Treaty 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.¹ 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.

¹ Gitjawil Yurpa expresses *many having to put forth* in Dja Dja Wurrung language.

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 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

Acting in the wrong ways, breaking our lore and law, has always had consequences. When there has been hurt and harm caused to each other, our Communities, our Country, then there must be processes of accountability and restoration. Consequences are carried out in a way that recognises healing and justice, truth-telling, and a teaching of what it means to act in proper ways. We hold the responsibility as a collective to ensure we act with integrity, in accordance with our lore and law, with respect to our relationality and kinship, and a dedication to prevent further wrongdoing.

4 Purpose

These rules set out procedures for dealing with alleged Misconduct and Serious Misconduct by the CEO and Gellung Warl staff members, including internal review, to uphold and respect:

- (a) integrity, fairness and accountability;
- (b) cultural protocols; and
- (c) the role of the Treaty Authority in supporting culturally strong approaches to addressing and responding to allegations of Misconduct and Serious Misconduct.

5 Application

- (a) These rules apply to Gellung Warl, Gellung Warl staff members, the CEO and Reporting Persons, and involve the Treaty Authority.
- (b) To avoid doubt:
 - (i) these rules are not contractual in nature and do not create any enforceable contractual rights in favour of employees;
 - (ii) nothing in these rules limits or restricts Gellung Warl, as employer, from taking disciplinary action against the CEO or a staff member to the extent permitted by law; and
 - (iii) nothing in these rules affects any right any person has under law to make a complaint about alleged Misconduct or Serious Misconduct to any other person or body.

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 rule made by the Assembly.
- (b) Unless the contrary intention appears, in these rules the following terms have the corresponding meaning:

Term	Meaning
Allegations Coordinator	A Gellung Warl staff member appointed by [the CEO, the Allegations Receiver or the Assembly Co-Chairs (whichever relevant)] to perform the functions conferred on the Allegations Coordinator under these rules.
Allegations Receiver	A Gellung Warl staff member assigned by the CEO to undertake the function of Allegations Receiver under these rules.
Allegations Response Panel or Panel	A panel appointed by the Allegations Coordinator under rule 10.4(a) .
Application	An application for internal review of a Decision under rule 11.10(a) .
Assembly	First Peoples' Assembly.
Assembly Internal Governance Rules	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.
CEO	The Chief Executive Officer of Gellung Warl.
CER Committee	The CEO Employment and Remuneration Committee established in accordance with the Assembly Internal Governance Rules.
Decision	(a) a decision of the CEO or Assembly Co-Chairs to decline a Misconduct Allegation under rule 11.1; (b) a determination made by the Allegations Coordinator under rule 10.3(c)(vii); or (c) a determination made by an Allegations Response Panel under rule 10.4(g)(v), (vi) and (vii).
Gellung Warl CEO and Staff Standards of Conduct	Standards made or amended by the Assembly and in force from time to time under section 154 of the Statewide Treaty Act.
Elders' Group	A group of Elders to be determined by the Assembly, from time to time, to whom the Assembly assigns, from time to time, functions that are culturally appropriate for Elders to perform.
Misconduct	Misconduct as defined by rule 8(b) .
Misconduct Allegation	A Misconduct Allegation as defined by rule 8(a) .
Reporting Person	A person who makes a Misconduct Allegation under rule 10.1 .
Reviewer	A reviewer appointed to conduct an internal review under rule 11.10(d) .
Serious Misconduct	Serious Misconduct as defined by rule 8(c) .
Statewide Treaty Act	The <i>Statewide Treaty Act 2025</i> (Vic).
Treaty Authority Member	A Treaty Authority Member as defined in the Treaty Authority Agreement (the agreement made between the Aboriginal Representative Body and the State of Victoria under section 27 of the <i>Advancing the Treaty Process with Aboriginal Victorians Act 2018</i> (Vic)).
Treaty Authority staff member	A person employed by the Treaty Authority, including the CEO, as defined in the Treaty Authority Agreement (the agreement made between the Aboriginal Representative Body and the State of Victoria under section 27 of the <i>Advancing the Treaty Process with Aboriginal Victorians Act 2018</i> (Vic)).



Carrying the Fire Stick

8 What is a Misconduct Allegation?

Outline

Rule 8 sets out rules about what is a Misconduct Allegation, what is Misconduct and what is Serious Misconduct.

- (a) A Misconduct Allegation means an allegation made to Gellung Warl that the CEO or a Gellung Warl staff member has engaged in Misconduct or Serious Misconduct.
- (b) Misconduct means conduct that constitutes a contravention of:
 - (i) the Gellung Warl CEO and Staff Standards of Conduct;
 - (ii) Gellung Warl policies or procedures; or
 - (iii) the CEO or Gellung Warl staff member's employment contract, where applicable.
- (c) Serious Misconduct means:
 - (i) wilful or deliberate behaviour that is inconsistent with the continuation of the person's employment;
 - (ii) conduct that constitutes a breach of the Gellung Warl CEO and Staff Standards of Conduct that is:
 - A. intentional, wilful or deliberate; or
 - B. occurs frequently or forms part of a pattern of behaviour;
 - (iii) conduct that causes serious risk to:
 - A. the health or safety of a person; or
 - B. Gellung Warl's reputation, viability, or profitability;
 - (iv) engaging in the course of the person's employment in theft, fraud or harassment in the course of Gellung Warl's business;
 - (v) being intoxicated from the effects of drugs or alcohol at work; and
 - (vi) refusing to carry out a lawful and reasonable instruction.

9 Principles

Outline

Rule 9 sets out the principles that apply to the handling of Misconduct Allegations.

- (a) The following principles apply to the handling of a Misconduct Allegation.

- (i) Gellung Warl will take all allegations seriously and proportionately to the seriousness of the allegation.
 - (ii) Allegations should be made in good faith without frivolous, malicious or vexatious intent.
 - (iii) Outcomes or resolutions sought by the Reporting Person should be reasonable and proportionate.
 - (iv) Allegations should be treated as confidential and only disclosed to persons in accordance with these rules.
 - (v) The process recognises the interconnectedness of communities who may be affected by an allegation.
 - (vi) Reporting persons should be treated fairly and equitably and to the extent practicable all sides should be listened to.
 - (vii) Allegations should be resolved as quickly and efficiently as possible in the circumstances.
 - (viii) Allegation resolution discussions should be open, transparent and focused on finding common understandings.
 - (ix) Aboriginal cultural values and cultural practices will inform the process.
 - (x) There is no one-size-fits-all approach to allegations-handling processes.
 - (xi) A Reporting Person and a respondent to an allegation may have a support person present during meetings and discussions.
 - (xii) Records in the Misconduct Allegation process should be accurate, contemporaneous, and securely maintained, and data collected and stored appropriately.
- (b) A person must comply with their obligations under the *Public Interest Disclosures Act 2012* (Vic) and the *Fair Work Act 2009* (Cth) and these rules are not intended to limit or modify the operation of those Acts.

10 General Procedures

Outline

Rule 10 sets out the procedures for making and handling Misconduct Allegations.

10.1 How to make a Misconduct Allegation

- (a) A Misconduct Allegation must be made to the CEO or the Allegations Receiver.
- (b) If the Misconduct Allegation is about the CEO, it must be made to the Assembly Co-Chairs who must notify the CER Committee.

10.2 Informal resolution

- (a) Wherever possible and appropriate, Misconduct Allegations should be resolved informally. This may include an informal discussion among the relevant parties to the Misconduct Allegation. It may also involve the CEO, the Allegations Receiver or the Assembly Co-Chairs (whichever relevant) arranging group discussions or training to address behaviour of the nature that is the subject of the allegation, or changes to operational settings.

Note: *The person who receives a Misconduct Allegation may authorise another person to facilitate the informal resolution on their behalf.*

- (b) Matters may be inappropriate for informal resolution because they are sensitive, because it would be culturally inappropriate to resolve it informally or because the conduct complained of is serious, including unlawful or unsafe behaviour that requires Gellung Warl to respond formally.
- (c) If the CEO, the Allegations Receiver or the Assembly Co-Chairs (whichever relevant) considers that a Misconduct Allegation cannot or should not be resolved by informal means, including where efforts to resolve the Misconduct Allegation by informal means have failed, the CEO, the Allegations Receiver or the Assembly Co-Chairs (whichever relevant) will refer the Misconduct Allegation to the Allegations Coordinator to handle the allegation.
- (d) The CEO may appoint a Gellung Warl staff member as the Allegations Coordinator.

10.3 Allegations Coordinator review and action

- (a) Within a reasonable time of receiving a Misconduct Allegation, the Allegations Coordinator will endeavour to take steps to address and respond to the allegation in accordance with the procedures in these rules.
- (b) If a Misconduct Allegation is referred to the Allegations Coordinator, the Allegations Coordinator must notify the parties to the Misconduct Allegation in writing of:
 - (i) the fact that the Misconduct Allegation has been referred to the Allegations Coordinator;
 - (ii) the name and contact details of the Allegations Coordinator; and
 - (iii) the option to initiate a request for Treaty Authority assistance under [rule 12.1](#).
- (c) The Allegations Coordinator may take actions including (but not limited to) any one or more of the following:
 - (i) request information from any relevant persons;
 - (ii) discuss the Misconduct Allegation and potential resolutions with any relevant persons;
 - (iii) investigate the Misconduct Allegation (including by appointing an external investigator);
 - (iv) arrange facilitated discussions or yarning circles;
 - (v) arrange mediation or conciliation;



- (vi) seek and obtain cultural, legal, or expert advice concerning the Misconduct Allegation including from the Elders' Group;
 - (vii) determine that no further action is to be taken and that the allegation is finalised;
 - (viii) appoint an Allegations Response Panel in accordance with [rule 10.4](#) and refer the Misconduct Allegation to an Allegations Response Panel, including where a step in [rule 10.4\(g\)\(i\)-\(iv\)](#) may be appropriate;
 - (ix) make a request for Treaty Authority assistance in accordance with [rule 12.1](#); and
 - (x) take any other step the Allegations Coordinator considers appropriate in the circumstances.
- (d) If the Allegations Coordinator makes a request for Treaty Authority Assistance under [rule 12.1](#), the Allegations Coordinator must postpone the steps set out in these rules for dealing with a Misconduct Allegation until the Treaty Authority returns the Misconduct Allegation to Gellung Warl under [rule 12.2](#), and must notify the parties of the request and the postponement.
- (e) If a Misconduct Allegation is returned from the Treaty Authority under [rule 12.2](#), the Allegations Coordinator will endeavour to take steps to address the Misconduct Allegation and may take into account the steps that have already been undertaken by the Treaty Authority.
- (f) A postponement under this rule does not affect the right of a Reporting Person to withdraw a Misconduct Allegation under [rule 11.2](#).

10.4 Allegations Response Panel

- (a) The Allegations Coordinator may appoint an Allegations Response Panel of at least three persons, all of whom the Allegations Coordinator considers to be independent of the Misconduct Allegation.
- (b) The Allegations Response Panel must not include a Treaty Authority Member or a Treaty Authority staff member.
- (c) In referring a Misconduct Allegation to the Panel, the Allegations Coordinator will share with the Panel all relevant information and detail on the steps taken to date.
- (d) The Panel must conduct a review of the Misconduct Allegation by considering all relevant information available to it.
- (e) Within a reasonable time of receiving the referral, the Panel must determine whether or not to take action in response to the Misconduct Allegation.
- (f) Where action is taken, the Panel will determine the appropriate process for making further inquiries and resolving the allegation, having regard to the nature and circumstances of the matter.
- (g) Available steps, actions and outcomes include those listed in [rule 10.3\(c\)\(i\)-\(vi\)](#) and may also include (but are not limited to):
 - (i) directing that certain behaviour cease;
 - (ii) requiring an apology;

- (iii) requiring counselling, training, or other remedial action;
 - (iv) recommending changes to work practices, supervision, reporting lines or in relation to other employment-related matters;
 - (v) determining that the Misconduct Allegation is substantiated;
 - (vi) recommending disciplinary action up to and including termination of employment; and
 - (vii) determining that no further action is to be taken and that the allegation is finalised.
- (h) Where a Misconduct Allegation is substantiated, the Panel must determine the appropriate outcome including disciplinary action up to and including termination of employment.

11 Specific Procedures

Outline

Rule 11 sets out specific procedures that apply to the handling of Misconduct Allegations.

11.1 Declining a Misconduct Allegation

- (a) Without limiting the steps, actions and outcomes that may occur under [rules 10.3, 10.4](#) and [11.10](#), the CEO, Assembly Co-Chairs, Allegations Coordinator or Allegations Response Panel may decline to take any steps in relation to a Misconduct Allegation at any time if reasonably satisfied that it is appropriate to do so, including because:
- (i) the allegation is frivolous, vexatious, lacking in substance or has already been resolved;
 - (ii) the allegation does not relate to Misconduct or Serious Misconduct as defined in these rules;
 - (iii) the allegation concerns a possible criminal offence, in which case the allegation may be declined and the Reporting Person referred to the police; or
 - (iv) the matter is more appropriately dealt with under another policy or procedure.

11.2 Withdrawing a Misconduct Allegation

- (a) A Reporting Person may withdraw a Misconduct Allegation at any time by informing the person to whom they made the allegation. Gellung Warl will in its discretion determine whether any further action will be taken in relation to that Misconduct Allegation.
- (b) If a Misconduct Allegation is withdrawn at any time while Treaty Authority assistance is being provided under [rule 12.2](#), the Allegations Coordinator must notify the Treaty Authority that the Misconduct Allegation has been withdrawn.

11.3 Conflict of Interest

- (a) Misconduct Allegations will be handled in accordance with the Gellung Warl Conflicts of Interest Policy (Gellung Warl CEO and Staff).

11.4 Confidentiality

- (a) Misconduct Allegations will be handled in accordance with the Gellung Warl Confidentiality Policy.
- (b) Disclosure of information is permitted:
 - (i) where disclosure is reasonably necessary for the proper processing, assessment or investigation of a Misconduct Allegation;
 - (ii) if the relevant person has consented to the disclosure; or
 - (iii) in the case of the Reporting Person's identity, to the extent required by law, including, if applicable, the *Public Interest Disclosures Act 2012* (Vic).

11.5 Procedural fairness

- (a) The Misconduct Allegation process (including internal review under [rule 11.10](#)) will be conducted in a manner consistent with principles of procedural fairness and that is proportionate to the nature and stage of the matter.
- (b) Without limiting [rule 11.5\(a\)](#), procedural fairness requires that:
 - (i) where adverse findings may be made, the CEO or Gellung Warl staff member about whom the findings may be made is informed of relevant allegations and given a reasonable opportunity to respond;
 - (ii) decisions are notified; and
 - (iii) any person investigating or making decisions acts impartially and without bias.

11.6 Notifications and timeframes

- (a) A Reporting Person must be notified that the Misconduct Allegation is being dealt with under these rules.
- (b) In accordance with [rule 10.3\(b\)](#), relevant parties to a Misconduct Allegation must be notified of the option to initiate a request for Treaty Authority assistance under [rule 12.1\(a\)](#).
- (c) Relevant parties to a Misconduct Allegation should be kept updated, as appropriate, about steps and actions taken and outcomes reached under the Misconduct Allegation process and will be given indicative timeframes and kept updated if timeframes change.
- (d) Investigations will be conducted and decisions made as expeditiously as practicable, having regard to the nature and complexity of the matter, including the availability of witnesses, leave, health or other reasonable accommodations.



- (e) Extensions of time may be requested by the Reporting Person and parties to a Misconduct Allegation and will be granted where justified, including to support procedural fairness.

11.7 Record keeping

- (a) Accurate and complete records of the handling of Misconduct Allegations will be kept so far as practicable, including steps and actions taken, decisions made, evidence considered, and any outcomes.

11.8 Costs

- (a) Gellung Warl will not seek to recover costs from any relevant persons to a Misconduct Allegation nor charge for the time of its staff or Members involved in any steps taken under these rules.
- (b) All relevant persons to a Misconduct Allegation must bear their own costs in respect of any steps taken under these rules including in relation to travel to and from and attendance at any venues in relation to the steps taken under these rules and similar expenses, unless the CEO, on the recommendation of the Allegations Coordinator or the Allegations Response Panel, determines that one or more persons' costs will be reimbursed by Gellung Warl.
- (c) The CEO, on the recommendation of the Allegations Coordinator or the Allegations Response Panel, may determine that one or more persons' costs will be reimbursed by Gellung Warl, having regard to whether the Misconduct Allegation is substantiated or in cases of extreme hardship.

11.9 Suspension

- (a) Pending the outcome of a Misconduct Allegation, including internal review under [rule 11.10](#), the CEO or a Gellung Warl staff member (where applicable) may be:
 - (i) suspended on full pay; or
 - (ii) directed not to attend the workplace, to work from a different location, to perform an altered role, or to cease contact with particular persons.

11.10 Internal review

- (a) A Reporting Person who made a Misconduct Allegation in respect of which a Decision has been made, or the CEO or Gellung Warl staff member the subject of a Decision, may apply for an internal review of a Decision within 30 days of being notified of that Decision and must state the Decision, the grounds for review, and provide supporting information.
- (b) The CEO may accept an application made more than 30 days after the person was notified of the Decision, if the CEO is satisfied that:
 - (i) there is a good reason for the delay having regard to such matters such as:
 - A. the length of the delay and the reasons for it;



- B. whether the person took reasonable steps to comply within time;
 - C. any relevant illness, absence or other circumstance beyond the Appellant's control;
 - D. any prejudice to affected persons that would result from an extension of time; and
- (ii) it is otherwise fair and reasonable in the circumstances to accept the Application out of time.
- (c) An Application under **rule 11.10(a)** must be made to the CEO, except where a Misconduct Allegation relates to the CEO, in which case the Application must be made to the Assembly Co-Chairs.
- (d) Where an Application is accepted, a suitably qualified Reviewer will be appointed (including a senior Australian legal practitioner or a panel as determined appropriate).
- (e) The Reviewer must not be or include a Treaty Authority Member or a Treaty Authority staff member.
- (f) The Reviewer may request relevant documents and information from Gellung Warl and any relevant person and may have regard to any information they consider relevant.
- (g) The Reviewer will determine the matter by:
 - (i) affirming the Decision;
 - (ii) varying the Decision; or
 - (iii) setting aside the Decision and making a new Decision.
- (h) The Reviewer may also affirm, vary, or replace any related recommendations.
- (i) The Reviewer's decision will be provided in writing to the relevant parties as soon as practicable.

11.11 Procedures

- (a) The Assembly may, develop procedures to support the operation of these rules, in consultation with the Treaty Authority where relevant.

12 Requests for Treaty Authority assistance

Outline

Rule 12 sets out rules for requesting Treaty Authority assistance in dealing with a Misconduct Allegation.

12.1 Request for Treaty Authority assistance

- (a) At any time while a Misconduct Allegation is being handled by the Allegations Coordinator, a party may request the Allegations Coordinator to make a request to the Treaty Authority to facilitate the resolution of, or otherwise assist in dealing with, a Misconduct Allegation by

giving advice, providing mediation or dispute resolution, or doing any other thing to assist in dealing with a Misconduct Allegation.

- (b) Where the Allegations Coordinator receives a request from a party under [rule 12.1\(a\)](#), the Allegations Coordinator:
 - (i) must seek the consent of all other parties to the Misconduct Allegation to the making of a request to the Treaty Authority; and
 - (ii) must, where all parties have given consent to the making of a request to the Treaty Authority:
 - A. make a request to the Treaty Authority to assist in dealing with the Misconduct Allegation; and
 - B. seek the consent of all parties to the Misconduct Allegation to provide their personal or sensitive information and any information provided in confidence, to the Treaty Authority for the purpose of facilitating the resolution of, or otherwise assisting in dealing with, the Misconduct Allegation. If a party consents, then this information may be provided to the Treaty Authority for this purpose.
- (c) A request for the Treaty Authority to assist in dealing with a Misconduct Allegation under [rule 12.1\(b\)](#) should include:
 - (i) the name and contact details of all parties to the Misconduct Allegation, where disclosable;
 - (ii) the basis for the Misconduct Allegation;
 - (iii) the dates of the alleged conduct, the date the Misconduct Allegation was made, and a summary of steps taken up to the date of the request;
 - (iv) each party's consent that has been received to the request for Treaty Authority assistance;
 - (v) each party's consent that has been received in relation to the sharing of their information with the Treaty Authority;
 - (vi) whether the subject matter is, in whole or in part, before another complaints body, integrity body or law enforcement agency;
 - (vii) the form of Treaty Authority assistance sought, having regard to the forms of support available under any policy or procedures made by the Treaty Authority under this rule; and
 - (viii) a summary of any requests a party has made in relation to being contacted or providing information.
- (d) If the Allegations Coordinator makes a request for assistance in accordance with this rule, they must notify the parties of the request and that the steps in these rules for dealing with the Misconduct Allegation have been postponed under [rule 10.3\(d\)](#).

12.2 Treaty Authority assistance

- (a) The Treaty Authority may, at its discretion, accept or decline a request for assistance.



- (b) Without limitation the Treaty Authority may consider the information in a request for assistance when deciding whether to accept or decline a request for assistance.
- (c) If the Treaty Authority accepts a request for Treaty Authority assistance, it should provide the assistance as efficiently as possible and in a timely manner.
- (d) If the Treaty Authority declines a request for assistance or closes its assistance role, it must:
 - (i) notify the parties and the Allegations Coordinator; and
 - (ii) return the Misconduct Allegation to Gellung Warl.
- (e) If at any time during the Treaty Authority's assistance, the Treaty Authority considers that all or part of a matter should be referred to another person, entity or body, including an integrity agency or law enforcement agency, the Treaty Authority may:
 - (i) make a referral and keep the Treaty Authority's assistance role open; or
 - (ii) notify the CEO of the Treaty Authority's opinion as to what referral should be made and keep the Treaty Authority's assistance role open; or
 - (iii) close its assistance role and return the Misconduct Allegation to the CEO and the Allegations Coordinator with the Treaty Authority's opinion as to what referral should be made.
- (f) If the Treaty Authority makes a referral under [rule 12.2\(e\)\(i\)](#):
 - (i) The Treaty Authority must notify the CEO and Allegations Coordinator of the referral and the reasons for the referral; and
 - (ii) The steps set out in these rules for dealing with a misconduct allegation remain postponed under [rule 10.3\(d\)](#).
- (g) The Treaty Authority may, in consultation with the Assembly, develop procedures for the making and granting of requests under this [rule 12](#).

13 Requests for Treaty Authority advice

Outline

Rule 13 sets out rules for the Allegations Coordinator to request Treaty Authority advice in relation to dealing with a Misconduct Allegation.

- (a) At any time while a Misconduct Allegation is being handled by the Allegations Coordinator, the Allegations Coordinator may request that the Treaty Authority gives advice in relation to dealing with a Misconduct Allegation.
- (b) The Treaty Authority may, at its discretion, accept or decline a request under [rule 13\(a\)](#).
- (c) To avoid doubt:
 - (i) the Allegations Coordinator must not share confidential information without consent;



- (ii) a request for advice is not a request for assistance under [rule 12](#), and all requests for Treaty Authority assistance must be made under [rule 12](#); and
- (iii) this [rule 13](#) does not create procedural rights for a party to a Misconduct Allegation.
- (d) The Treaty Authority may, in consultation with the Assembly, develop procedures for the making and granting of requests under this [rule 13](#).

Nurturing the Fire Stick

14 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.

14.1 Instruments

- (a) Gellung Warl CEO and Staff Standards of Conduct

14.2 Policies

- (a) Gellung Warl Confidentiality Policy
- (b) Gellung Warl Conflicts of Interest Policy (Gellung Warl CEO and Staff)

15 Amendments

Version	Date Approved	Approved By	Review Date