



End of CATSI Act transition period

Aboriginal and Torres Strait Islander corporations had two years from July 2007 to transition to the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act). ORIC staff visited corporations all around Australia to help them make changes to their rule books to meet this deadline.



Handy tools

Don't forget our suite of handy tools that will help you make changes to your rule book. They are all available on our website. These tools will help you make sure that your corporation's rule book is in line with the CATSI Act.

You can call ORIC's freecall number if you need advice or help with any of these tools.

FURTHER INFORMATION:

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Registrar-initiated rule books

Corporations that couldn't meet the transition period deadline of 30 June 2009 were helped with Registrar-initiated rule books. These rule books were based on ORIC's *Rule book—condensed* and the corporation's existing constitution.

Copies of these rule books were sent to all corporations between mid-June and mid-July 2009. Corporations can see a copy of their Registrar-initiated rule book on our website at www.oric.gov.au.

Is it too late to make changes to our rule book?

No, it is never too late to make changes to your rule book. The CATSI Act says that you can make changes to your rule book at any time to suit your corporation's specific needs. However, the corporation's rule book must meet some basic requirements of the CATSI Act and not all provisions can be changed. A rule book is an important document and should be followed by all the members and directors of a corporation.

How to make changes to your rule book

Here is a summary of the steps that a corporation should take to get the process going:

- 1 the directors should meet to discuss the changes they think should be made to the corporation's rule book
- 2 once an amended rule book has been prepared, call a general meeting for members to talk about and approve the draft rule book
- 3 make sure at least 75 per cent of members attending the meeting vote to accept the proposed changes to the rule book
- 4 send all the necessary documents to the Registrar after the meeting (notice of the meeting, minutes of the meeting, a 'Request to change corporation rule book' form and a copy of the proposed rule book change).

All the steps to change your rules and the documents that you have to send to the Registrar are available on our website under 'Run a corporation' (top navigation bar) > 'Changing rules' (LHS navigation bar).

Check your current rules to make sure you have covered all the necessary steps.

Register of members and membership

Remember to bring the corporation's register of members to the annual general meeting (AGM) to check whether it is up to date. You have an obligation under the CATSI Act to make sure you have the names of all current members in the register and that you also record which members no longer belong to the corporation. You could enter those names in a separate register (a register of former members) or in the same register. You need to keep a record of both current and past members and the date when they joined the corporation and/or left the corporation.

A person is no longer a member of a corporation when:

- they resign in writing
- they die
- their membership is cancelled under the corporation's rule book or under the CATSI Act.

The register of members must include:

- members' names and addresses
- the date when the names were written in the register
- whether the member is not an Aboriginal or Torres Strait Islander person
- for former members—names, addresses and the date when they stopped being a member (if not in a separate register of former members).

The register of members must be kept at the corporation's document access address or registered office and be available at the AGM.



Solving problems before they become disputes

Conflict and disagreements are a part of life. But, if it starts to interfere with a corporation's day-to-day activities or business, it is time to do something about it. ORIC has a team of dedicated professionals who offer mediation and dispute resolution (MDR) services. They will listen to your problems and help you find the right solution for your specific circumstances.

The Registrar encourages corporations to ask themselves a series of questions before calling our MDR team. This will help speed up the process and get to a solution quicker.

Some of the questions are:

- What exactly is the problem (dispute) about and what have you done to find a solution?
- Is this dispute disrupting essential services, such as food supply or health services?
- What does your corporation rule book say about disputes?
- Have you tried to sit down with the other party and talk about the problem?
- If you are considering legal action, have you thought about what legal fees will cost your corporation?
- If the corporation is receiving funding, could you lose it because of this dispute?

Have a look at our fact sheet, *Know your dispute* for more information about the MDR team and the services they offer. We also have policy statements dealing with complaints and disputes: *PS-02: Complaints involving corporations* and *PS-22: Disputes involving corporations*.

Reporting 2008–09: that time of year again

As a responsible corporation, it is very important that you circle the last six months of the year on your calendar. Between July and November of EVERY year, you will have to hold your AGM and make very sure that you send ORIC your reports before the end of December. Have a look at the key dates and put it on the fridge or on the community notice board where you can't miss it!

Remember these dates

Between 1 July and 30 November 2009

➔ Hold your AGM.

Between 1 July and 31 December 2009

➔ Send ORIC your 2008–09 reports.

All corporations, whatever their registered size and income, have to send the Registrar a general report every year between 1 July and 31 December.

What's in the general report?

The general report has information about the corporation, its members and officers. Keeping this important information up to date throughout the year will make it easier to complete the general report each year.

Corporations can now complete their general report by logging onto ORIC's online lodgment website, <https://online.oric.gov.au>.

More information about corporation reporting is available in ORIC's guide, *Corporation reporting for 2008–09* available on our website.