1. After paragraph 8(aa)
   Insert:
   (ab) the staff-elected Director; and

2. Before subsection 17(1)
   Insert:
   (1A) This section does not apply to the staff-elected Director.

3. After section 17
   Insert:

17A Staff-elected Director

(1) Subject to this section, the staff-elected Director must be elected in accordance with the regulations.

Note: As a member of the Board, the staff-elected Director is a director of a Commonwealth authority for the purposes of the Commonwealth Authorities and Companies Act 1997: see the definition of director in section 5 of that Act.
1

Eligibility for election

(2) A person is eligible to be a candidate for election, and to hold office, as the staff-elected Director if:

(a) the person is an employee of the SBS who, by the terms of his or her employment, is required to devote at least 22 hours a week to the duties of that employment; or

(b) the person (the relevant person) performs services for the SBS, under the direction and control of the Managing Director or an employee of the SBS, under:

(i) a written contract entered into between the SBS and the relevant person; or

(ii) a written contract entered into between the SBS and a person other than the relevant person, being a contract that specified the relevant person as the person who would perform the services under the contract.

Effect of candidate ceasing to be eligible after nomination

(3) If a person who has been nominated as a candidate for election as the staff-elected Director ceases to be eligible to be such a candidate after having been nominated and before the day on which the election takes place:

(a) if there are 2 or more other eligible candidates—the election must be held as if the person were not a candidate; or

(b) if there is only one other eligible candidate—the other candidate must be declared to be elected; or

(c) if there is no other eligible candidate—fresh invitations must be issued for the nomination of candidates.

Candidate may vote at election

(4) A person who is eligible to be a candidate for election as the staff-elected Director is eligible to vote at the election.

Period of office

(5) Subject to sections 26 and 27, the person who is the staff-elected Director holds office on a part-time basis for a period of 5 years starting:

(a) if, on the day on which the person is declared to be elected, the person already holds office as the staff-elected Director because of a previous election—on the day after the day on which that person would, but for having been re-elected, cease to hold office; or

(b) if, on the day on which the person is declared to be elected, another person holds office as the staff-elected Director because of a previous election—on the day after the day on which the other person ceases to hold office; or

(c) in any other case—on the day on which the person is declared to be elected.

(6) A person who has been elected as the staff-elected Director at 2 elections is not eligible for election at any other election of the staff-elected Director.

(7) If an election of a person as the staff-elected Director is invalid because of a defect or irregularity in connection with that election, the performance of the functions, or the exercise of the powers, of the Board is not affected by anything done, or omitted to be done, by or in relation to that person while he or she purported to be, or to act as, the staff-elected Director.

4 At the end of section 18
Add:

(4) In this section, **non-executive Director** does not include the staff-elected Director.

5 **Paragraph 22(a)**

Omit “or Deputy Chairperson”, substitute “, Deputy Chairperson or staff-elected Director”.

6 **After paragraph 27(2)(c)**

Insert:

; or (d) the staff-elected Director ceases to be eligible to hold office as that Director;

[SBS staff-elected Director]