

Introducing the Office of the Registrar of Aboriginal Corporations

The Registrar of Aboriginal Corporations is an independent statutory office holder appointed by the Minister for Aboriginal and Torres Strait Islander Affairs.

The *Aboriginal Councils and Associations Act 1976* (the Act) confers a range of functions and powers on the Registrar. The Registrar's principal concerns are to incorporate organisations and ensure that corporations comply with the legislation.

The Office of the Registrar reviews the annual returns of Aboriginal corporations to encourage fairness and honesty and to help protect members' assets. It assesses all reported breaches of the Act to determine whether further action is required.

The Office of the Registrar provides an avenue for people to lodge complaints concerning any unfair or dishonest dealings or misconduct. It investigates any serious complaints about the operations of Aboriginal corporations and takes appropriate action to remedy any wrongdoing that disadvantages the membership.

Aims of the Office of the Registrar

Our aims are:

- to inform Aboriginal and Torres Strait Islander people about the significant benefits of using the Act in preference to other incorporation regimes; and
- to assist Aboriginal and Torres Strait Islander corporations to operate effectively and efficiently in a manner that promotes open accountability to their members and to the communities they serve.

Benefits of the Office of the Registrar

The Office of the Registrar:

- protects the interests of members of Aboriginal and Torres Strait Islander corporations through compliance and enforcement action under the Act;
- improves, through the provision of advisory and client services, the performance of Aboriginal corporations in the interests of members and the indigenous community generally; and
- maintains the confidence of members of Aboriginal corporations, the business community and the public in the credibility of incorporated Aboriginal associations.

CHAPTER 1

The Aboriginal Councils and Associations Act 1976

Snapshot

- The Minister for Aboriginal and Torres Strait Islander Affairs, has portfolio responsibility for the administration of the Aboriginal Councils and Associations Act 1976.
- Forty year history of the progress towards the legal incorporation of Aboriginal communities and groups.
- Across all States and Territories, 3308 Aboriginal associations have been incorporated since 1978.
- During 1999-2000, 183 associations were incorporated.
- At 30 June 2000, 2703 corporations were incorporated under the Act.
- No Aboriginal Councils have been constituted.



The Minister for Aboriginal and Torres Strait Islander Affairs, Senator the Hon John Herron.

Purpose

The purpose of the legislation is to provide Aboriginal and Torres Strait Islander communities, groups and organisations with a simple and inexpensive means of incorporation, with the flexibility to take account of indigenous customs and traditions.

The Act has a number of distinguishing features. For example, it allows Aboriginal councils and corporations to carry out their

activities nationally, to restrict their membership to Aboriginals and Torres Strait Islanders and their spouses, and to base their rules on Aboriginal and Torres Strait Islander customs.

Historical background

The need for special legislation for the incorporation of Aboriginal groups was identified in the late 1960s by the Council for Aboriginal Affairs which was established by the Holt Government to advise on Aboriginal policy and programs. From its inception, the Council saw the incorporation of Aboriginal groups and communities as an important objective.

The Council believed that

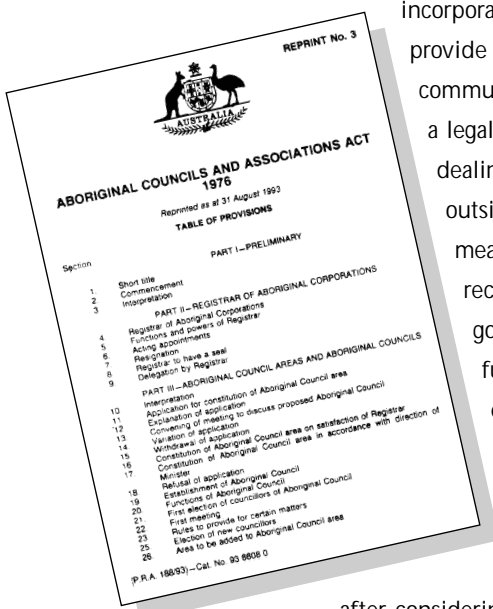
incorporation would provide communities with a legal entity for dealing with outsiders and a means of receiving government funding for employment, business and other purposes. However, after considering existing legislation and the experiences of

the Companies Act, the Council concluded that existing laws for companies and cooperatives were too complex and onerous for most Aboriginals living in remote areas.

The issue of separate incorporation for Aboriginal communities was raised again in 1973. At the time, Mr Justice Woodward of the Aboriginal Land Rights Commission made recommendations to the Whitlam Government to put into effect an Aboriginal land rights policy. His recommendations led to the Parliament enacting several pieces of historic legislation during a period of major reform in the administration of indigenous affairs in Australia, including the Aboriginal Councils and Associations Act.

Justice Woodward also recognised the need for a separate system of incorporation because he believed at the time that existing legislation was inappropriate for Aboriginal communities and groups. The legislation was enacted by the Fraser Government in 1976, but not proclaimed until 1978 because of further amendments to the Act.

Notably, the focus of the legislation and the debates in the Parliament centred on Aboriginal Councils and the perceived need to incorporate Aboriginal communities. Yet, paradoxically, no use has been made of the Aboriginal councils provisions



of the Act. At the time of this report, there were no Aboriginal councils established under the Act.

Aboriginal Councils

Aboriginal councils are envisaged as geographically based elected bodies, which may undertake a variety of functions (e.g. housing, health, education or welfare services) on behalf of an Aboriginal community.

A minimum of 10 adults living in a particular area may apply for the establishment of an Aboriginal council for that area.

The Registrar may constitute an Aboriginal council area when satisfied that:

- a substantial number of adult Aboriginals living in the area are in favour;
- the proposed council could effectively perform its intended functions;
- the proposed council area is not an area to which local government extends or is proposed to extend under any State or Territory law;
- the proposed area is not part of an existing Aboriginal council area; and
- the Registrar has agreed with the applicants on a name for the proposed Aboriginal council area.

In those cases where the Registrar believes the proposed council area

should not be constituted (i.e. where one or more of the constituent criteria are not met), the Aboriginal Councils and Associations Act provides that the application shall be referred to the Minister for his or her direction.

No Aboriginal councils were constituted under the Act as at 30 June 2000, although a small number of applications have been lodged over the years. The applications were withdrawn, allowed to lapse or converted to applications for incorporation as Aboriginal associations under the Act.

Incorporated Aboriginal Associations

Incorporated Aboriginal associations may be formed by Aboriginal or Torres Strait Islanders for any social or economic purpose, including the conduct of a business enterprise. The operations of existing Aboriginal corporations cover a wide range of activities relating to the ownership of land, the provision of training, youth support services, housing, legal and medical services, media production, community businesses and private businesses.



Table 1: Aboriginal and Torres Strait Islander Associations
Incorporated by Year and State

YEAR	NSW	VIC	QLD	SA*	WA	TAS	ACT	NT*	Total
78-86	123	7	89	0	127	6	5	99	456
86-87	19	2	17	1	38	1	1	19	98
87-88	18	1	19	6	39	1	1	24	109
88-89	25	1	28	2	59	0	2	63	180
89-90	33	5	30	0	46	1	1	65	181
90-91	51	4	51	1	61	0	2	50	220
91-92	48	10	45	2	64	3	0	58	230
92-93	63	5	89	4	74	2	7	54	298
93-94	48	3	97	10	75	5	2	64	304
94-95	64	7	87	8	83	1	3	60	313
95-96	63	4	74	3	64	2	1	54	265
96-97	37	5	46	4	42	0	5	23	162
97-98	35	9	39	3	54	1	3	39	183
98-99	32	4	25	7	43	1	1	13	126
99-00	29	6	48	7	56	5	3	29	183
Totals	688	73	784	58	925	29	37	714	3308

*Note: Aboriginal associations operating in the Pitjantjatjara lands of South Australia often use Alice Springs as their administrative base. In these circumstances, the corporations are recorded against the Northern Territory figures.

Some of the advantages for Aboriginal associations incorporated under the Act include:

- full control by Aboriginal or Torres Strait Islanders because eligibility for full membership is limited to adult Aboriginals or Torres Strait Islanders and their spouses;
- an allowance for rules to be based on Aboriginal or Torres Strait Islander customs; and
- profit sharing among members (if the rules so provide).

Table 1 provides a break-up by State and Territory of the number of Aboriginal and Torres Strait Islander

organisations that have been incorporated each year.

Since the introduction of the *Aboriginal Councils and Associations Act 1976*, a total of **3,308** associations have been incorporated, and **605** Aboriginal corporations have been deregistered.

A total of **2703** Aboriginal corporations were incorporated under the Act as at 30 June 2000.

CHAPTER 2

The Registrar

Snapshot

- Appointed by the Minister for Aboriginal and Torres Strait Islander Affairs, the Registrar is an independent statutory office holder.
- Nouredine Bouhafs is the current Registrar of Aboriginal Corporations.
- Documents issued by the Registrar during 1999-2000 included Certificates of Incorporation (183), Approvals of Objects/Rule Changes (45) and Section 59A Exemption advices (414).
- Documents filed with the Registrar during 1999-2000 included Applications for Incorporation (192), Notices of Public Officer Appointments (282), and Section 59 Reports (1219).



Nouredine Bouhafs, Registrar

Functions and powers

The Registrar of Aboriginal Corporations is an independent statutory office holder appointed by the Minister for Aboriginal and Torres Strait Islander Affairs.

The Act confers a range of functions and powers on the Registrar who is required amongst other things to:

- advise Aboriginals and Torres Strait Islanders on procedures for establishing Aboriginal councils and for the incorporation of Aboriginal associations

- process applications for incorporation and subsequent changes to names, objects and rules;
- maintain public registers of Aboriginal councils and incorporated Aboriginal associations;
- arbitrate in disputes within corporations in so far as they relate to the Act and the regulations, or the rules of corporations;
- conduct special general meetings as provided for under the Act and as considered necessary by the Registrar, particularly in relation to the resolution of disputes; and
- enforce compliance with the Act by:
 - monitoring the filing of documents and annual returns;
 - examining corporate records;
 - issuing statutory notices;
 - seeking injunctions;
 - initiating examinations into the operations of corporations;
 - appointing (with prior ministerial approval) administrators to conduct the affairs of corporations; and
 - petitioning courts for the winding-up of corporations.

Current appointment

The current Registrar, appointed on 19 January 1992, is Mr Nouredine Bouhafs.

A list of all appointments to the position of Registrar is at Appendix A.

Delegations

Under section 9 of the Act, the Registrar may delegate his statutory powers.

In 1999-2000, the Registrar delegated his powers as follows:

Period of delegation	Delegate	Powers delegated
Open	Joe Mastrolembo	All Powers
23-11-99 only	Eddie Pippet	Section 77D

Issue and filing of documents

The numbers of documents issued by, or filed with, the Registrar during 1999-2000 are listed below.

Documents issued by the Registrar	1999-2000
Certificates of Incorporation	183
Approvals of Change to Objects/Rules	45
Certificates of Incorporation Issued on Change of Name	9
Section 58(4) Requests for current list of members	3
Section 59A Exemption Advices	414
Section 60A Notices to Comply	32
Section 71(1) Notices to Show Cause	25
Section 71(2) Appointments of Administrators (*)	15
Section 77E Cancellations of Appointments of Administrators(*)	16
Notices of Proposed Deregistration	208
Notices of Deregistration	137
Documents filed with the Registrar	1999-2000
Applications for Incorporation	192
Applications for Approval of Change of Name	14
Notices of Public Officer Appointments	282
Notices of Change of Address of Public Officers	26
Applications for Changes to Objects/Rules	54
Section 59 Reports	1219
Section 59A Exemption Requests	387
Section 60 Examinations Reports	47
Section 63 Court Wind Up Orders	57
Section 64 Voluntary Wind Ups	1

*Note: Some corporations had more than one administrator appointed – see **Appendix H** for details.

Snapshot

- With a staff of 27 and a budget of \$3.1 million, the Office of the Registrar is responsible for the administration of the Aboriginal Councils and Associations Act 1976.
- The Office comprises four sections – Information and Training, Registration and Client Services, Audit and Compliance, and Corporate Support.
- Staff training included contractual law, Goods and Services Tax, and administrative law training – with a focus on professional development requirements of each officer.
- A total of 102 briefs and submissions were prepared for the Minister.
- Year 2000 compliance testing was completed in accordance with a project plan. Corporate systems did not experience any difficulties with the Year 2000 issue.

Since its proclamation in 1978, the *Aboriginal Councils and Associations Act 1976* has been administered within the Aboriginal affairs portfolio – initially within the Department of Aboriginal Affairs and from 5 March 1990 within the Aboriginal and Torres Strait Islander Commission (ATSIC).

Mission

The mission of the Office is:

- to advise indigenous Australians on the procedures for establishing Aboriginal councils and Aboriginal corporations under the Act;
- to establish Aboriginal council areas for the provision of community services;
- to incorporate Aboriginal associations
 - wholly for business purposes;
 - principally for the purpose of owning land or holding title to land; or
 - for any other purpose;



Staff of the Office of the Registrar: (l to r) Masepah Banu, Greg Jepsen, Nizam Yoosuf, Bob Powell and Dean Reyaldeen.

- to assist Aboriginal councils and Aboriginal corporations to meet the objectives for which they sought incorporation;
- to ensure that Aboriginal councils and Aboriginal corporations are accountable;
- to safeguard Aboriginal councils and Aboriginal corporations against misconduct; and
- to enforce the provisions of the Act.

Strategies

The strategies of the Office are:

- to keep the Act under review;
- to continuously assess the needs of those to whom it provides services;

- to ensure staff are mindful of Aboriginal and Torres Strait Islander heritage and culture and how these impact on the administration of the Act;
- to encourage staff to acquire appropriate skills and knowledge;
- to meet the needs of those to whom it provides services by delivering education and training workshops on the operations of the Act, the regulations and the rules;
- to meet the needs of those to whom it provides services by developing and widely distributing information about the role and functions of the Office; and
- to promote compliance with the Act, the regulations and the rules.

Structure

The Office of the Registrar comprises the Information and Training section, Registration and Client Services section, Audit and Compliance section, and a Corporate Support unit.

The functional arrangements of the Office are reflected in the organisational chart (see page 16).

Information and Training Section

This section is responsible for the information and training program. It

has responsibility for the production and dissemination of educational material, and the delivery of training workshops to members of Aboriginal corporations. The section also has responsibility for maintaining the Registrar's website (www.orac.gov.au) and other IT applications, dealing with media relations and public affairs issues, and handling freedom of information requests.

Registration and Client Services Section

This section is responsible for processing applications for incorporation, registering public officer notifications, assessing name, object and rule change proposals, providing client assistance,

complaints management and facilitating the resolution of internal disputes.

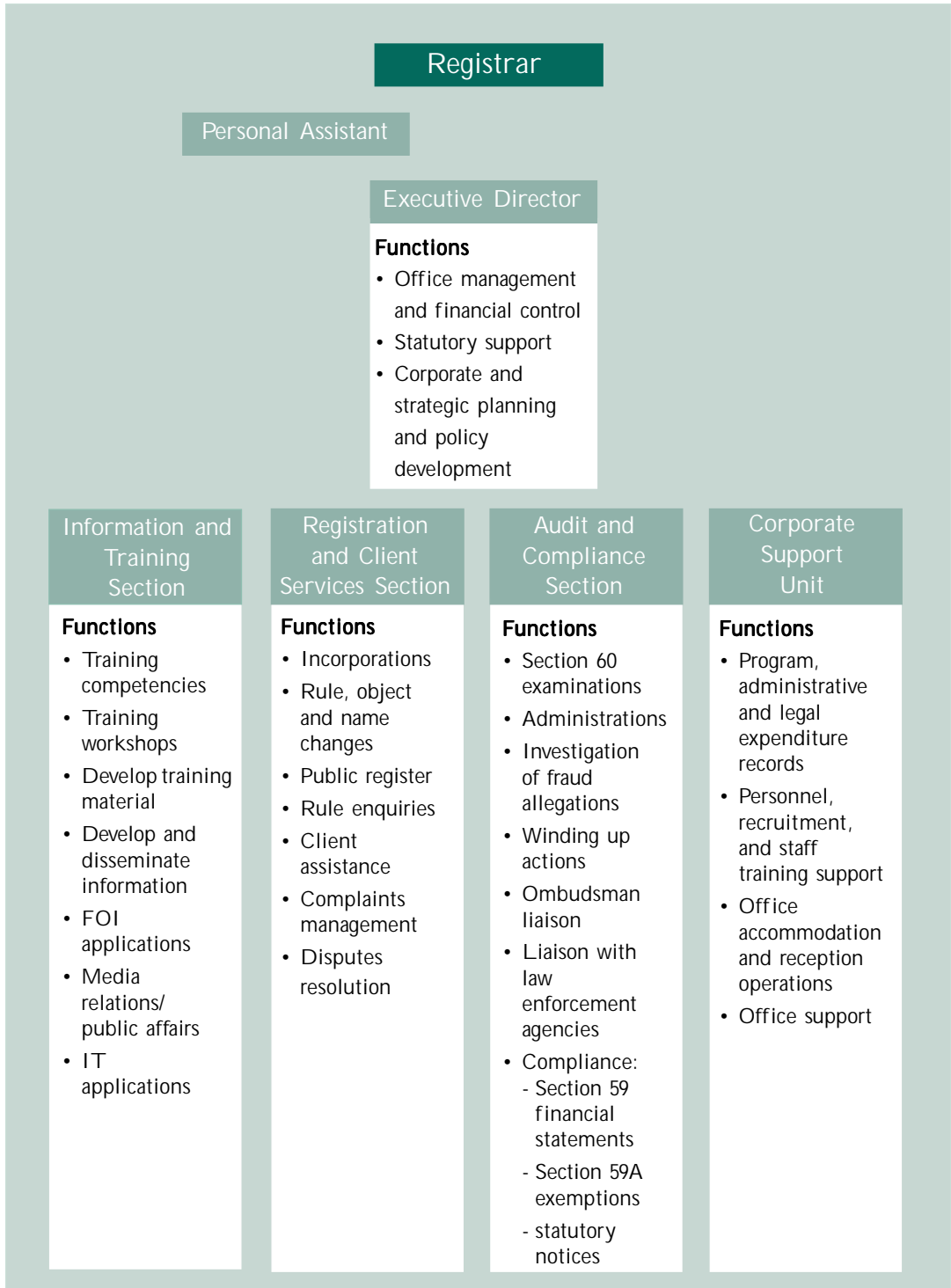
Audit and Compliance Section

This section is responsible for monitoring compliance with the financial reporting requirements of the Act, conduct of statutory examinations, management of administrations, investigation of suspected fraud and misappropriation, management of winding-up processes (including liquidations), and deregistering inactive corporations.

Corporate Support Unit

The Corporate Support unit was set up during the year for the purpose of providing office support and corporate services to the Office of the Registrar.

Organisational Chart



Staffing

During the reporting period, staffing of the Office, comprising permanent officers and temporary employees, totalled 27 persons. This included

the Registrar, who is a statutory office holder appointed by the Minister for Aboriginal and Torres Strait Islanders Affairs.

Representation of Equal Employment Opportunity groups as a percentage of permanent staff as at 30 June 2000

Aboriginal and Torres Strait Islander staff as a percentage of total staff	14%
Women as a percentage of total staff	36%
Staff from non-English speaking backgrounds as a percentage of total staff	18%
Staff with disabilities as a percentage of total staff	-

Staff development and training

The Office of the Registrar attaches particular importance to staff development programs.

Some of the professional development training undertaken by staff included: national GST seminars; in-depth understanding of prescribed bodies corporate; advanced writing skills; contractual law and administrative law training; enhanced awareness of bookkeeping practices and personnel services.

Staff training needs are determined through staff development plans, based on the assessed competency needs of staff. These plans are prepared by each staff member in consultation with his or her supervisor. Although priority is given

to developmental opportunities for staff in their current work, future career aspirations are also considered. This strategic focus on training requirements for each officer has led to a greater awareness of training needs by both staff and supervisors and has resulted in much more focused training being provided.

Occupational health and safety

The Office maintains a strong sense of responsibility in the area of Occupational Health and Safety and makes a concerted effort to increase staff knowledge in this area. The workplace and workstations are monitored to ensure that staff work in a healthy and safe environment.



Staff of the Office of the Registrar: (l to r) Margaret Meusburger and Joanne Collins.

statutory examinations under Section 60 of the Act, the costs of administrations pursuant to Section 71 of the Act, and the costs associated with the Information and Training Program.

- salaries and related costs, for staff employed within the Office.
- administrative expenditure, covering administrative and other costs such as advertising and travel costs, as well as costs associated with the information systems.

Finances

Expenditure

During 1999-2000, the Office of the Registrar had a budget (excluding property operating expenses) of some \$3.1 million under the following categories:

- program expenditure, which comprises costs relating to

Receipts

Schedule 3 to the Aboriginal Councils and Associations Regulations prescribe fees that are payable for certain services. These are summarised as follows:

Lodgement of an application for incorporation	\$ 50.00
Issue of a certificate of incorporation	\$ 3.00
For a certified copy of a certificate of incorporation	\$ 3.00
For inspection of documents filed or lodged with the Registrar	\$ 3.00
For a copy of a document in the custody of the Registrar	\$ 1.00
For furnishing information in reply to a postal request	\$ 3.50
On a subpoena served on the Registrar to produce a document in his custody	\$ 10.00

The fee of \$50 in respect of an application for incorporation is refunded in the event the application lapses or is not approved.

Fees prescribed under Schedule 3 of the Aboriginal Councils and Associations Regulations have been exempted from the Goods and Services Tax.

Receipts collected during the year in respect of the above fees, and amounts received from liquidators representing reimbursement in part or in full of the Registrar's winding up costs, amounted to \$88 426.47.

Year 2000 compliance

Year 2000 compliance activities for the Office of the Registrar's information systems were completed by 31 December 1999 in accordance with an agreed project plan. Appropriate measures were put in place to deal with the Year 2000 issue and maintain ongoing compliance.

The corporate systems of the Office of the Registrar did not experience any difficulties with the Year 2000 issue during the period 1 January 2000 to 30 June 2000.

Legal advice

The ongoing need for legal advice is an integral part of the work of the Registrar and his staff. During 1999-2000, the Office sought assistance from the Australian Government

Solicitor (particularly its Melbourne Office) and from Minter Ellison Lawyers in Brisbane. Occasionally, other law firms were retained.

Ministerial briefs and submissions

A total of 102 briefs and submissions were prepared for the Minister during 1999-2000.

These included reports on the progress of administrations and statutory examinations, and briefs on matters that Aboriginal corporations and others had raised with the Minister.

Internal audits

During the financial year the operations of the Office of the Registrar were subject to an internal audit. The final audit report received in October 1999 concluded that the Office of the Registrar was generally operating to a satisfactory standard. The internal audit noted some aspects of the office's operations (relating principally to the Canda computer application) that could be improved. Recommendations made by internal audit have been progressively implemented during the 1999-2000 year.

An internal audit review of the Canda system was also completed during the year. Canda is the in-house information management and retrieval system currently used for the storage

and retrieval of scanned images and official documents relating to Aboriginal corporations incorporated under the Act.

The main conclusion of the review was that Canda was only partially meeting its business objectives and that a decision on the future of the system should be postponed until a comprehensive gap analysis is carried out between current and required capabilities.

The Office of the Registrar was of the view that, in light of past experience with the Canda system, the amount of resources committed to remedial and enhancement work, and the results of a review conducted by Coopers and Lybrand, the system warranted replacement. The key advantage of replacing the system was to introduce an integrated information management and data base system,

including the utilisation of built-in web enabled technology.

However, in light of the findings of the current internal audit, the Office of the Registrar proposes to pursue the further gap analysis. The Office has also sought funding from ATSIC to implement other related internal audit recommendations.



The Office of the Registrar at Bonner House, Canberra.

Snapshot

- Workshops, which covered a variety of subjects from the role and responsibilities of the Registrar to members' rights and maintaining proper records, were held in 13 centres from Nhulunbuy to Narrogin.
- A training video *Meetings Mean Business* was launched in June 2000 by the Minister, Senator the Hon John Herron.
- The training video *Setting up an Aboriginal Corporation – the Steps and the Benefits* was televised on over 100 Broadcasting for Remote Aboriginal Communities Scheme (BRACS) television stations in June 2000.
- To explain the benefits and requirements of the Aboriginal Councils and Associations Act, a radio campaign was conducted through the BRACS stations. The two waves of the campaign were broadcast in 24 languages by 108 BRACS and 18 non BRACS stations at an average of 20 airplays per week, in June 2000.

Overview

One of the notable features of the Office of the Registrar is its provision of a comprehensive information and training program aimed at helping corporations to better manage their affairs, and operate in accordance with the Act and their rules.

The program, coordinated by the Registrar's Information and Training Section, consists of:

- the production and dissemination of education material about the Registrar's role, function and responsibilities in relation to the administration of the Act and the obligations of incorporated bodies; and
- training workshops on the operations of the Act, the regulations and rules governing the affairs of Aboriginal corporations.

Information and training workshops

Information and training workshops are facilitated by the Registrar's staff and/or consultants who are suitably qualified and experienced in the



Staff of the Office of the Registrar: (l to r) Lea McEachern, John Glynn, Selena Ashman and Marianne Scrbak.

management of Aboriginal corporations, and who are highly regarded for their communication skills. The Office of the Registrar makes all the arrangements for, and meets the cost of delivering the workshops.

The subjects covered at the workshops may be adapted to meet the needs of particular communities, but usually include:

- role and responsibilities of the Registrar of Aboriginal Corporations and his office;
- Aboriginal Councils and Associations Act 1976, and the rules of Aboriginal corporations;
- annual reporting requirements of the Act;
- governing committees and committee meetings;

- governing committee — duties and responsibilities;
- annual and special general meetings;
- members' rights;
- maintaining proper accounts and records;
- procedures to change corporations' rules/objects/names;
- public officer — appointment and responsibilities.

The workshops are designed primarily for governing committees but are also open to corporation staff and funding agency representatives.

Factors that the Registrar takes into account when scheduling workshops include:

- written requests from corporations seeking training;
- the number and location of corporations proposing to participate;
- the number of committee members and others proposing to participate; and
- possible participation or involvement of other agencies.

During the reporting period workshops were held in Nhulunbuy, Darwin, Broome, Derby, Kununurra, Geraldton, Meekatharra, Carnarvon, South Hedland, Perth, Northam, Albany and Narrogin.

Brief information sessions were also held during the year for Perth staff of the Office for Aboriginal and Torres Strait Islander Health Service (OATIHS) and ATSIC.

Video launch

At the invitation of the Registrar, the Minister for Aboriginal and Torres Strait Islander Affairs, Senator the Hon. John Herron launched the video *Meetings Means Business* at Boroloola in the Northern Territory on 15 June 2000.

The video features Aboriginal entertainer Mr Jimmy Little, as presenter, and deals with the basics of conducting a successful governing committee meeting when operating under the Act.

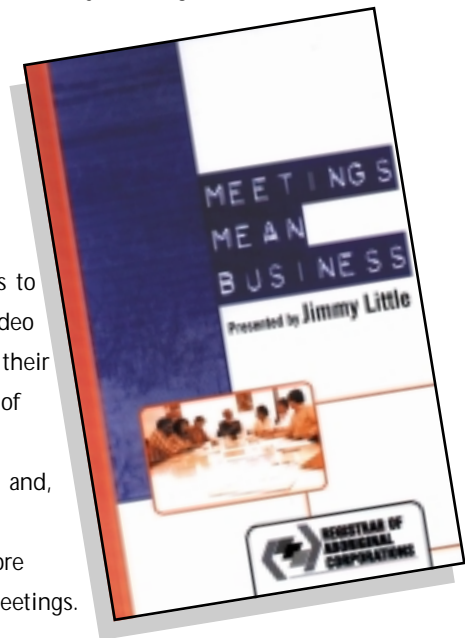
The launch took place at the premises of the Rumburriya Malandari Council Aboriginal Corporation. The chairman of the corporation, Mr Roy Hammer, opened the proceedings with a brief speech welcoming on behalf of the community the Minister, Mrs Herron and all present.

The Registrar followed with a brief presentation outlining the steps that led to this initiative and the importance of the video to his office's information and training strategy.

In his address, the Minister said that it was well known that the most

commonly identified need in Aboriginal corporations was for external assistance, particularly in the form of training for office bearers and staff. The Minister said the video was part of a significant public information and awareness campaign program delivered by the Registrar to meet those needs.

The Minister encouraged Aboriginal corporations to view the video to increase their knowledge of meeting procedures and, in this way, conduct more effective meetings.



Training videos

The Registrar commissioned the Australian Broadcasting Corporation (the ABC) to produce in English two training videos.

The first video titled *Setting up an Aboriginal Corporation — the Steps and the Benefits* was provided to every indigenous organisation incorporated under the Act and to known resource centres throughout Australia.

The video shows how indigenous groups can become incorporated and

the inherent advantages of incorporating under the Act. The video introduces the Office of the Registrar, including coverage of its role and functions before and after incorporation. It also outlines the responsibilities of Aboriginal corporations and shows how the Office of the Registrar can assist corporations to comply with their obligations under the Act.

The second video, *Meetings Means Business*, deals with the procedures that must be followed to satisfy the requirements of the Act and the rules of incorporation. The video reinforces the importance of properly structured meetings as the key tool to success within a corporation. It shows how the quality of the process at meetings and the participation of those present largely determines the quality of the decisions made. The video also deals with difficult issues such as conflicts of interest and unruly behaviour, as well as the role of the chairperson, secretary and treasurer.

A copy of the second video will also be distributed to every indigenous organisation and known resource centre.

A proposal to dub the videos in several Aboriginal languages is being discussed with the Australian Broadcasting Corporation. It is hoped

that the project will be completed in 2000-2001.

National television broadcasting

In June 2000, over one hundred Broadcasting for Remote Aboriginal Communities Scheme (BRACS) stations nationwide broadcast *Setting up an Aboriginal Corporation — the Steps and the Benefits* and *Meetings Means Business*. The object of this national broadcasting on indigenous television was to achieve the widest possible coverage to all remote areas across Australia in a culturally appropriate manner.

This campaign has been well received by indigenous communities, with many requesting that the videos be repeated. As well, non-BRACS television stations have sought to broadcast the videos.

Advertisements run on Aboriginal radio stations

To make it easier for people in remote communities to understand the benefits of the Act and its requirements, the Registrar contracted the National Indigenous Radio Service (NIRS) to undertake national radio campaigns using the BRACS radio network. A similar campaign was previously run in 1998-1999.

In May 2000 radio advertisements were broadcast in English and also in

24 Aboriginal languages through 108 BRACS and 18 non-BRACS stations. Each station provided an average 20 airplays each week, over a two-week period. This campaign centred on the ability of Aboriginal and Torres Strait Islander groups to incorporate under the Act, the benefits of incorporating, and the assistance that the Office of the Registrar can provide groups seeking to incorporate.

A second radio advertisement was broadcast over the BRACS network in June, achieving the same coverage as the earlier advertisement. This campaign reminded Aboriginal corporations to start planning for their annual general meeting, the requirement to present audited financial statements, a current list of members and a statement of compliance from the committee to members at this meeting, and the need to file these reports with the Registrar by 31 December.

Feedback from indigenous communities was very positive, resulting in a substantial increase in enquiries to the Office of the Registrar.

Revised training brochures

A set of 22 training brochures was released in 1997-98 to assist Aboriginal corporations in the management of their organisations.

During 1999-2000 the training brochures were revised to take into account the feedback received after the first run. A feature of the new brochures is the presentation of the material in an easily read and understood form.

The Office of the Registrar will distribute the revised brochures to every Aboriginal corporation and other interested bodies in the new financial year.

Service Charter

The Service Charter sets out the services that the Office provides, the standard to which the services will be provided and mechanisms for dealing effectively with client complaints.

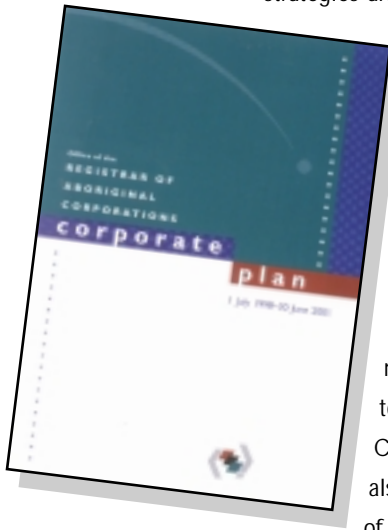
The Office of the Registrar has a client focus, which is reflected in the following principles that staff apply to their day-to-day activities.

- All clients must be treated fairly, impartially and courteously.
- Privacy and confidentiality requirements must be respected.
- A positive and helpful approach must be adopted at all times.
- Clients must be told of avenues of appeal available to them.

Corporate Plan

The Corporate Plan complements the Service Charter. It provides a

statement of the Office of the Registrar's corporate direction, strategies and objectives



over a three-year period. The current plan covers the period 1 July 1998 to 30 June 2001.

Although it is a management tool, the Corporate Plan is also a statement of the Office of

the Registrar's partnership with those to whom it provides service. The Office's success in achieving its objectives depends, in part on its clients; just as the quality of their corporate governance depends, in part, on the Office of the Registrar.

Redevelopment of the Office of the Registrar's website

Ongoing developments in Internet technology have enabled the Office of the Registrar to redevelop its existing website to better meet the needs of corporations.

Information on the site, to come online in August 2000, will be presented in a relevant, user friendly and non-technical manner. Some of its new features will include:

- dynamic, attractive new graphics;
- multiple browser compatibility;
- a search facility of corporations' names and addresses that is simple to use;
- a general search facility for the site;
- e-mail links via an order form for the request of documents or video resources;
- links to multiple document formats; and
- an ability to view videos in segments.

The website can be found at <http://www.orac.gov.au>

Media relations/public affairs

The Office of the Registrar dealt with numerous enquiries from the media during the year. These related to requests for information on the activities of the Office and for interviews and comments.

A number of people asked for specific information on Aboriginal corporations proposed for examination or administration. Other enquiries sought explanations on the reasons for winding up Aboriginal corporations in breach of the reporting requirements of the Act.

The Registrar and his spokespersons made themselves available to the

print and electronic media for comments throughout the year, especially in remote locations.

The public affairs activities of the Office of the Registrar included the launch of the video *Meetings Means Business* and the promotion of the Information and Training Program. The latter included the use of radio and television and interviews with the media to explain the benefits of incorporation under the Act, as well as to explain the extensive assistance available to Aboriginal corporations under the Information and Training Program.

Consultation

The Office of the Registrar will continue to use a variety of means to provide corporations with information

and to seek their input on important issues affecting their operations. This consultation process will include in particular mail outs and surveys. Aboriginal corporations and individuals are always welcome to provide their views and may do so by using the means most convenient to them, including:

Postal address
Office of the Registrar of Aboriginal Corporations
PO Box 2029 Woden ACT 2606

E-mail address
info@orac.gov.au

Toll free telephone
1800 622 431

CHAPTER 5

Client Assistance and Support

Snapshot

- An increase in the number of telephone inquiries to about 150 each week.
- The number of complaints about Aboriginal corporations remained high during the year. Priority was given to following up serious complaints and taking appropriate remedial action.
- The Office of the Registrar plays a mediating role by providing independent advice on the requirements of the Act and corporation's rules. During the year, many disputes within Aboriginal corporations were settled with this type of assistance
- The Registrar called and conducted a special general meeting of members of the Kirrae-Whurrong Aboriginal Corporation to elect a new committee.
- A memorandum of understanding was entered into with the Indigenous Tasmanians Aboriginal Corporation.

Overview

One of the distinguishing features of incorporating under the Act is that the Registrar provides client assistance and support when necessary.

The Registrar provides client assistance and support by:

- advising Aboriginal and Torres Strait Islander groups on the requirements of incorporation;
- helping Aboriginal corporations with proposed rule, name and object changes;
- helping governing committees better understand their responsibilities under the Act and the rules;
- advising members of their rights under the Act and their rules;
- providing guidance to committee members on how specific issues and problems within their corporation may be dealt with in accordance with the Act and their rules.
- helping corporations deal with complaints and disputes

Assistance to applicants seeking incorporation

The Office of the Registrar spent considerable time in 1999-2000 assisting indigenous groups complete applications for incorporation, and ensuring that any deficiencies in the paperwork were overcome.

A new incorporation kit was released during the year to help applicants intending to incorporate. This included:

- a letter to applicants outlining the contents of the kit and an explanation of the documents required to be completed;
- a guide to completing an application for incorporation;
- a business incorporation information sheet;
- a copy of the *Aboriginal Councils and Associations Act 1976*;
- a copy of the model rules;
- an Independent Confirmation of Name form; and
- an Independent Confirmation of Aboriginal/Torres Strait Islander Descent and Adulthood form.

An official application for incorporation and all forms required to be completed by applicants are also available on the Registrar's website.

Assistance with rules for incorporation and rule changes

The Office of the Registrar helps associations applying for incorporation by providing them with a set of model rules to guide them in formulating their own set of rules. By using the model rules, an Aboriginal corporation automatically ensures that its adopted rules fulfil the requirements of the Act. The use of the model rules has led to a better understanding of the requirements of the Act.

Many corporations submitted rule changes for pre-approval by the Registrar. This approach helps them to ensure that the proposed rule changes meet the requirements of the Act, prior to calling a general meeting of members to consider those rules.

During the year, staff of the Office of the Registrar met with representatives of many corporations to discuss proposed changes to their rules, providing suggestions and guidance on how rules might be amended to reflect change to their operations and circumstances.

Enquiries and information requests

Aboriginal corporations can contact the Office of the Registrar toll-free on 1800 622 431; or by e-mail address: info@orac.gov.au; or by facsimile: (02) 6281 2739; or by writing to the

Office of the Registrar: PO Box 2029,
Woden ACT.

Telephone enquiries from both existing corporations and associations seeking incorporation remained high during the year. Surveys conducted during the year revealed that over 150 calls were received each week from corporations seeking assistance from the Office of the Registrar.

Such calls range from requests for general information about incorporation to enquiries about the requirements of incorporation, the rules and the Act.

Information and assistance is also sought about specific issues such as matters relating to membership, annual general meetings, committee meetings, records required under the Act, and corporation rules.

At times immediate help is sought in respect of 'on the spot' situations. On occasions committee members have contacted the Office of the Registrar by telephone to advise that "a meeting has been called but a quorum has not yet been reached". The questions then asked include "How long must we wait for a quorum?" or "What do we do now?". The Office of the Registrar responds to such situations and provides the assistance requested.

We have a question...

The following are quotes from actual correspondence received during the year, highlighting the types of enquiries received and information sought by corporations.

'Can a member be expelled without that member being present at the general meeting at which the motion to expel the member was put?'

'Can a member of the Corporation also be an employee of the Association?'

'Is there a way of voting the Chairperson out of the Committee as she has acted in a manner that has brought the organisation into disrepute?'

'Does the Aboriginal spouse need to be a member for a non-Aboriginal person to be eligible to become a member? Do non-Aboriginal persons have voting rights?'

'Is a Committee Meeting that was called by the Secretary without direct instructions by the Chairperson a valid meeting?'

'What is the correct procedure for putting a vote of no confidence in the current board and coordinator?'

During the year a significant volume of correspondence was received from governing committees and members of corporations seeking information and assistance. The Office of the Registrar responds to all written requests.

Complaints management

The Office of the Registrar provides an avenue for people to lodge complaints concerning unfair or dishonest dealings or misconduct. The Registrar follows up serious complaints and takes appropriate action to remedy any wrongdoing that disadvantages the membership of a corporation.

The number of complaints referred to the Registrar by aggrieved members, committee members, employees, government agencies and members of the public remained high during the year.

The most common complaints received involved concerns about:

- invalid annual general meetings—concerns raised included meetings held without a quorum of members present, non-members voting at meetings, proper notice not being given to all members, and irregularities with voting at meetings;
- discriminatory and unfair conduct by governing committees;

- committee members not making information available to members;
- committee members failing to call special general meetings in accordance with requests from members; and
- committee members failing to consider and deal with applications for membership.

Records kept disclose that, on average, 50 percent of complaints received were from members of corporations. In many instances the members requested that the Registrar intervene in the corporation's affairs.

Other major sources of complaints about Aboriginal corporations were members of the public and funding agencies.

The Office of the Registrar assesses all complaints received and takes appropriate action to ensure that any breaches of the Act and the rules are remedied.

The complainant may be contacted to obtain more information and determine specific issues of concern. The Office may also liaise with the governing committee in an effort to ensure that the concern is dealt with in accordance with the rules of the corporation.

From time to time, complaints are received without sufficient evidence, particularly about financial irregularities. Conflicting

information is usually received from the parties, with the facts often difficult to establish.

In some instances, after further information has been obtained, the Registrar will decide to appoint an independent examiner under section 60 of the Act, to report on the operations and financial affairs of the corporation.

Such examinations provide the Registrar with independent factual information on complaints and assist in identifying an appropriate course of action.

Special general meetings

Under Section 58B of the Act, the Registrar may call a special general meeting at any time if, in his opinion, there is a need to do so. One such meeting was held during 1999-2000.

This involved the Kirrae-Whurrong Aboriginal Corporation, which was incorporated in June 1987 for the primary purpose of managing and controlling Framlingham forest in south-west Victoria.

In November 1997 the Registrar authorised an examination of the affairs of the corporation in accordance with section 60 of the Act. The examiners reported that many of the requirements of the Act and the rules had been breached and disputation between members of the Framlingham Aboriginal community

and the governing committee were affecting the operations of the corporation. This disputation centred on the committee's failure to admit community residents to membership.

On 27 January 1998 a notice in accordance with Section 60A of the Act was served on the corporation, requiring it to comply with the requirements of the Act and the rules, and to consider the membership applications. However, the corporation failed to respond to the notice.

Following further representations regarding the outstanding applications and the level of disputation within the community, the Registrar formed the view that, having regard to all the available information, the appropriate course of action was to seek to wind up the corporation.

This matter came before the Federal Court in Melbourne on 26 October 1999. The action, which was defended by the corporation, resulted





The Registrar (centre) with the newly elected committee of Kirrae-Whurrong Aboriginal Corporation.

in a settlement under which the outstanding applications would be processed by the governing committee. The settlement provided for the governing committee to then stand down effective from 30 November 1999 and for the Registrar to conduct a special general meeting the same day to elect a new committee.

On 30 November 1999 the Registrar conducted this meeting and elected a new governing committee. This action was subsequently challenged by the outgoing committee on the ground that the Registrar was wrong in refusing to accept proxy votes at the meeting. However, on 13 December the Federal Court ratified the discontinuance of the action.

Disputes

As far as practicable, the Registrar encourages corporations to resolve their own difficulties internally. Where a dispute arises, the Office of the Registrar can play a mediating role by providing independent advice on the requirements of the Act and, if appropriate, advice on a corporation's rules. The majority of disputes are settled with this type of assistance.

Dispute resolution continued to be a significant activity for the Office of the Registrar throughout the year.

The following are case histories of conflicts and/or disputes dealt with by the Office.

Tangglun Piliengi Yunti Aboriginal Corporation

The Tangglun Piliengi Aboriginal Corporation was incorporated in July 1995 and is located in Murray Bridge, South Australia. The primary objective of the corporation is to provide ongoing assistance to the local community in the form of employment, training and enterprise development.

Disputes within the corporation in early 1999 resulted in some members petitioning the governing committee to call a special general meeting of members to pass a vote of no confidence in the current committee, and to elect a new committee.

A special general meeting was held on 10 May 2000 to address the members' concerns, but this meeting was adjourned because of disputes that arose during the meeting about the corporation's membership. The adjourned meeting was ultimately held and a new committee elected.

Members of the corporation and the governing committee liaised extensively with the Office of the Registrar in an effort to resolve issues in respect of the calling and conduct of the petitioned special general meeting. The Office gave advice about the procedure for calling the meeting, the membership requirements of the corporation and the procedure for conducting the adjourned meeting.

New South Wales Aboriginal Rugby League Association Aboriginal Corporation

The New South Wales Aboriginal Rugby League Association Aboriginal Corporation was incorporated in July 1991. Its main objective is the promotion of the highest standard of rugby league for its Aboriginal members.

In January 2000 representations were received in respect of disputes between committee members of the corporation. Concerns were raised about a meeting of members held on 15 January 2000, the status of office

bearers, the alleged failure of the treasurer of the corporation to produce a treasurer's report and acquit funds, and the committee's alleged failure to properly control funds.

Staff of the Registrar travelled to Sydney on 25 February 2000 to meet members of the committee and other concerned members.

The purpose of the meeting was to help corporation members better understand the requirements of the Act and their rules, and to assist them resolve these concerns, prior to an annual general meeting scheduled on 26 February 2000.

Separate meetings were held with the treasurer, the chairperson and secretary, and various other members. Discussions focused on:

- the role of the treasurer;
- the requirements to file annual returns with the Registrar;
- the need to present annual returns to members at annual general meetings;
- the procedure for calling general meetings;
- eligibility for voting, and other requirements of the rules in respect of the conduct of annual general meetings; and
- issues of concern in respect of the operations of the corporation.

The meetings helped committee members and other members of the corporation better understand their responsibilities under the Act and their rules.

Indigenous Tasmanians Aboriginal Corporation

The Indigenous Tasmanians Aboriginal Corporation was incorporated in December 1982. It is a major provider of rental housing to Tasmanian Aboriginals, particularly in Hobart where its offices are located.

The corporation has a long history of disputation involving members and was, for a period in the mid 1990s, under administration pursuant to section 71 of the Act.

In October 1999 various members raised concerns with the Registrar about the venue and method of notification for an annual general meeting to be held later that month. At the same time further representations were made about media reports alleging corruption within the governing committee.

After much confusion, including a change of venue, the annual general meeting took place on 30 October 1999 and a new governing committee was elected. The validity of this meeting, and the election of the committee, was initially disputed by some members, with rival factions

claiming to control the affairs of the corporation.

On 10 November 1999 the delegate of the Registrar served on the corporation a notice to show cause why an administrator should not be appointed. The grounds set out in the notice were the ongoing confusion over the composition of the governing committee, the legality of the annual general meeting, investigations currently under way by the Tasmanian Police into alleged fraud, the potential risk to the corporation's housing stock, and the general level of complaint and disputation about the operation of the corporation. The notice sought a response from the corporation by 19 November.

On 19 November 1999 a solicitor acting for the corporation sought an extension of time to respond. The Registrar agreed and the corporation provided a response on 29 November.

This response outlined action taken by the corporation to strengthen its operations, including entering into repayment arrangements with creditors, insuring housing and undertaking a full audit of all tenancy matters. On 7 December two of the Registrar's staff travelled to Hobart to verify the action being taken by the corporation and to meet with the governing committee and other interested parties.

On 15 December 1999, after considering all the available information, the Registrar determined that his most appropriate course of action was to afford the new governing committee an opportunity to address the problems being faced by the corporation. He therefore proposed to the governing committee that a Memorandum of Understanding (MOU) be entered into between himself and the corporation. The committee agreed.

The MOU was subsequently entered into by both parties on 22 December 1999 and provided for a period of six months during which the corporation was required to establish procedures for certain office and corporate functions, demonstrate an appropriate level of financial responsibility and report regularly to the Registrar by way of copies of minutes of all committee and general meetings.

The agreement provided for the Registrar, at the conclusion of the period of six months, to reconsider all material relating to the performance of the corporation during that period before making a final decision as to whether to appoint an administrator.

As at 30 June 2000 the corporation was meeting all its reporting obligations under the MOU and the Registrar had decided not to proceed with the appointment of an administrator.

Application of Section 49B

Subsection 49B(1) of the Act provides that a person cannot be elected or hold office as a governing committee member, if that person has been convicted of an offence against a Commonwealth, State or Territory law and sentenced: if the offence involved fraud or misappropriation of funds - to imprisonment for three months; or in any other case - to imprisonment for one year or longer.

Subsection 49B(3) provides that the Registrar may declare in writing that subsection (1) does not apply to a particular person in respect of a particular offence.

During the year the Registrar received representations from an Aboriginal corporation concerned about whether one of its committee members was eligible to hold office, given that the person had been convicted and sentenced to 18 months imprisonment (suspended for four years).

The Registrar advised the corporation that, based on the information available to him, he was of the view that pursuant to section 49B of the Act, the committee member was not eligible to hold office as a committee member of the corporation.

Later in the year, the person wrote to the Registrar requesting a declaration that the prohibition does not apply to him in respect of his conviction.

At the time the person had also initiated Federal Court action in respect of a different issue, not involving the Registrar, and unrelated to his eligibility to hold office as a governing committee member. This matter however requires the Court to consider the conviction and similar issues to that required to be considered by the Registrar, pursuant to Section 49B of the Act.

In the circumstances, following receipt of legal advice on the matter, the Registrar formed the view that it would be premature for him to make a decision pursuant to Section 49B(3) of the Act. The Registrar advised the person that he would await the outcome of the Federal court hearing, before considering the matter further.

This matter was ongoing at 30 June 2000.



Certificate of Appreciation presented to the Registrar by the Chief Executive Officer of ATSIC on the occasion of the 10th anniversary of the establishment of ATSIC.

Snapshot

- A total of 183 associations were incorporated – an increase of 45 per cent on the previous year.
- The Registrar approved 45 applications for rule changes. Many approved rule changes allowed corporations to conduct their affairs in accordance with Aboriginal or Torres Strait Islander customs or the unique circumstances of their local area.
- Over 555 searches for documents on the public register were received from members of corporations, government agencies and members of the public.
- The Registrar approved 116 requests for annual general meeting extensions of time.
- A total of 282 notices of appointment of public officers were received during the year.
- Nine requests for name changes were approved during the year.

INCORPORATIONS

Overview

Aboriginal and Torres Strait Islanders may form a corporation under the Act for any social or economic purpose, including the conduct of business enterprises.

The operations of Aboriginal corporations incorporated during 1999-2000 covered a wide range of activities including holding title to land, housing, cultural and business activities, and native title representative body functions.

Incorporation requirements

Aboriginal and Torres Strait Islanders seeking to incorporate under the Act are required to submit the following documents:

- a completed application form (Form 6);
- an independent confirmation of Aboriginality/Torres Strait Islander descent and adulthood;
- an independent confirmation of name to confirm that the applicants are entitled to use the

- proposed name under Aboriginal/Torres Strait Islander custom;
- proposed set of rules; and
- (\$50) application fee.

Independent confirmation forms are accepted by the Registrar where they are endorsed by:

- an existing Aboriginal or Torres Strait Islander corporation; or
- senior staff in a statutory land council; or
- Aboriginal/Torres Strait Islander affairs departments of State and Territories; or
- ATSIC officials.

A minimum of 25 members is required to incorporate an Aboriginal

corporation, except where it is being formed principally for the purpose of owning land or holding title to land, or to engage wholly in business. In these cases, a minimum of five members is required.

Membership of Aboriginal

corporations is limited to Aborigines

and Torres Strait Islanders and their spouses. Applicants must be 18 years of age. It is the responsibility of applicants to provide independent confirmation of Aboriginality.

New incorporations

There was a significant increase in the number of applications for incorporation and new incorporations during the year.

A total of **192** applications for incorporation were received, compared with **162** in 1998-99 — an increase of 18 per cent; **183** Aboriginal associations were incorporated — an increase of 45 per cent on the figure of **126** for last financial year.

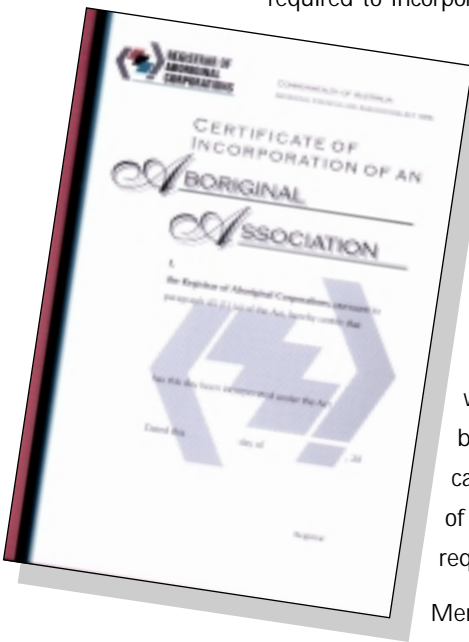
THE RULES OF ABORIGINAL CORPORATIONS

Overview

An Aboriginal or Torres Strait Islander corporation, like any other corporation, needs rules to run its activities. In accordance with the Act, applications for incorporation must be accompanied by a set of rules.

One of the key advantages of incorporating under the Act is the allowance for rules to be based on Aboriginal or Torres Strait Islander customs.

The circumstances of corporations and the way they conduct their



business may change over time.

Corporation members may alter their rules to cater for these changes and to ensure that their corporation operates efficiently and effectively.

The original rules of a corporation, and any changes to these rules during the life of the corporation, need to be approved by the Registrar.

The Act also requires the Registrar to ensure that the corporation's rules are reasonable and equitable and to ensure that members have effective control over the affairs of the corporation.

Rule approvals

The review of rules accompanying applications for incorporation and requests for rule changes was another area of work that continued to require significant resources during the year. Such reviews can be complicated and may require a significant amount of time, especially where the rules are complex or alterations are extensive.

During 1999-2000 the Office of the Registrar received **54** applications for rule changes and the Registrar approved **45**.

The Registrar exercises significant flexibility when approving rules accompanying applications for incorporation and subsequent alterations to those rules. During the year, the Registrar approved many rules allowing corporations to conduct

their affairs in accordance with Aboriginal or Torres Strait Islander customs or to accommodate the unique circumstances affecting their local area.

Rules approved by the Registrar during the year included:

- rules catering for the conduct of committee meetings and general meetings by telephone conference; these covered situations where members were widely dispersed;
- the conduct of local regional general meetings and the election of regional governing committee members where the activities of an Aboriginal corporation extended to many regions, and/or many different communities;
- the election of committee members for a term of more than one year, and/or the election of committee members on a rotational basis; the objectives of these rules are to foster continuity within elected committees, and to promote stability within the affairs of corporations;
- committee structures and membership of corporations based on Aboriginal language groups, Aboriginal clans or Aboriginal traditional owner groups;
- native title representative bodies

incorporated under the Act changing their objectives, and expanding their membership base and areas of service, to satisfy requirements for re-registration under the *Native Title Act 1993*.

SEARCHES

The Act requires the Registrar to maintain a public register of Aboriginal corporations.

The register contains all forms lodged with the Registrar, including applications for incorporation, certificates of incorporation, the rules of corporations, annual audited financial statements, lists of members, and governing committee statements of compliance.

The Aboriginal Councils and Associations Regulations provide that the Registrar may permit persons to inspect all documents filed with the Registrar at all reasonable times, and that he provide persons with copies of documents held on the public register, if requested.

In practice, requests for copies of documents held on the public register are made in person, by fax or by mail from various sources — including members and governing committees of corporations; members of Aboriginal and Torres Strait Islander communities; government departments and agencies, creditors or lawyers acting on behalf of

creditors; and members of the public dealing with Aboriginal corporations.

Requests for copies of documents held on the public register are subject to a fee, in accordance with the provisions of Schedule 3 of the Regulations. Fees may be waived at the discretion of the Registrar, particularly in a client assistance capacity, where requests are received from members for copies of their corporation's current list of members and rules.

During 1999-2000 approximately **555** search requests were received and **541** were actioned by the Office of the Registrar.

ANNUAL GENERAL MEETING EXTENSIONS

The Registrar receives many requests from corporations seeking extensions of time to conduct their annual general meetings.

Corporation rules usually require a corporation to hold its annual general meeting during the period 1 July to 30 September each year. Situations may arise where corporations are not able to conduct their annual general meetings within the time required by their rules.

Reasons why a corporation may be unable to hold an annual general meeting within the time frame specified in its rules include:

- Cultural issues, including deaths within the community; and
- failure to have audited financial statements finalised for presentation to members at the annual general meeting.

During 1999-2000, the Registrar received approximately **117** annual general meeting extension requests and, in line with his flexible approach to the administration of the Act, **116** of these requests were agreed to.

PUBLIC OFFICER APPOINTMENTS

The public officer is the official point of contact between the corporation and the public in general.

The public officer is the person whom the Registrar and other external parties will communicate with when making formal contact with a corporation. The public officer has certain responsibilities under the Act, including lodging certain documents with the Registrar and maintaining the corporation's register of members.

The governing committee has responsibility for appointing a public officer, and determining an official address for that public officer, within three weeks of the date of incorporation. The public officer does not have to be a member of the corporation.

Within three weeks of this appointment the committee is required to notify the Registrar of the name and official address of the public officer.

From time to time the name and/or address of the public officer may change for various reasons, including situations where the public officer may resign, or where the governing committee may decide to change the public officer or the official address.

The Act requires the governing committee to notify the Registrar of any changes to its public officer and/or official address within three weeks of the change occurring.

During 1999-2000 the Office of the Registrar received **282** notices advising of the appointment of public officers and **26** notices advising of changes to public officer addresses. This represents an increase over the previous year, when the figures were **248** and **18** respectively.

However, the number of corporations that have failed to advise the Registrar of the appointment of a public officer remains high. The Office of the Registrar is progressively following up this matter, writing to corporations in breach, and requesting that they file the necessary notification.

NAME CHANGES

From time to time members may seek to change the name of their corporation.

The Act requires that the committee of the corporation first seek the Registrar's approval of the intended new name. If the new name is approved, the public officer of the corporation is then required to give notice to the Registrar when members have resolved that the name be changed as proposed. The change of name does not take effect until the Registrar has issued a new certificate of incorporation.

In considering requests for name changes, the Registrar adopts a flexible approach in approving names of corporations that may be of cultural or community significance to the members of a corporation. The Act does, however, require the Registrar to ensure that the proposed name is:

- available, i.e. that the name does not duplicate, or too closely

resemble, the name of any existing corporation incorporated under the Act;

- not an unauthorised name, i.e. a name that is, in the opinion of the Registrar, undesirable, or a name that would not be allowed under the *Corporations Law*. The kinds of names which are considered unauthorised include:
 - names that are likely to be offensive to members of any section of the public;
 - names which are misleading in relation to the objects and activities of the corporation;
 - names that are likely to be confused with other incorporated bodies or institutions such as building societies, co-operatives, universities, associations incorporated under other legislation; and
 - names which suggest any connection with the Crown, any level of government, or any department or instrumentality of government.

During 1999-2000 the Registrar received **14** requests for name changes and approved **9** of them.

Snapshot

- Aboriginal corporations are required under the Act to provide an annual return to the Registrar. A total of 1219 were filed in 1999-2000.
- The Registrar exempted 390 corporations from the requirement to prepare and file audited financial statements. In total the exemptions granted covered some 922 financial years.
- The Registrar has progressively implemented an active and ongoing compliance improvement program to improve compliance with the annual reporting requirements.
- Reminder letters were sent to all corporations outlining the requirements to file annual returns.
- As part of a comprehensive follow up strategy that targets corporations that have failed to file returns for three consecutive years, 388 corporations were sent letters of demand requesting outstanding annual returns.

Overview

The Registrar has a statutory duty to ensure compliance with the annual reporting requirements of the Act and to take action in relation to corporations that continually fail to comply with these requirements.

Section 59 of the Act requires each corporation to file with the Registrar by 31 December each year a committee's report and an examiner's report for the preceding financial year. Corporations are also required to present these reports to members at annual general meetings.

The committee's report comprises a statement of compliance, a current list of members, a balance sheet and an income and expenditure statement. The examiner's report (audit report) is required to confirm whether or not the financial statements are based on proper accounts and records and whether the corporation has complied with the Act and its rules.

The annual reporting requirements of the Act help ensure that Aboriginal corporations conduct their affairs in

the best interests of their members and the general public. The annual information provided by Aboriginal corporations to its members and to the Registrar is also a mechanism for demonstrating sound management, financial accountability and operational transparency.

Compliance with annual reporting requirements

In the 1999-2000 financial year Aboriginal corporations filed with the Registrar some **1219** annual returns. The annual returns filed included 918 for the 1998-99 financial year, and 301 annual returns from previous financial years.

Annual returns filed with the Registrar during the year were reviewed to ensure that they complied with the requirements of the Act, and to identify any existing or emerging problems. Any irregularities or concerns identified as a result of the review process were actively followed up with the relevant corporations.

Exemptions

Many Aboriginal corporations do not carry out extensive activities, have limited financial dealings and resources and they do not hold substantial assets.

Section 59A of the Act therefore provides that the Registrar may exempt corporations from the annual reporting requirements of the Act.

Aboriginal corporations may apply to the Registrar for exemptions from these requirements. In applying for exemptions, corporations are required to demonstrate that it would be unduly onerous or impracticable for them to comply.

Examples of circumstances in which the Registrar exempted Aboriginal corporations from the requirement to prepare and file audited financial statements included corporations that:

- had little or no income or expenses for the year;
- only held land;
- held minimal assets;
- did not conduct extensive activities; or
- had records lost or destroyed.

During 1999-2000, the Registrar readily exercised the discretionary exemption provisions of the Act. A total of 390 corporations were exempted from the requirement to prepare and file audited financial statements. In total the exemptions granted covered some 922 financial years, and included audited financial statements for 1998-99 as well as previous financial years.

Details of the corporations granted exemptions from preparing and filing audited financial statements in 1999-2000 are at Appendix B.

Compliance improvement program

The Registrar recognises that a focused approach is required to improve compliance with the annual reporting requirements of the Act, and to rectify the unacceptably high number of Aboriginal corporations in breach.

In an attempt to address this issue, the Registrar has progressively implemented an active and ongoing compliance improvement program.

The objective of the program is to promote high levels of corporate compliance and to avoid, wherever possible, the need to take more rigorous action against delinquent corporations. The program is intended to provide Aboriginal corporations with every reasonable opportunity to fulfil their reporting obligations by either providing outstanding annual reports, or alternatively by seeking exemptions from the reporting requirements.

The key features of the program are outlined below.

Ongoing assistance

The Office of the Registrar provides Aboriginal corporations with assistance to better understand the reporting requirements of the Act and improve compliance with them.



Staff of the Audit and Compliance Section: Berkman Selladurai (left) and Terry Freeman.

During 1999-2000 the Registrar provided the following assistance to corporations:

- reminder notices to all corporations outlining the requirements to file annual returns;
- information brochures to corporations on the annual reporting requirements of the Act;
- advertising over 100 Aboriginal radio stations that target Aboriginal and Torres Strait Islanders communities, reminding members of the requirement to prepare and file annual returns;
- forwarding letters to corporations in breach, highlighting outstanding requirements;



Staff of the Office of the Registrar: Luba Neiden-Bach (left) and Lorraine Radovan.

- responding to daily inquiries by phone or in writing, from members of corporations, in respect of the annual reporting requirements of the Act.

Strategy to follow up corporations in chronic breach

The Registrar has implemented a comprehensive strategy to follow up corporations that have failed to file annual returns for three consecutive years.

The key features of the strategy include:

- formal letters of demand clearly explaining the provisions of the legislation and making it plain that the Registrar will take further action if the requirements of the Act are not met;

- providing details of non-compliant corporations to local Aboriginal land councils, such as the Central Land Council and the Northern Land Council (the latter during the year acknowledged this process as '*most helpful*' in enabling it to provide assistance to Aboriginal corporations in its area);
- providing details of non-compliant corporations to ATSIIC and other Commonwealth and State/Territory agencies, including details of those Aboriginal corporations that are targeted for letters of demand and which may be subject to wind up or deregistration action; and
- inquiries and follow ups with other relevant agencies and organisations at a local level to help establish the current status of corporations in chronic breach of the financial reporting requirements.

During 1999-2000, the office followed up 388 non-compliant corporations as part of this strategy.

Corporations remaining in chronic breach

The Registrar is continually looking for new opportunities and reviewing existing procedures and practices to enhance the level of support available

to Aboriginal corporations. However, where all efforts fail to bring a corporation into compliance, the Registrar has no option but to petition the Court to wind up the affairs of the corporation (where it owns assets and/or is active) or deregister the corporation (where it is defunct and does not own any assets).

In winding up cases, a copy of the winding up papers and accompanying affidavit material is sent to the corporation's public officer. In addition, winding-up actions are subject to the standard gazettal and advertising requirements of the *Corporations Law*.

Where an Aboriginal corporation is de-registered, the action is carried out in accordance with the requirements of the *Corporations Law* as it applies to the Act.

Snapshot

- Examinations of the affairs of Aboriginal corporations are a key element of the accountability framework and are one of the means of ensuring that corporations act in the best interests of their members and the general public.
- During 1999-2000, 47 examinations were completed and a further 21 were in progress as at 30 June 2000 – a total of 68.
- Three matters involving fraud were referred to law enforcement agencies.
- A new register of examiners was established in January 2000. It comprises the names and particulars of 169 prospective examiners.

Overview

Section 60 of the Act gives the Registrar authority to examine the records and financial affairs of Aboriginal corporations incorporated under the Act.

Examinations of the affairs of corporations are a key element of the accountability framework for promoting appropriate levels of compliance by Aboriginal corporations with the requirements of the Act and their rules. They also provide an effective mechanism for ensuring that corporations carry out their activities in the best interests of their members.

The main objectives of examinations are to:

- assess and review the level of compliance with the Act and the rules, and to draw attention to any irregularities;
- take action where potential or emerging problems are identified;
- improve accountability and operational performance; and

- increase awareness and understanding of the Act and the rules.

National examinations work program

In recognition of the effectiveness of examinations in promoting compliance and accountability, the Registrar approved a national examination work program for 1999-2000.

During the year, the program focussed on the conduct of examinations of corporations:

- about which the Registrar had received representations or complaints concerning irregularities relating to financial or administrative issues;
- with significant income, assets and operations, and which had failed to comply with the financial reporting requirements of the Act;
- with apparent or emerging problems as noted in audited financial statements filed with the Registrar; or
- that were subject to previous regulatory action or subject to ongoing monitoring by the Registrar.

1999-2000 examinations

The central objects of examinations conducted during the year included ensuring that:

- governing committees were properly constituted and that committee meetings were conducted in accordance with the Act and the rules;
- corporations dealt with membership applications in accordance with their rules and maintained a proper register of members, as required by the Act;
- annual general meetings and special general meetings (if any) were conducted in accordance with the Act and the rules;
- proper accounts and records were maintained and that the management of financial matters accorded with the Act and the rules;
- governing committees complied with the annual reporting requirements of Section 59 of the Act; and
- proper records were kept in relation to services delivered.

A total of 47 examinations were completed during 1999-2000. Details of these examinations are at Appendix C. A further 21 examinations were in progress at 30 June 2000. Details of these examinations are at Appendix D.

Investigating suspected fraud

Members of governing committees are required to act in the best interests of the corporation and to ensure that corporation funds and assets are properly accounted for and not misused or misappropriated.

The Registrar has a responsibility to investigate complaints or allegations concerning suspected fraud and, as appropriate, to refer cases to the relevant law enforcement agency.

Allegations of fraud, misappropriation and fraudulent conversion of corporate assets are closely examined to determine the best course of action. Every representation about suspected fraud is fully assessed to determine whether there is sufficient evidence to pursue the matter and conduct a formal investigation. The following factors are taken into account in determining whether a formal investigation should proceed:

- the seriousness and nature of the suspected breach/fraud;
- the amount(s) involved (if quantifiable);
- the status of the corporation's financial affairs and its level of statutory compliance; and
- the public interest.

In cases where it is considered that the allegations require closer

examination, a formal investigation is undertaken to determine whether there is sufficient evidence for the matter to be referred to law enforcement agencies. In other cases, enforcement action may be initiated pursuant to the provisions of the Act.

During 1999-2000 three matters involving fraud issues were referred to appropriate law enforcement agencies. These matters related to the Emama Gnuda Aboriginal Corporation, the Theodore Aboriginal Corporation and the Balangarri Aboriginal Corporation. In the first two cases, the administrator appointed by the Registrar identified matters for referral to the police as a result of her investigations of the affairs of the corporations. In the Balangarri case, the fraud issues were identified by the Section 60 examiner.

Examiners

Under Section 60 of the Act, the Registrar may authorise any person to conduct an examination of the affairs of a corporation incorporated under the Act.

To enable examinations to be undertaken in a timely and cost effective manner, the Registrar authorises staff from the Office of the Registrar or consultants to conduct examinations.

Whilst it is the Registrar's policy to increase the level of personal contact and interaction between his Office and Aboriginal corporations, staffing constraints limited the number of examinations conducted by the Registrar's staff to three in 1999-2000.

To facilitate the engagement of consultants for examination assignments, the Registrar has in place a register of appropriately qualified and experienced consultants who have expressed interest in conducting examinations of Aboriginal corporations.

In late 1999 the Registrar advertised nationally for expressions of interest from firms and individuals to be included on the register of examiners. As a result of this exercise, a new register of examiners was established on 1 January 2000.

As at 30 June 2000, 169 consultants were listed on this register.

To ensure that the process of engaging a consultant is open, competitive and transparent, not less than three firms or individuals recorded in the register of consultants are invited to submit quotations, against specific terms of reference, to undertake each examination.

All responses to invitations to quote are individually assessed, and contracts awarded on the basis of value for money, having regard to:

- the consistency of the proposed methodology with the terms of reference;
- the qualifications and experience of persons proposed to conduct the examination;
- the timeframe for conducting the examination; and
- the quoted cost of conducting the examination.

Snapshot

- In the year under review, 32 Section 60A compliance notices were served on corporations requiring remedial action.
- Staff of the Registrar met with representatives of nine corporations to discuss issues relating to compliance notices – and to offer specific assistance and training.
- Twenty-five corporations were served with Section 71 notices to show cause why an administrator should not be appointed.
- Monitoring arrangements were put in place for ten corporations following the issue of Section 71 notices.
- A total of 137 corporations were deregistered during the year.
- Three corporations were served with Section 58 notices requiring an up to date list of members.

SECTION 60A COMPLIANCE NOTICES

Overview

Section 60A of the Act provides that the Registrar may require an Aboriginal corporation to take remedial action where he suspects, on reasonable grounds, that it has not complied with the Act or its rules, or that there are irregularities in its financial affairs.

In circumstances where the Registrar is satisfied that an Aboriginal corporation can attend to compliance deficiencies, and/or take the necessary corrective action in relation to its financial affairs, he may serve a Section 60A compliance notice on it. The compliance notice sets out the action and timeframe for the implementation of corrective measures.

In most cases a Section 60A compliance notice is served on the basis of information gathered as a result of an examination of its affairs.

Section 60A compliance notices issued

The Registrar issued 32 notices under section 60A of the Act to Aboriginal corporations in 1999-2000.

Common breaches of the Act and other irregularities noted in notices issued during the year included:

- failure to maintain adequate supporting documentation in respect of payments that have been made;
- failure to include in the register of members details of members' names, addresses and dates of joining the corporation;
- the admission of members who do not meet the membership eligibility requirements as set out in the rules of the corporation;
- the conduct of annual general meetings or committee meetings without a quorum;
- failure to maintain records to demonstrate that proper notice of general meetings was given to members;
- failure to notify the Registrar of the appointment of, or changes to, the appointment of public officers.

Key remedial action required in Section 60A compliance notices issued during the year included:

- steps to be taken to maintain a proper register of members and to

properly admit individuals to the membership of the corporation;

- procedures for the proper conduct of general meetings and committee meetings in accordance with the Act and the rules;
- filing with the Registrar outstanding audited financial statements, a list of members and/or a statement of compliance;
- action to maintain proper accounts and records and properly control expenditure, receipts and assets of the corporation;
- conduct of a committee meeting within 30 days of the issue of the notice to acknowledge the key findings of the examination and to implement the required remedial action.

It is the Registrar's normal practice to continue to monitor for six months the activities of an Aboriginal corporation served with a Section 60A compliance notice.

Details of Section 60A compliance notices issued in 1999-2000 are at Appendix E.

Personal service of Section 60A compliance notices

The Registrar acknowledges the importance of ensuring that Aboriginal corporations fully understand the requirements of the Act and their rules, and the nature

and extent of the remedial action required under the notices issued.

During 1999-2000, the Registrar continued the practice initiated in 1997-98 of having staff meet with governing committees and their representatives to personally serve notices on corporations.

These meetings provide an opportunity for the Registrar's staff to fully explain the actions required of the corporation to comply with the Act and the rules. They also enable them to answer questions and conduct informal training sessions on such key issues as:

- the roles and responsibilities of members of the governing committee;
- conducting committee and general meetings; and
- maintaining appropriate records.

The meetings are also a means of increasing the corporation's awareness of the role of the Registrar and his Office and the mechanisms put in place by the Registrar to assist corporations.

In 1999-2000 staff of the Registrar met with representatives from the following nine Aboriginal corporations to discuss issues relating to Section 60A compliance notices.

- Kullila welfare and Housing Aboriginal Corporation



Staff of the Office of the Registrar: Megan Lane and Joe Mastrolembo.

- Gulin Gulin and Weemol Community Council Aboriginal Corporation
- Urapuntja Council Aboriginal Corporation
- Gundabooka Aboriginal Corporation
- Ullamulla Pejar Aboriginal Corporation
- Munjuwa Queanbeyan Aboriginal Corporation
- Narrandera Wiradjuri Elders Group Aboriginal Corporation
- Twofold Aboriginal Corporation
- Yalbillinga Boori Day Care Centre Aboriginal Corporation

In most instances the personal service of the notice was acknowledged by corporation

representatives as helping them to better understand the requirements of the Act and their rules. As a result of these meetings with the Registrar's staff, a number of corporations identified the need for further specific assistance and training in the application of the Act and their rules in their day-to-day activities.

Simplified Section 60A compliance notices

During the reporting year the Office of the Registrar conducted a review of the form, format and content of notices served on corporations.

This review resulted in revisions to the content and format of compliance notices. The primary focus of the revisions was to simplify the language used in notices and to present the requirements of notices in a more easily understood form.

SECTION 71 NOTICES

Overview

In accordance with Section 71 of the Act the Registrar may, where he considers there may be grounds for appointing an administrator to take control of an Aboriginal corporation's affairs, request that the corporation show cause why an Administrator should not be appointed. In most instances, the basis for the Registrar taking this action is information gathered as a result of an examination of a corporation's affairs.

Section 71 Notices issued and outcomes

In 1999-2000, the Registrar served show cause notices on **25** Aboriginal corporations. Details of the corporations issued with show cause notices are at Appendix F.

As a result of these notices, and following consideration of the corporation's response to the matters raised in the notice, the Registrar appointed an administrator to twelve Aboriginal corporations. The corporations are listed under 'Appointment of Administrators' (Chapter 10).

In one case, the Rrumburriya Malandari Council Aboriginal Corporation, the Registrar was satisfied that appropriate action was being taken to address the issues raised in the show cause notice and therefore decided to take no further action.

In respect of the Mrangalli Housing Aboriginal Corporation, having considered the corporation's response to the show cause notice, the Registrar petitioned the court to wind-up the affairs of the corporation. Details of the circumstances of this corporation are outlined under 'Summaries of winding up orders obtained by the Registrar' (Chapter 11).

The Registrar may, as an alternative to proceeding with the appointment of an administrator, decide to give a corporation the opportunity to itself remedy identified breaches of the Act and rules.

However, to be assured that the corporation attends to these matters, the Registrar may serve on the corporation a compliance notice under Section 60A of the Act.

The Section 60A compliance notice outlines the remedies required of the corporation to rectify deficiencies, and requests the corporations to report to the Registrar on progress. This arrangement allows the Office of the Registrar to monitor the corporation's performance over a period and to ensure that it conducts its affairs in accordance with the Act and its rules.

These monitoring arrangements were established in respect of ten corporations (served section 71 Notices) during 1999-2000. These corporations were:

- Mungoobada Aboriginal Corporation
- Aboriginal Movement for Outback Survival Aboriginal Corporation
- Napranum Aboriginal Corporation
- Gulin Gulin and Weemol Community Council Aboriginal Corporation

- Narranderra Wiradjuri Elders Group Aboriginal Corporation
- Wirri/Yuwiburra "Touri" Aboriginal Corporation
- Ngoojuwah Council Aboriginal Corporation
- Twofold Aboriginal Corporation
- Nulla Nulla Boongutti Aboriginal Corporation
- Tkalkaboorda Community Aboriginal Corporation

In respect of the Indigenous Tasmanians Aboriginal Corporation, the Registrar did not proceed to appoint an administrator following consideration of the corporation's response to the section 71 notice, but decided to enter into a formal memorandum of understanding with the corporation. Details of the circumstances of this corporation are outlined under '*Disputes*' (Chapter 5).

DEREGISTRATION NOTICES

The Registrar may deregister and strike off the name of an Aboriginal corporation from the Register of Incorporated Aboriginal Associations (the public register), if the corporation is not carrying on its activities or is not in operation.

The Registrar may initiate deregistration action:

- as a result of his compliance improvement program and where reasonable inquiries by the Registrar have revealed that the corporation does not hold any assets and is inactive;
- where a liquidator has completed the wind up of the affairs of a corporation, and applies to the Registrar to have the corporation de-registered;
- where a corporation advises the Registrar that it holds no assets and liabilities, and that it is no longer operational.

The Registrar's authority to deregister a corporation is in Regulation 18, under Section 82 of the Act, which states that the provisions of the Corporations Law that relate to the cancellation of the registration, or to the dissolution, of a company that is not carrying on business or is not in operation, is applicable.

Where the Registrar has reasonable cause to believe that a corporation is not carrying on its activities or is not in operation, the Registrar sends the corporation by post a letter to that effect and stating that, unless an answer showing cause to the contrary is received within one month from the date of the letter, a notice will be published in the Commonwealth

Business Gazette with a view to deregistering and cancelling the name of the corporation from the public register.

If the Registrar does not receive an answer within one month of the date of the letter to the effect that the corporation is carrying on its activities or is in operation, the Registrar publishes in the Commonwealth Business Gazette and sends to the corporation a "*Notice of Proposed Deregistration*". The Notice states that at the end of two (2) months from the date of the notice, the registration of the corporation will, unless cause is shown to the contrary, be struck off the public register and the corporation will be deregistered.

During 1999-2000, *Notices of Proposed Deregistration* sent to 208 corporations were published in the Commonwealth Business Gazette.

If at the end of the two-month period a response is not received from the corporation, the Registrar publishes a *Notice of Deregistration* in the Commonwealth Business Gazette, deregistering and striking off the name of the corporation from the public register.

During 1999-2000, 137 corporations were deregistered and struck off the public register by way of *Notices of Deregistration* published in the Commonwealth Business Gazette.

Details of corporations deregistered during 1999-2000 are listed at Appendix G.

SECTION 58 NOTICES

In accordance with Section 58 of the Act the Registrar may serve on a corporation a notice requesting that it file with his office an up-dated list of members.

The Registrar served Section 58 notices on the following corporations under administration during the year, requesting a listing of current members of the corporation, for the purpose of elections pursuant to Section 77D of the Act:

- Gurang Land Council (Aboriginal Corporation);
- Gumala Aboriginal Corporation;
- Yaamba Aboriginal and Torres Strait Islanders Corporation For Men.

Snapshot

- The Registrar appointed administrators to 13 Aboriginal corporations.
- Nineteen corporations were under administration during 1999-2000 – including six which continued from the previous year. At June 30, five remained under administration.
- Administrators' recommended that the affairs of six corporations be wound up.
- Elections of new governing committees were conducted for seven corporations during the year. Three were conducted by postal ballot, and the balance at special general meetings of members.
- Fourteen administrations were cancelled during the year.

Overview

Section 71 of the Act gives the Registrar the power to appoint an administrator to take control of the affairs of an Aboriginal corporation.

The administrator manages the corporation's operations and pursues its objectives in accordance with the requirements of the Act and the corporation's rules.

Appointment of administrators

Section 71 of the Act sets out the grounds on which the Registrar may initiate action to appoint an administrator. In summary, these include:

- the corporation has traded at a loss for at least six months;
- the governing committee has failed to comply with the Act, the regulations or the corporation's rules;
- the governing committee has acted in its own interest, or unfairly or unjustly in relation to the members;

- the appointment of an administrator is required in the interests of members and creditors of the corporation, or in the public interest.

There are two stages in the appointment of an administrator to a corporation. The Registrar must, in the first instance, give a corporation the opportunity to show cause why an administrator should not be appointed. This is achieved by the Registrar serving written notice on the corporation setting out the grounds he considers may exist for the appointment. In all instances the corporation is given a reasonable timeframe to respond.

The second stage requires the Registrar to consider any response provided by the corporation to a show cause notice and to seek the approval of the Minister, if an appointment is to be made.

The appointment is a serious intervention in the affairs of an Aboriginal corporation because, when an administrator is appointed, all members of the governing committee automatically lose office.

During 1999-2000 the Registrar appointed administrators to manage the affairs of the following thirteen corporations:

New South Wales

Armidale Baalapiny Housing
Aboriginal Corporation

Towri Aboriginal Corporation

Mrangalli Aboriginal Corporation

Queensland

Nurapai Torres Strait Islanders
Corporation

Theodore Aboriginal Corporation

Link-up (QLD) Aboriginal
Corporation

Western Australia

Barrel Well Community Nanda
Aboriginal Corporation

Gubrun Aboriginal Corporation

Gumala Aboriginal Corporation

Murchison Regional Aboriginal
Corporation

Carnarvon Aboriginal Medical
Service Aboriginal Corporation

South Australia

Aboriginal Corporation of
Employment and Training
Development

Northern Territory

Irrwanyere Aboriginal Corporation

A total of nineteen Aboriginal
corporations were under
administration for varying periods

during 1999-2000. This included six administrations that began in 1998-99 and continued into 1999-2000.

At 30 June 2000, five Aboriginal corporations remained under administration.

Full details of all corporations under administration during 1999-2000 are at Appendix H.

Role and responsibilities of administrators

The primary role of an administrator is to take control of the affairs of the corporation so as to re-establish stability and best practice within it, in an environment that promotes accountability and awareness of statutory and other responsibilities. Administrations are intended to assist corporations with resolving difficulties in the day-to-day management of their financial and operational affairs and with laying the groundwork for efficient and effective management within the corporation after the administration ceases.

The principal responsibilities of an administrator include putting in place the following key elements to support and sustain the corporation's on-going operations:

- appropriate procedures, guidelines and policies in respect of core operations.

- proper financial controls and financial systems and records.
- a sound financial framework and, where appropriate, secure ongoing funding.
- adequate staffing levels and structures.
- controls to secure all corporation assets and, when necessary, obtain appropriate insurance cover.
- an accurate and up-to-date membership register.
- appropriate rules that reflect current operations (with membership approval).

The administrator is also required to investigate any misuse, misapplication or misappropriation of corporation funds or assets.

The administrator reports regularly to the Registrar on the progress of the administration. The Office of the Registrar monitors progress through these reports and local visits to corporations.

Liquidation of corporations under administration

The rationale for appointing an administrator is to put a corporation's affairs in order and to ultimately return the control of the corporation to its members. However, sometimes an administrator may not be able to

achieve this outcome, for example, where:

- the corporation is insolvent;
- there is a lack of interest by members in the corporation's future;
- the corporation will not be able to pursue its objects; or
- the corporation will not be able to conduct its affairs in accordance with the Act and the rules.

In such circumstances the administrator may recommend to the Registrar that proceedings be commenced to wind up the corporation's affairs.

In 1999-2000, administrators recommended that the affairs of the following Aboriginal corporations be wound up:

- Balangarri Aboriginal Corporation;
- Petford Training Farm (Aboriginal Corporation);



- Gubrun Aboriginal Corporation;
- Nurapai Torres Strait Islanders Corporation;
- Armidale Baalapiny Housing Aboriginal Corporation;
- Theodore Aboriginal Corporation.

The Registrar accepted the administrators' recommendations that the corporations be wound up. Subsequently, liquidators were appointed by the courts.

Governing committee elections

If the Registrar is satisfied that it is no longer necessary for an administrator to conduct the affairs of the corporation, then in accordance with Section 77D of the Act, the Registrar must hold an election of a new governing committee.

The election of a capable, diligent and representative new governing committee to replace an administrator is a significant event for the corporation's future. The incoming committee elected by the members has the opportunity to consolidate and build on the processes, procedures and structures put in place by the administrator and to secure a stable and successful future for the corporation.

The election process is determined by the Registrar, taking into account

the particular circumstances of the corporation under administration.

If the membership of a corporation under administration is reasonably small and is located in one single area, the Registrar may decide to conduct the election of a new committee at a special general meeting of members.

During 1999-2000, the Registrar conducted four elections of new governing committees at special general meetings of corporations called for that purpose.

In situations where a corporation has a large number of members, or where it has a widely dispersed membership base, or where the election at a special general meeting of members is not considered appropriate, the Registrar may decide to conduct the election of a new governing committee by postal ballot.

During 1999-2000 elections for the following corporations under administration were conducted by postal ballot:

- Gurang Land Council (Aboriginal Corporation);
- Gumala Aboriginal Corporation;
- Yaamba Aboriginal and Torres Strait Islanders Corporation For Men.

Based on the number of candidates who stood for election and the large number of members who voted in these postal ballots, members appear to have been provided with the best opportunity to participate in the elections.

Administrators, staff and members of these corporations have expressed satisfaction with the postal ballot process, and have expressed the view that the elected committees have been representative of the membership of the corporations.

Cancellation of administrator appointments

After the election of a new governing committee, or where the affairs of a corporation under administration are placed in liquidation, the Registrar cancels the appointment of the administrator, and the newly elected committee assumes control of the affairs of the corporation or a liquidator takes over, as the case may be.

During 1999-2000 the Registrar cancelled the appointments of administrators of the following fourteen corporations:

New South Wales

Muli Art Aboriginal Corporation
Armidale Baalapiny Housing
Aboriginal Corporation

Queensland

Gurang Land Council (Aboriginal Corporation)

Petford Training Farm (Aboriginal Corporation)

Yaamba Aboriginal and Torres Strait Islanders Corporation for Men

Nurapai Torres Strait Islanders Corporation

Theodore Aboriginal Corporation

Western Australia

Balangarri Aboriginal Corporation

Emama Gnuda Aboriginal Corporation

Barrel Well Community Nanda Aboriginal Corporation

Gubrun Aboriginal Corporation

Gumala Aboriginal Corporation

South Australia

Aboriginal Corporation of Employment and Training Development

Northern Territory

Irrwanyere Aboriginal Corporation

Summaries of administrations

Aboriginal Corporation of Employment and Training Development

The Aboriginal Corporation of Employment and Training

Development was incorporated on 15 November 1993. The major activity of the corporation is administering a Community Employment Development Project (CDEP) funded by ATSIC to provide work skills and training for participants with the aim of securing future further training or full-time employment.

The corporation operates from premises in Cavan, an outer northern suburb of Adelaide. Midway through 1999 the project involved some 71 participants.

In May 1999 ATSIC's Adelaide office wrote to the Registrar recommending that he appoint an administrator to the corporation '*...in the interests of the Corporation members, CDEP participants, Patpa Warri Yurri Regional Council, creditors and to restore ATSIC's confidence in the Corporation's operations*'.

In view of the seriousness of the matters raised by ATSIC, in June 1999 the Registrar authorised an examination of the affairs of the corporation pursuant to Section 60 of the Act.

The examination revealed several serious breaches of the corporation's rules and the Act. It also found the corporation to be virtually at a standstill with almost no staff, and concluded that it was unable to function properly and efficiently.

The examiner recommended that the Registrar ‘...*appoint an administrator without delay*’.

On 23 July 1999 the Registrar appointed Mr Eddie Pippet as administrator to the corporation.

Outcome

The Administrator stabilised the financial position of the corporation, put in place a register of members, introduced proper controls, records, and procedures in respect of the corporation’s service delivery operations and opened up the corporation’s membership.

On 25 November 1999, the administrator, as a delegate of the Registrar, conducted a general meeting of members to elect a new governing committee.

The new committee took control of the affairs of the corporation on 26 November 1999.

Barrel Well Community Nanda Aboriginal Corporation

The Barrel Well Community Nanda Aboriginal Corporation located near Geraldton, WA, was incorporated on 26 May 1992 with objectives to provide services to improve the social-economic development of members of the corporation and the local community.

The corporation’s 1997-98 financial statements, lodged with the Office of

the Registrar in February 1999, list the main assets of the corporation as five rental properties, seven vehicles, and ad hoc plant and equipment valued at approximately \$930 000. The corporation received grants totalling \$210 117 from ATSIC during that financial year.

The corporation’s 1997-98 audited financial statements were heavily qualified. Despite requests by the Registrar, the corporation failed to provide information as to what action, if any, had been taken to rectify the concerns raised in the audit report.

A section 60 examination of the affairs of the corporation reported numerous breaches of the Act and the rules in the areas of membership, committee and general meetings and maintenance of financial records. The examiner concluded that the corporation had been mismanaged, as the governing committee had not been diligent in discharging its responsibilities under the Act.

On 13 October 1999 the Registrar appointed an Aboriginal person, Mr Craig Somerville, of Japala Australia Consultants, to administer the affairs of the corporation.

Outcome

The administrator implemented procedures to help ensure that the corporation maintained proper accounts and records, put in place a

current register of members, and introduced proper controls. Rental collection was brought up to-date and financial statements for the year ended 30 June 1999 were completed and audited.

On 9 December 1999 an election of a new governing committee was conducted by the Registrar, at a special general meeting of members called for that purpose. On 13 December the new committee took control of the affairs of the corporation.

Gurang Land Council (Aboriginal Corporation)

The Gurang Land Council (Aboriginal Corporation) was incorporated on 15 September 1989. The corporation is located at Bundaberg in Queensland, and its main objective is to take on the role, operations and functions of a land council, as directed by the Aboriginal people in the area.

In light of ongoing disputes between members (that severely disrupted the ongoing affairs of the corporation in early 1998), the Registrar appointed Mr Alex Fraser, of Fraser Hooker Aitken, Chartered Accountants, as administrator, effective from 21 May 1998.

The administrator confirmed that factional conflicts had significantly

affected the operations of the corporation.

On 12 November 1998, the Registrar appointed Mr Garry Hamilton, of Minter Ellison Lawyers in Brisbane, to replace Mr Fraser.

By early December 1999 the administrator of the day had rectified many of the problems affecting the corporation by establishing control over assets, changing the rules of the corporation (through a special general meeting of members), streamlining financial management and accounting practices, introducing proper controls, records and procedures and recruiting a chief executive officer.

In December 1999, the Registrar called a postal ballot to elect a new governing committee. The Registrar considered that an election by postal ballot would provide the best opportunity for all members (some 600 widely dispersed throughout Queensland) to participate in the election, thus increasing the likelihood of a representative committee being elected to govern the corporation.

On 17 February 2000, Mr Joe Mastrolembro, as delegate of the Registrar, assisted by three other staff counted the votes of the postal ballot. At the conclusion of counting, the

delegate, having regard to the number of vacancies to be filled for each region, declared those candidates who had received the highest number of votes duly elected. Each member of the corporation was advised in writing of the results of the election.

Outcome

During both administrations key problems that had disrupted the affairs of the corporation were attended to, including the integrity of the corporation's register of members, and the issue of admitting new members.

The administrator met with the newly elected committee on 24 February 2000. The purpose of this meeting was to facilitate a smooth transfer of the corporation's affairs to the incoming committee. The new committee took control of the affairs of the corporation at the conclusion of this meeting.

Armidale Baalapiny Housing Aboriginal Corporation

The Armidale Baalapiny Housing Aboriginal Corporation was incorporated on 1 February 1995 with the objective of providing accommodation for low-income earners within the Armidale Aboriginal population.

The corporation owns three rental properties in Armidale which were purchased with ATSIC grant funding

of \$373 973 during the 1996-97 financial year.

In April 1999, a review of the files of the corporation held by the Office of the Registrar revealed that the corporation had failed to meet its reporting obligations under the Act.

An examination of the affairs of the corporation later that year revealed numerous breaches of the Act and the rules in the areas of membership, committee and general meetings and financial record keeping. The most significant financial irregularity identified by the examination was cash withdrawals made by committee members from the corporation's bank accounts without adequate supporting documentation.

On 22 September 1999, the Registrar appointed Mr Peter Scolari, of Peter Scolari & Co., Chartered Accountants in Dubbo as administrator of the



corporation.

In November 1999 the administrator informed the Registrar that there was a distinct lack of interest by members in the affairs of the corporation. The administrator formed the view that the corporation would face difficulties in securing ongoing funding due to the small number of housing assets and a history of poor rental collection.

The administrator considered that, in the circumstances, winding up the corporation's affairs and transferring its assets to an alternative Aboriginal body would be in the best interests of the members of the corporation and the general public.

Against this background the Registrar initiated proceedings to have the affairs of the corporation wound up.

Outcome

On 20 January 2000, the Supreme Court of Queensland ordered that the corporation be wound up and appointed Messrs Ivor Worrell and Rajendra Khatri, of Worrell Whitehill, as joint liquidators.

Irrwanyere Aboriginal Corporation

The objects of the Irrwanyere Aboriginal Corporation, which was incorporated on 9 February 1990, centre on the management of a traditional homeland, the Witjira National Park, in South Australia,

adjacent to the Simpson Desert and bordering the Northern Territory.

Between November 1998 and March 1999 members of the corporation, including two from the governing committee, wrote to the Registrar on a number of occasions voicing their concern at the management of the corporation.



Browne Doolan (left) and Harry Taylor, members of the Irrwanyere Aboriginal Corporation.

On 6 May 1999 the Registrar authorised an examination of the affairs of the corporation pursuant to Section 60 of the Act. The examination reported on the inappropriate removal of committee members, unwillingness by the committee to convene a special general meeting requested by members, conflicts of interest by committee members and extensive membership and meeting

irregularities. The examiner commented that the corporation did not appear able to resolve these serious breaches without some form of external intervention.

On 9 September 1999 the Registrar appointed Mr Eddie Pippet as administrator of the corporation.

One of the primary tasks facing the administrator was to settle major factional disputes between the committee, members of the corporation and community representatives. There was also a need to implement appropriate structures within the corporation to ensure its longer-term viability.

The administrator found that there were five factional groups that disagreed with each other on a variety of issues, including how capital grants allocated to the corporation should be spent, how the National Park should be managed, where corporation assets should be held, and who should control the finances and administration of the corporation in the long term.

On 25 February 2000, the Registrar appointed Mr John Hayes to replace Mr Pippet as administrator of the corporation.

Mr Hayes held numerous meetings and discussions with members in an attempt to overcome the factional divisions within the corporation. He



Bingy Lowe, newly elected committee member of the Irrwanyere Aboriginal Corporation.

implemented a number of rules and operational changes required to facilitate a more workable structure that would to meet the ongoing needs of the corporation.

During the course of the administration the Registrar and a member of his staff met on separate occasions with the administrator and with members.

Outcome

The administrator reported regularly to the Registrar on progress and, on 8 June 2000, advised that he considered:

‘...that the breaches of the Act that required the appointment of an Administrator have been addressed and that the members of the corporation are in a position to resume control of the corporation through an elected committee and

the continuation of an Administrator is no longer required’.

On 24 June Mr Joe Mastrolembo, as delegate of the Registrar, elected a new governing committee at a special general meeting of members called for that purpose. The new committee took control of the affairs of the corporation on 27 June 2000.

Theodore Aboriginal Corporation

Incorporated on 30 July 1980 this corporation is located in Theodore, Queensland. The objects of the corporation, in practical terms, centre on the provision of housing for Aboriginals living in Theodore. The corporation owns 11 houses and two flats

Audited financial statements of the corporation for the 1997, 1998, and 1999 years and an ATSIIC organisational review detailed serious breaches of the Act and the rules of the corporation.

On the basis of this information, on 29 September 1999 the Registrar served notice on the corporation to show cause why an administrator should not be appointed to manage its affairs. The corporation did not respond to this notice.

The Registrar appointed Ms Lorraine Forman, of Forman-Air Pty Ltd of Southbrook in Queensland, as administrator to the corporation effective from 15 November 1999.

Ms Forman regularly reported to the Registrar on the progress of her administration and, on 22 February 2000, recommended the winding up of the corporation’s affairs and the transfer of its assets to another indigenous body. The administrator considered this action to be in the best interests of the members and the general public on the basis of:

- below-quorum attendance at members’ meetings demonstrating a distinct lack of interest by members in the affairs of the corporation;
- the corporation’s history of poor rental collection;
- the absence of sufficiently interested members to form a governing committee to whom control of the corporation’s affairs could be returned;
- difficulties in securing ongoing funding; and
- the fact that Aboriginal and Torres Strait Islander Housing was already providing rental houses to indigenous people in Theodore.

Outcome

The Registrar initiated proceedings to have the affairs of the corporation wound up. On 19 April 2000, the Supreme Court of Queensland appointed Mr David Clout, of Clout and Associates, as liquidator.

Nurapai Torres Strait Islanders Corporation

Incorporated on 14 November 1996 the Nurapai Torres Strait Islanders Corporation is located on Horn Island in the Torres Strait. The corporation's primary objective relates to providing improved residential accommodation facilities for its members.

The corporation's 1995-96 annual returns disclosed assets, mainly consisting of 30 residential properties, valued at \$3.7 million. The corporation's membership base is significant, with approximately 379 members.

On 26 August 1999 the chairperson of the corporation wrote to the Registrar advising that a crisis meeting of the governing committee had resolved to request the urgent appointment of an administrator to take control of the affairs of the corporation.

The chairperson's letter disclosed many significant issues and problems being faced by the corporation, including significant debt, lack of funding, and housing stock being uninsured and in need of urgent repair.

In view of the seriousness of the circumstances, the Registrar appointed Ms Lorraine Forman as administrator, effective from 6 September 1999.

The administrator assumed control of a corporation in disarray and was immediately confronted with major obstacles including insolvency, a lack of proper records, significant rental arrears, corporation properties in a state of disrepair with tenants facing health and safety risks, and the Torres Strait Shire Council taking action to auction some corporation properties to settle significant debts.

The administrator made concerted efforts to overcome the many serious problems being experienced by the corporation. However, the Torres Strait Shire Council and other agencies showed very little interest in offering assistance to the corporation.

The administrator unsuccessfully attempted to obtain funding for the corporation from Commonwealth, State and regional agencies and formed the view that the most appropriate alternative option was to transfer all assets and liabilities to the Queensland Aboriginal and Torres Strait Islander Housing agency. This proposal was not accepted by the agency, as it was not interested in managing the corporation's houses given their state of disrepair.

Given the administrator's unsuccessful attempts to either obtain funding for the corporation, or negotiate the transfer of the corporation's houses to another body with responsibility for Indigenous

housing, the administrator came to the view that, as the corporation was insolvent, liquidation was the only option available.

On 13 December 1999, the administrator recommended to the Registrar that 'control [of the corporation] be passed to a liquidator as soon as possible'.

On the basis of the urgency of the administrator's recommendation, the Registrar initiated proceedings to have a provisional liquidator appointed.

Outcome

On 7 January 2000, the Supreme Court of Queensland appointed Mr John Ebbage, of BDO Kendalls, as provisional liquidator. On 25 January 2000 the Court ordered that the corporation be wound up and appointed Mr Ebbage as the official liquidator.

Murchison Region Aboriginal Corporation

The Murchison Region Aboriginal Corporation (MRAC) was incorporated on 20 November 1986, to promote, support and monitor all aspects of social, economic, cultural and sporting development of Aboriginal and Torres Strait Islander people in the Murchison region of Western Australia.

The corporation's operations consist of the ownership and rental of residential housing with a value, as at December 1999, of \$6 million (approximately 90 properties).

Audited financial statements for both the 1997-98 and 1998-99 financial years highlighted a number of concerns about the accounting procedures being employed by the corporation. There were also indications that the corporation was insolvent.

An examination of the affairs of the corporation found that it had a significant working capital deficiency and was technically insolvent, primarily as a result of the governing committee's inability to properly manage and control the rental and rental arrears on its properties.

The examiner reported that there was a fundamental problem with the corporation's membership base as it consisted of only the eight committee members, whereas its rules provide that *'membership shall be open to Aboriginal nominees of Aboriginal communities determined by the committee'*.

Against this background, the Registrar appointed Mr John Stringfellow as administrator of the corporation on 10 May 2000.

At 30 June 2000, the administration was continuing.

Outcome

Since assuming control of the corporation's affairs, the administrator has:

- held meetings on numerous occasions with members and staff to discuss and overcome operational problems within the corporation;
- made, with the support of members, rule changes to introduce a broader membership base;
- secured funding to meet operational and capital expenditure needs;
- implemented a housing policy;
- introduced a new accounting system; and
- embarked on a membership drive to increase the number of members of the corporation.

Emama Gnuda Aboriginal Corporation

Emama Gnuda Aboriginal Corporation, at Derby in Western Australia, was incorporated on 30 June 1994. It was established to provide services and programs for unemployed persons and in particular to train and employ Aboriginal people in the Derby region.

The corporation operates a CDEP scheme involving some 360 participants and in 1997-98 received \$6.5 million in funding from ATSIC.

In March 1999, following the receipt of representations alleging irregularities in the affairs of the corporation, the Registrar authorised an examination of its affairs pursuant to Section 60 of the Act.

The examination found that the operations of the corporation suffered from mismanagement, an ineffective governing committee and a lack of proper procedures and controls.

Given the seriousness of the examiner's findings, on 15 June 1999 the Registrar appointed Ms Lorraine Forman as administrator of the corporation.

The administrator stabilised the financial position of the corporation, put in place a current register of members, and introduced proper controls, records, and procedures in



respect of the corporation's service delivery operations.

The administrator also re-organised the staffing structure of the corporation to better accommodate its operational needs and filled senior management positions. A newly appointed manager took over the running of the day to day operations of the corporation.

The administrator also reported to the Australian Federal Police in Broome for further investigation a number of fraud issues relating to the corporation.

On 16 December 1999 Mr Joe Mastrolemba, as delegate of the Registrar, elected a new governing committee at a special general meeting of members called for that purpose.

Outcome

The administration has stabilised the affairs of the corporation and ensured that its CDEP program is better organised and operated.

On 17 December 1999 the new committee took control of the affairs of the corporation.

Mrangalli Aboriginal Corporation

Mrangalli Aboriginal Corporation was incorporated on 4 September 1995 with objects principally aimed at providing training, employment, and housing to Aboriginal people in the

Tingha (NSW) region. As at December 1999 the corporation had 13 tenanted residential properties.

The corporation submitted heavily qualified 1999 financial statements. These statements revealed that the corporation had received income of \$1.8 million during the year and that it held assets valued at \$1.1 million as at 30 June 2000.

In November 1999 the Registrar authorised an examination of the affairs of the corporation. The examination highlighted many significant breaches of the Act and the corporation's rules. The examiner reported that the governing committee had not been diligent in the performance of its duties.

Against this background, the Registrar appointed Mr William Malvern, of Boughton, Cook & Truman Chartered Accountants, as administrator of the corporation, effective from 2 May 2000.

The administration is continuing as at 30 June 2000.

Outcome

Since assuming control of the corporation's affairs, the administrator has undertaken the following corrective action:

- sufficient funds have been secured to meet operating expenses;

- new payment procedures have been implemented;
- bank and financial reconciliations have been completed;
- new minutes procedures have been documented and implemented; and
- a proper register of members has been put in place.

Towri Aboriginal Corporation

The Towri Aboriginal Corporation was incorporated on 8 July 1981, with objects principally aimed at providing housing and educational services to Aboriginal people in the Bathurst (NSW) region.

The corporation's principal activities relate to the management of a hostel and three residential houses, and the operation of a day care facility for Aboriginal children.

In late 1999, numerous allegations of staffing problems, intimidation of members, resignation of committee members, and mismanagement culminated in the circulation of petitions. A special general meeting of members was held but failed to reach a satisfactory outcome. The complaints and in fighting continued to fuel animosity between various factions. Funding bodies in particular expressed uncertainty over the effectiveness of the child care operation.

A Section 60 examination of the affairs of the corporation found that the governing committee was not managing Towri effectively and efficiently. The examination also revealed that the hostel had some 20 rooms but only one tenant.

Having regard to the examiner's findings, the Registrar appointed Mr Peter Scolari, of Peter Scolari & Co., Chartered Accountants, as administrator of the corporation, with effect from 18 April 2000.

After assuming control of the corporation, the administrator encountered sustained opposition to his appointment from some members of the displaced committee and staff. The former committee members in particular refused to acknowledge the validity of the administrator's appointment and continued to act and make statements as if they retained control of the corporation's affairs.

The administration is continuing.

Outcome

The administrator has expended considerable resources countering sustained opposition to his appointment, whilst at the same time, endeavouring to put the corporation's affairs in order by:

- implementing a staffing restructure of the children's day care centre;

- meeting with funding agencies, union representatives, and members; and
- establishing the corporation's current financial position.

Link-up (QLD) Aboriginal Corporation

Link-up (Qld) Aboriginal corporation was incorporated on 7 July 1988. The corporation, located in Brisbane exists to reunite adult Aboriginal and Torres Strait Islander people who have been separated from families and communities, and to assist them to obtain family history information to increase knowledge of family and community.

During the latter half of 1999 various representations were made to the Registrar as to the validity of appointments of committee members, and the manner in which the committee was operating. It appeared that there existed within the corporation a level of disputation which was adversely affecting its operations.

To determine the current circumstances of the corporation, on 22 October 1999 the Registrar authorised an examination of the affairs of the corporation pursuant to Section 60 of the Act.

The examination identified a number of breaches of the Act and the corporation's rules. The examination

confirmed that the disputation between members, and between the Committee and staff, had destabilised the corporation. The examiner was of the view that it was unlikely that the disputing parties would be able to resolve the issues themselves.

Having regard to the examiner's findings, the Registrar appointed Ms Lorraine Forman as administrator, effective from 7 February 2000.

The administration is continuing.

Outcome

Service to clients is considered paramount under the administration. Work to locate and reunite families continued while the organisation was restructured and restaffed.

Five clients have been reunited with immediate families and in some cases with extended families. Time spans from initial contact with Link-Up to these reunions have ranged from seven and a half years down to eight months. These clients and families have received follow-up support post reunions and the results of reunions have been positive.

Other clients' cases have been progressed to the stage of first contacts with the separated family members, and several reunions are scheduled for the near future.

Caseworkers are at the forefront of this important work and are committed to providing and improving service to their existing and future clients

Carnarvon Aboriginal Medical Service Aboriginal Corporation

The Carnarvon Aboriginal Medical Service Aboriginal Corporation, located in Carnarvon (WA), was incorporated on 19 September 1986. Its objectives include catering for the health needs of Aboriginal persons in and around Carnarvon, to support education, job training, health services, employment, and housing for its members. The corporation has some 380 members.

The corporation's audited financial statements for the year ended 30 June 1999 were unqualified and reported total income of \$1.4 million and assets valued at \$1.8 million.

In March 1999, following serious concerns raised by corporation staff and members over the operations of the corporation and actions of the governing committee, the Registrar authorised an examination of the affairs of the corporation pursuant to Section 60 of the Act.

The examination identified numerous breaches of the Act and the rules, and found that past and present governing committees had not acted diligently in managing the affairs of

the corporation.

The examiner concluded that members of the governing committee had also acted in their own interests rather than in the interest of members, that the corporation was in turmoil, and that it was unlikely it could continue to operate in its present state.

Having regard to the examiner's findings, the Registrar appointed Mr Eamonn Thackaberry, of Thackaberry Consulting, as administrator effective from 12 May 2000.

At the time of the administrator's appointment the corporation did not have any doctors on staff and a number of support staff were on stress leave.

The major tasks requiring the administrator's attention included:

- recruiting suitably skilled medical staff;
- attending to staffing and restructure matters;
- securing, insuring and maintaining the corporation's assets;
- implementing budgets for the 2000-01 financial year;
- determining the accuracy of, and updating, the register of members;
- developing and implementing

various management and administration policies and procedures; and

- reviewing the corporation's rules.

The administration is continuing.

Outcome

The administrator has taken action to address the operational shortcomings of the corporation to enable it to resume delivery of medical services.

Muli Art Aboriginal Corporation

The Muli Art Aboriginal Corporation, located at Woodenbong (NSW), was incorporated on 27 October 1992.

The corporation's objects include the operation of an Aboriginal art gallery, with studio and teaching facilities, and the promotion and marketing of artworks.

On 11 April 1997, the Registrar appointed Mr Barry Jameson of Thomas Noble & Russell, Chartered Accountants in Lismore, as administrator.

During consultations with the local Aboriginal community, the administrator confirmed that



members of the corporation did not wish to proceed with the reinstatement of the gallery. Rather, they wanted the transfer of their assets to another corporation, and the voluntary winding-up of the affairs of the Muli Art Aboriginal Corporation.

Considerable unanticipated delays were encountered with the disposal of the three properties before two were transferred to the Muli Muli Local Aboriginal Land Council. The remaining property was purchased by an Aboriginal person.

Outcome

The corporation was deregistered on 23 February 2000 and the administrator's appointment cancelled at this time.

Gumala Aboriginal Corporation

The Gumala Aboriginal Corporation, located in Tom Price (WA), was incorporated on 22 July 1996. The objects of the corporation centre on representing three groups of traditional owners (the Bunjima, Innawonga and Niapaili people) in all matters relating to their traditional lands, including matters relating to land claims and negotiating with mining companies.

In mid 1999, the Registrar received numerous complaints from various parties about the affairs of the corporation. These complaints

included:

- concerns that large cash withdrawals were being made by the corporation;
- claims that persons had been signed up as members at an annual general meeting;
- claims that cash books and cheque books had been removed from the corporation's office; and
- concerns about disputes between committee members.

A report, prepared by Pricewaterhouse Coopers on the financial affairs of the corporation highlighted serious financial irregularities, a breakdown in financial controls, many unsubstantiated transactions and possible misappropriation of corporation funds.

On 10 November 1999, having regard to the circumstances of the corporation, the Registrar appointed Mr Eamonn Thackaberry, of Thackaberry Consulting, to manage the affairs of the corporation

The administrator stabilised the disputes affecting the operations of the corporation and put in place appropriate procedures and financial controls.

After discussions with the administrator and members of the corporation and, having regard to the

particular circumstances of the corporation and its widely dispersed membership base, the Registrar decided to conduct the election of a new governing committee by postal ballot.

The Registrar considered that a postal ballot would encourage a wide cross section of members to participate in the election, and would facilitate the election of a representative governing committee.

On 14 April 2000, the Registrar wrote to each member of the corporation to inform them of his decision to hold a postal election and to invite nominations. Twenty members subsequently nominated as candidates for the 12 governing committee positions.

On 11 May 2000, the Registrar again wrote to each member and provided details of the nominations received and ballot papers for voting purposes. Voting closed on 6 June 2000.

Votes were counted by a delegate of the Registrar on 9 June 2000 and all 12 vacant positions were filled.

Outcome

The administrator helped to address the corporation's management issues and developed appropriate policies and procedures. A new staffing structure was developed, the corporation's accounting system was brought up to date, assets were

secured, the membership register was updated and funding secured for 1999-2000.

The new committee took control of the affairs of the corporation on 16 June 2000.

Yaamba Aboriginal and Torres Strait Islanders Corporation for Men

Yaamba Aboriginal and Torres Strait Islanders Corporation for Men was incorporated on 14 October 1993 and is located at Bundaberg, in Queensland. In essence, the object of the corporation is to provide a supportive environment in which Aboriginal and Torres Strait Islander men can address problems in their personal and social lives. The corporation's major activity is the operation of a rehabilitation hostel.

An examination of the affairs of the corporation conducted in March 1999 reported on many unsatisfactory findings and significant breaches of the Act and the rules of the corporation.

On 31 May 1999, the Registrar appointed Mr Glen Walker of Walker Reid, Certified Practising Accountants, as administrator.

Mr Walker secured the assets and bank accounts of the corporation, put in place policies and procedures to administer ongoing activities and entered into discussions with funding

bodies.

Mr Walker subsequently resigned his position as administrator effective from 16 July, citing threats of physical violence from a person associated with the corporation as the reason.

To ensure that the affairs of the corporation remained under active administration the Registrar appointed Mr John Ebbage, Chartered Accountant of Greenwood Kendalls, Brisbane, to replace Mr Walker from 10 July 1999.

In January 2000, the administrator recommended that the affairs of the corporation be handed back to its members.

The Registrar accepted the administrator's recommendation and having regard to the corporation's circumstances, decided to conduct the election of a new governing committee by postal ballot. The Registrar considered that an election by postal ballot would encourage a wide cross-section of members to participate in an orderly election process, and contribute to the election of a representative governing committee.

The postal ballot was conducted over the period 15 February to 4 April 2000, and on 4 April 2000, votes were counted and a new committee elected to the corporation.

Outcome

The administration helped resolve the corporation's management difficulties. A manager was employed to oversee the corporation's affairs, and future funding for the corporation was secured. Proper financial records were put in place, and appropriate medical services and counselling care introduced. All eligible persons were given the opportunity to apply for membership, and the corporation's membership base was significantly increased.

On 7 April 2000 the new committee took control of the affairs of the corporation.

Gubrun Aboriginal Corporation

The Gubrun Aboriginal Corporation was incorporated on 14 September 1990 to generally assist Aboriginal people in the Kalgoorlie region of Western Australia. The corporation owns three houses in Kalgoorlie/Boulder and received payments from mining companies as a result of having lodged Native Title claims over mined areas.

Following the corporation's ongoing persistent breach of the Act and its rules, and its failure to respond to a section 60A notice served on it, the Registrar appointed Mr Joe Schiavi, Chartered Accountant, as administrator of the corporation, effective from 19 August 1999.

In early October 1999, the administrator advised the Registrar that he was unable to move forward with the administration due to a number of factors including:

- the corporation having no place of business;
- members having no interest in the future of the corporation;
- significant division between the members;
- most mining companies withdrawing their involvement with the corporation; and
- insufficient income to continue to operate effectively.

The administrator recommended that the affairs of the corporation be wound up. The Registrar accepted the administrator's recommendation and initiated proceedings to have a liquidator appointed to the corporation.

Outcome

On 19 January 2000 the Supreme Court of Western Australia appointed Mr Anthony Woodings, of Taylor Woodings, as liquidator.

Petford Training Farm (Aboriginal Corporation)

Petford Training Farm (Aboriginal Corporation), in the hinterland of Cairns in Queensland, was incorporated on 16 August 1983. The

corporation was established to provide training programs in primary and other industries for young Aboriginal and Torres Strait Islanders.

On 13 April 1999, following ongoing disputations that severely affected the operations of the corporation, the Registrar appointed Mr Glen Walker, of Walker Reid Certified Practising Accountants of Maleny in Queensland, as administrator.

The administrator reported to the Registrar that the corporation had no funds to pay for its current liabilities, and that it had little prospect of securing long-term funding.

In accordance with Section 64 of the Act, the administrator convened a special general meeting of the

corporation on 12 June 1999 for members to consider a motion for voluntary liquidation. Although the majority of members who attended the meeting supported the motion, it could not be carried because it did not have the support of at least three-fourths of all members entitled to vote, as required by the Act. Consequently, the Registrar initiated action in the Supreme Court of Queensland to wind up the affairs of the corporation.

Outcome

On 23 August 1999 the Supreme Court of Queensland appointed Messrs Bill Buckby and Richard Dennis of Ernst & Young, Brisbane, as liquidators of the corporation.

CHAPTER 11

Winding up Petitions and Liquidator Appointments

Snapshot

- At 30 June 2000, 107 corporations were under liquidation.
- Fifty-seven corporations were wound up during the year as a result of court action initiated by the Registrar.
- Winding up orders for 35 of the corporations were the result of chronic breaches of the financial reporting requirements of the Act.
- Winding up orders for 22 corporations were obtained following examinations of their affairs, or after assessment of information provided by other parties.
- Costs agreements were entered into with five liquidators during the year.

Overview

Section 63 of the Act provides that the Registrar, a member of a corporation or a creditor of a corporation may petition the Court to wind up a corporation.

The grounds outlined under Section 63 of the Act for petitioning the Court to wind-up corporations are outlined as follows:

- the corporation has, in accordance with its rules, resolved to be wound up by the Court;
- the business of the corporation was not commenced within one year after its incorporation or has been suspended for a continuous period of one year;
- there are fewer than five members of the corporation;
- the corporation is unable to pay its debts;
- members of the committee have acted in their own interest or in a manner that appears unfair or unjust to other members;

- by reason of the complexity or magnitude of the activities of the corporation it is inappropriate that it continue to be incorporated; and
- it is just and equitable for the corporation to be wound up.

1999-2000 liquidations and wind up orders

As at 30 June 2000, 107 corporations were under liquidation. These are listed at Appendix I.

During 1999-2000 winding-up orders were obtained in relation to 57 corporations, as a result of wind-up actions initiated by the Registrar:

- Winding-up orders in respect of 35 of these corporations was a result of the Registrar's strategy for following up corporations in chronic breach of the financial reporting requirements of the Act



(See Chapter 7 for details of this strategy).

- Winding-up orders in relation to the remaining 22 corporations were obtained on the basis of information gathered as a result of examinations of the affairs of the corporation or information supplied by other parties. Details of 16 corporations wound up by the Courts are presented under '*Summaries of winding-up orders obtained by the Registrar*'.

A listing of those corporations the subject of winding-up orders as a result of actions by the Registrar is at Appendix J.

Costs agreements entered into with liquidators

From time to time, in the course of carrying out their duties, liquidators are faced with situations where further inquiries by them into the affairs of corporations under their control are called for. However, such inquiries are frequently hampered by a lack of funds. In such situations the Registrar may, if he considers it in the public interest, agree to meet specified costs of the liquidators' investigations. The following are the details of costs agreements entered into with liquidators during 1999-2000.

NAILSS and QAILSS

National Aboriginal and Islanders Legal Services Secretariat Aboriginal Corporation (NAILSS) was incorporated under the Act in October 1994 and is located in Brisbane. The objects of the corporation were to co-ordinate and assist the operations of all recognised Aboriginal community-based legal services in Australia.

Queensland Aboriginal and Torres Strait Islanders Corporation for Legal Services Secretariat (QAILSS) was incorporated in May 1993 and is located in Brisbane, QLD. The objects of QAILSS were to co-ordinate and assist the operations of 12 community-based legal services in Queensland, and to generally act as a peak body for Aboriginal legal matters in Queensland.

On 30 October 1998 the Federal Court appointed Mr Philip Hennessy, of KPMG Chartered Accountants, Brisbane, as the official liquidator of NAILSS and QAILSS.

In view of serious concerns relating to the management and administration of NAILSS and QAILSS by former committee members, the liquidator formed the opinion that a public examination was warranted. However, the liquidator was without funds to carry out the examination and therefore sought funding from the

Registrar to conduct the examination. In light of the serious nature of the matter and on the basis of public interest, the Registrar agreed to the liquidator's request.

On 23 March 2000, the liquidator conducted a public examination of Mr Robert Raymond Lloyd Robinson, chairman of NAILSS, and Mr Samuel William Watson, member and former national secretary of NAILSS, pursuant to Section 597 of the *Corporations Law*.

Mr Robinson is the current Deputy Chairperson of ATSIC. Both he and Mr Watson are influential members of the Queensland Aboriginal community.

On 31 May 2000, Mr Hennessy, as liquidator of NAILSS and QAILSS informed the Registrar of the outcome of the public examination. Certain matters arising from the public examination have been referred to the Australian Federal Police for investigation.

Ngumarryina Aboriginal Corporation

On 9 December 1998 Mr John Ebbage, of the Brisbane chartered accounting firm of Greenwood Kendalls (subsequently BDO Kendalls), was appointed liquidator of the Ngumarryina Aboriginal Corporation.

On 28 April 1999 the liquidator provided the Registrar with a report under section 533 of the *Corporations Law*, indicating a likely nil return to creditors. The liquidator also commented upon the failure of former committee members to provide him with reports as to the corporation's affairs, hand over books and records or to meet with him.

The liquidator particularly noted that an amount of \$52 000 had been received from a mining company and expended shortly before the corporation was wound up. No details of this expenditure were available and the liquidator lacked the necessary funding to undertake any further investigation. Therefore, in August 1999, the Registrar entered into an agreement with the liquidator to cover specified costs of inquiring into the expenditure of the \$52 000.

On 17 May 2000 the liquidator reported to the Registrar that his investigation of the transactions in question had been inconclusive. The liquidator commented that he was unable to determine whether the expenditure was made in relation to the business of the corporation and it was unlikely that additional inquiries would be able to shed any further light on these matters.

Mutchirr Aboriginal Corporation

On 22 May 1996 Mr Richard Morris, of the Darwin chartered accounting

firm of KPMG, was appointed liquidator of the Mutchirr Aboriginal Corporation.

In the absence of any realisable assets, on 4 August 1998 the Registrar entered into an agreement with the liquidator to cover certain specified liquidation costs. The agreement was intended to cover costs in respect of injunction proceedings against a former principal of the corporation, in order to have that person assist the liquidator in identifying and locating any assets of the corporation.

Advice received by the Registrar in May 1999 indicated that the former principal was now co-operating with the liquidator and had completed a report as to affairs which provided information on the existence and whereabouts of the corporation's assets.

Murnkurni Women's Aboriginal Corporation

On 29 April 1999 Mr Mel Ashton, of the Perth chartered accounting firm of PPB Ashton Read, was appointed liquidator of the Murnkurni Women's Aboriginal Corporation.

The sole asset of the corporation was a community hall located in Norseman, Western Australia. The Registrar entered into an agreement with the liquidator to cover certain specific costs of the liquidation. This offer was conditional upon the

liquidator identifying another Aboriginal organisation, with similar objects to Murnkurni, to which the hall could be transferred, thereby preserving the hall for the benefit of the local Aboriginal community. At the same time the Registrar indicated that he would bear his own costs of petitioning for the winding up of the corporation if this transfer were carried out.

The liquidator experienced considerable difficulty in locating another Aboriginal organisation to which he could transfer the hall. However on 28 April 2000 the liquidator wrote to the Registrar to advise that he had recently received such an offer.

As at 30 June 2000 further advice was still awaited from the liquidator as to whether this transfer would proceed. If it does, it is possible that the liquidator will receive an amount from the Aboriginal purchaser sufficient to cover the costs of the liquidation, thereby negating the need for the Registrar to meet any of the costs of the liquidation.

Likajarrayinda Aboriginal Corporation

On 23 February 2000 Mr Stephen Denby and Ms Maree Henry, of the Brisbane accounting firm of PPB Prentice Parbery Barilla, were appointed joint liquidators of the Likajarrayinda Aboriginal

Corporation, which was located in the Borroloola area of the Northern Territory.

On 31 March 2000 the liquidators wrote to the Registrar to advise that the corporation was apparently the owner of a Toyota Landcruiser Troop Carrier with an estimated value of between \$22 000 and \$24 000. The liquidators went on to state that this appeared to be the sole asset of the corporation. Whilst the liquidators wished to attempt to take possession of this vehicle they were without funds to meet the cost of this action. They therefore requested that the Registrar consider funding this action which, if successful, would then provide the funds to meet the costs of the liquidation, including the Registrar's costs of petitioning for the winding up.

On 13 June 2000 the Registrar entered into an agreement with the liquidators to cover specified costs of attempting to recover the vehicle. The agreed amount is to be reimbursed by the liquidators as a first priority out of the sale proceeds of the vehicle, after first attending to payment of the costs of realising the vehicle.

Summaries of winding up orders obtained by the Registrar

Ngadju Bugarla Mirning Wamu Wamu Aboriginal Corporation

Ngadju Bugarla Mirning Wamu Wamu Aboriginal Corporation was incorporated on 22 October 1995 with a broad range of socio-economic objectives including employment, land management and native title negotiation. In practical terms the activities of the corporation, which operated from Kambalda, Western Australia, centred on the receipt of royalties from a mining company, with the funds being disbursed to Native Title claimants.

In 1997 allegations were received by the Registrar concerning funds of the corporation being used for private purposes by an employee. In view of these allegations, and the fact that the corporation had not filed audited financial statements for the years ended 30 June 1996 and 1997, in May 1998 the Registrar approved an examination of the affairs of the corporation pursuant to Section 60 of the Act.

The examination revealed that the corporation was not actively pursuing its objectives and was being managed by certain individuals to the detriment of other members. It was also revealed that there was no

management structure and meetings were not conducted regularly. The examination report also expressed the view that the corporation was not benefiting the wider Aboriginal community, with finances and resources being directed to the benefit of committee members and their associated families. The examination also established that proper accounts and records had not been maintained by the corporation.

On 27 April 1999 the Registrar applied for the corporation to be wound up. On 21 July it was wound up by order of the Federal Court of Australia and Mr Ronald Gamble, of the Perth chartered accounting firm of BDO Nelson Parkhill, was appointed liquidator.

Miniarra Resource Agency Aboriginal Corporation

Incorporated in July 1986 and located at Meekatharra, Western Australia, the Miniarra Resource Agency Aboriginal Corporation had wide-ranging objectives aimed at providing community support and social development for its members.

In January 1999 the ATSIIC Geraldton Office wrote to the Registrar seeking to have the organisation wound up on the grounds that it had been defrauded by a former employee and had been abandoned by members, ceasing operations in May 1998. The

Regional Office had received a report from grant controllers indicating that the corporation was insolvent, with debts of approximately \$55 000 and only minimal assets to meet these liabilities.

On 31 March the Registrar authorised an examination of the affairs of the corporation, in accordance with Section 60 of the Act, in order to gather the necessary evidence.

The report of that examination confirmed the findings of the grant controller and the advice from the ATSIC Regional Office. The report noted that financial and other records of the corporation were scant or incomplete. Creditors were estimated at \$44 000, with furniture and fittings and a motor vehicle valued at only \$20 000 and unlikely to be realised for that amount. The corporation had also 'owned' buildings but these were located on Aboriginal Trust Land and were therefore unsaleable.

On 13 July 1999 the Registrar petitioned the Supreme Court of Western Australia for the winding up of the corporation and, on 1 September, Mr Norman Ashton, of the Perth chartered accounting firm of PPB Ashton Read, was appointed liquidator.



Manth-Thayan Aboriginal Corporation

Manth-Thayan Aboriginal Corporation was incorporated on 7 August 1992 with wide-ranging objects aimed at generally assisting the people of the Aurukun community on the Cape York Peninsula of Queensland. Activities included a ranger program at Aurukun and the co-ordination of dance troupes and art/cultural matters at the community.

A Section 60 examination of the affairs of the corporation reported upon an almost total lack of records and corporate governance. The examiner also noted that no minutes of committee or general meetings were available, no register of members was maintained, the common seal was missing, no

governing committee structure was in place, blank cheques had been pre-signed by individuals and employee records were non-existent, with no taxation deductions being made from wages. The examiner's report also mentioned that further funding to the corporation was unlikely, due to the failure to acquit previous grants.

The examiner's report noted further that the corporation owned only a few minor assets, described as being in poor condition, but was solvent. There were no longer any employees and the organisation had been allowed to run down due to a general lack of interest. However, the examination did not reveal any evidence of criminal activity.

On 18 November 1998 the Registrar petitioned the Supreme Court of Queensland in Brisbane for a winding up order. Some members of the corporation opposed this action and, through the Cape York Land Council, engaged a Cairns legal firm to represent them. The basis of this defence was that the members disputed many of the findings of the examination. In order to facilitate the defence, the Registrar agreed to transfer proceedings to the Supreme Court in Cairns.

Over the next few months the Cape York Land Council sought to oppose the winding up application, which

was eventually set down for hearing on 6 September 1999. However, on 3 September solicitors acting for the Registrar received advice that the corporation was prepared to settle the application on the basis that it would not oppose the order being sought, provided there was no order as to costs.

As a result, on 14 September 1999 the Supreme Court of Queensland ordered that Manth-Thayan Aboriginal Corporation be wound up and appointed Mr Gerard Mier, of the Cairns chartered accounting firm of KPMG, as liquidator.

Townsville Regional Aboriginal and Torres Strait Islanders Corporation for Youth

The Townsville Regional Aboriginal and Torres Strait Islanders Corporation for Youth was incorporated on 28 April 1994 with the primary objective of providing services for the development of the Aboriginal youth of the Townsville region.

A Section 60 examination of the affairs of the corporation revealed that the corporation had not traded since March 1997 and the committee had disbanded. The report also noted that no membership records, minutes of meetings or financial records remained, having apparently all been lost in the Townsville floods.

On 29 July 1999 the Registrar petitioned the Supreme Court of Queensland for the winding up of the corporation and on 15 September an order was made jointly appointing Mr Philip Hennessy and Ms Tracy Dare, of the Brisbane chartered accounting firm of KPMG, as liquidators.

Cootamundra & Districts Aboriginal Corporation

The Cootamundra & Districts Aboriginal Corporation was incorporated on 17 August 1992 with the object of advancing the social, cultural and economic opportunities of Aboriginal people of Cootamundra (NSW) and surrounding districts, and for the development and maintenance of a property known as Bimbadeen (the former Cootamundra Aboriginal girls home).

In February 1999 allegations were made to the Registrar concerning the level of disputation affecting the operations of the corporation, specifically that new governing committee members were acting in their own interests in the allocation/acquisition of housing, in the allocation of funds, in the disclosure of information and in the restriction of membership. Advice was also received that the Cootamundra police had seized all of the corporation's records as part of an investigation and that, as a result, the corporation was unable to function.

An examination of the corporation conducted in March 1999 found that the standard of record keeping had deteriorated sharply since an earlier examination conducted in 1997. The examination report noted that minutes of meetings and the register of members were poorly maintained and there was a general lack of control, particularly over financial affairs. Whilst there was no evidence that members of the committee had acted in their own interests in the allocation of housing and funds, the continuing disputation amongst members made it impossible for the corporation to operate within the framework of the Act and the rules.

On 29 July 1999 the Registrar petitioned the Supreme Court of Queensland for the winding up of the corporation. Whilst subsequent approaches were made to the Minister for Aboriginal and Torres Strait Islander Affairs by the governing committee, the action was not defended in court. Accordingly, on 15 September the corporation was wound up and Mr Ross Duus, of the Brisbane chartered accounting firm of Duus & Co, was appointed liquidator.

Central Area Training Accounting and Resource Aboriginal Corporation

Incorporated on 11 September 1984 with objectives of providing finance and management training and

accounting/auditing services to Aboriginal organisations in the Dubbo and Bourke regions of NSW, the Central Area Training Accounting and Resource Aboriginal Corporation (CATARAC) was located at Dubbo, NSW.

In September 1998 the Secretary of CATARAC wrote to the Registrar advising that the corporation had been defunded in 1997, had ceased to operate, and that the governing committee wished to have it deregistered.

However, inquiries by the Registrar revealed that, due to the extent of the corporation's assets and liabilities, deregistration was not an option available in this instance. The corporation had previously owned a property in Dubbo known as CATARAC House, purchased with a loan from ATSIC. Following the collapse of CATARAC, ATSIC became a mortgagee in possession of



the property on 8 May 1997.

Subsequent attempts to negotiate the disposal of the property by private sale or auction fell through, although indications were that the proceeds of any such sale would leave a substantial amount outstanding on the ATSIC loan. Such proved to be the case when the property was eventually disposed of by ATSIC, shortly before the appointment of a liquidator in September 1999.

The 30 June 1997 audit report also indicated that the financial affairs of the corporation had not been finalised at that stage. Mention was made in the audit report of the committee resolving to transfer various assets to another Aboriginal organisation and to sell a motor vehicle. The audit report also commented upon another funding body having an interest in leased or purchased capital equipment, and an outstanding liability for overdue land tax. In addition, the Registrar was aware that legal action was pending against the corporation by former employees for unpaid entitlements.

Faced with these circumstances and the lengthy delay in finalising the affairs of the corporation, the Registrar proceeded on 13 August 1999 to petition for the winding up of the corporation.

This matter went before the Supreme Court of Queensland on 29

September 1999, which ordered that the corporation be wound up and Mr Ross Duus, of the Brisbane chartered accounting firm of Duus & Co, be appointed liquidator.

Tingha Aboriginal Corporation

Tingha Aboriginal Corporation was incorporated in May 1979 with objects of promoting the welfare of the Aboriginal people of Tingha, New South Wales, principally by way of providing housing and assisting in the provision of employment.

The corporation had previously been subject to a period of administration under the Act, with that appointment concluding on 24 May 1996. The corporation subsequently failed to file audited financial statements for the years ended 30 June 1996, 1997 and 1998 despite repeated requests to do so.

An examination of the corporation conducted in mid 1999 reported that the corporation had not been conducting its affairs in accordance with the Act and the rules, that its financial viability was questionable, and that there was a risk of some of the stock of 18 houses being sold up in order to pay debts. The report also noted that no proper procedures were in place to control rental collections and manage arrears, which stood at \$100 000, that houses were uninsured and in a poor state of repair, and that

the corporation had rate arrears of \$35 000, with legal action being considered by the shire council.

The examiner's report also noted a number of other deficiencies. Only one annual general meeting had been held since 1996, at which non-members participated in the proceedings. Committee meetings were also not held regularly. No audited financial statements had been prepared for the preceding three years. The overall conclusion of the examiner was that the committee did not have the ability to properly manage the affairs of the corporation.

On 26 August 1999 the Registrar petitioned the Supreme Court of Queensland for the winding up of the corporation. On 4 October the Court ordered that the Tingha Aboriginal Corporation be wound up and appointed Mr Richard Dennis, of the Brisbane firm of Ernst & Young, as liquidator.

Flinders Outstation Aboriginal Corporation

The Flinders Outstation Aboriginal Corporation, incorporated in December 1993, was located at Flinders Outstation on the Aputula Land Trust, near Alice Springs. The objects of the corporation were wide ranging, covering health, housing, employment, education and the establishment of an outstation to

permit greater access to, and protection of, sacred sites.

The only audited financial statements filed by the corporation were those for the year ended 30 June 1996. These revealed assets of \$248 000 cash at bank and minor plant and equipment for water supply and civil works for a causeway.

On 15 July 1998 the corporation's auditor wrote to the Registrar regarding unpaid audit fees for 1995-96. The auditor also advised that members of the corporation could not be located and that it had not operated since 30 June 1996. He also advised that ATSIC was seeking to recover unexpended grant monies.

Subsequent contact with the ATSIC Alice Springs Regional Office revealed that ATSIC had unacquitted grants totalling \$320 000 and that legal notices in relation to this



funding had been returned unserved as the corporation was inactive and no-one could be located on whom to serve the documents.

On 12 August 1998 the Registrar instructed the Australian Government Solicitor (AGS) to prepare the necessary affidavits seeking the winding up of the corporation. Considerable difficulty was experienced by the AGS in locating an appropriate person on whom to serve the notice of the winding up proceedings and it was not until 5 July 1999 that the public officer of the corporation was eventually located and served with notice of the proceedings.

On 6 October 1999 the Federal Court ordered that Flinders Outstation Aboriginal Corporation be wound up and appointed Mr Geoffrey Finch, of the Darwin chartered accounting firm of KPMG, liquidator.

The appointment of a liquidator enabled the recovery by him of \$262 594, being ATSIC funding which had been sitting unused in a bank account of the corporation since at least 1995. The liquidator was then able to move speedily to settle minor creditors and to finalise the liquidation. On 26 May 2000, upon application by the liquidator, the Federal Court ordered the deregistration of the corporation and

the termination of the liquidator's appointment.

Lockhart Women's Aboriginal Corporation

Incorporated on 12 August 1992 with objectives of developing programs to improve the social and educational opportunities of women and children, the Lockhart Women's Aboriginal Corporation was located on the Cape York Peninsula of Queensland.

The 30 June 1998 audit report filed by the corporation contained a number of serious qualifications.

On 18 May 1999 the Registrar authorised an examination in accordance with Section 60 of the Act to inquire into the concerns raised by the auditor.

The report of that examination revealed that the corporation was at a virtual stand still, with very little interest in its activities from community members. The only real role of the corporation was to act as a sponsor organisation for funding from Queensland Health for a Meals on Wheels project. The corporation's only asset was a small bus used for the service of these meals.

On 23 September 1999 the Registrar petitioned the Supreme Court of Queensland for the winding up of the corporation. This order was granted on 5 November, with Mr Paul Sweeney and Mr Terry van der Velde,

of the Brisbane chartered accounting firm of Hall Chadwick, being jointly appointed liquidators.

New Burnt Bridge Aboriginal Corporation

New Burnt Bridge Aboriginal Corporation was incorporated in October 1989 and located at Kempsey, NSW. Its objects centred on the construction and management of houses and the maintenance of essential services in order to improve the standard of living of members.

In early 1997 the Registrar received representations which suggested that the corporation's affairs were being seriously disrupted because of factional infighting between members. Concerns were also expressed that the corporation was experiencing serious cash flow problems.

A Section 60 examination report received in May 1997 revealed that the governing committee had failed to effectively manage the affairs of the corporation. The report identified numerous breaches of the Act and the rules, irregularities with the financial affairs of the corporation and deficiencies in its housing operations.

On 26 August 1997, Mr David Jennings, of the Armidale chartered accounting firm of Cameron Kirk Rose, was appointed administrator.

The administrator controlled the affairs of the corporation until 25 February 1998. During that time he stabilised its finances, introduced a comprehensive procedures manual and ensured that proper controls and procedures were in place in respect of the rental properties.

Notwithstanding the administrator's efforts to rectify the procedural problems, his efforts were frustrated by the factionalism within the community and between members, with two strongly opposed groups. The administrator concluded that the administration could not resolve these issues and that the long term viability of the corporation would be dependent upon members putting aside their differences and managing the affairs of the corporation in the best interests of all members.

Following the conclusion of the administration, the Registrar continued to receive representations in relation to the corporation suggesting:

- the affairs of the corporation had come to a stand still since the administration;
- the committee had failed to conduct committee and general meetings;
- deficiencies in the housing operations of the corporation, with rental collections not being

properly managed, insurance unpaid, and many outstanding bills;

- factionalism between members had continued to disrupt the affairs of the corporation, which were allegedly dominated by the chairperson to the exclusion of other committee members and the general membership.

The corporation was also in breach of its reporting requirements, having failed to file the 1997-98 audited financial statements.

On 21 June 1999 and again on 13 July the Registrar wrote to the corporation following up the outstanding annual returns and seeking comments on the representations received. The corporation failed to respond to these letters.

The Registrar therefore formed the view that the corporation had been given ample opportunity to get its affairs in order, and that it would not be in the public interest to expend further public monies by way of conducting another examination or again placing the corporation under administration.

On 21 September 1999 the Registrar petitioned the Court for the winding up of the corporation. On 10 November the Court ordered that New Burnt Bridge Aboriginal

Corporation be wound up and appointed Mr Graham Starkey, of the Brisbane chartered accounting firm of Graham L Starkey & Associates, as liquidator.

Morawa Aboriginal Corporation

Morawa Aboriginal Corporation was incorporated on 31 August 1992 with the object of acting for the benefit of the Aboriginal people of the Morawa area of Western Australia, including the procurement of a land base.

The corporation had been in receipt of minor funding from ATSIIC. \$11 000 was made available in 1998-99 but \$7 000 of this was defunded when the corporation failed to take up the offer of funding. The corporation had also failed to file audited financial statements with the Registrar, or seek exemption, for all years ended 30 June from 1993 to 1998, with the exception of 1996.

A Section 60 examination conducted in July 1999 revealed an insolvent and dormant corporation. The examiner was unable to find any records on site at Morawa, although a few records were being held in Geraldton by a resource centre. The corporation had been defunded by the sole funding agency, ATSIIC, and there was evidence of demands for payment from various creditors.

The examiner's report also noted a number of other concerns. No

general meetings had been held since August 1995 and no committee meetings since July 1997. Two of the four committee members elected in 1995 had not resided in the Morawa area for a considerable period of time. Some 17 payments were reviewed, of which only two were adequately supported. Expenditure included payments to committee members for wages, although no payroll records were sighted. The examiner also commented upon a lack of committee approval for payments, with the chairperson simply drawing cheques and having them co-signed by committee members.

The examiner was able to sight only a computer and a facsimile machine, with the whereabouts of the remaining \$8000 of assets recorded in the balance sheet unknown.

As a result of these findings, on 13 October 1999 the Registrar petitioned the Supreme Court of Western Australia in Perth for the winding up of the corporation. On 1 December the Court ordered that the Morawa Aboriginal Corporation be wound up and appointed Mr Norman Ashton, of the Perth chartered accounting firm of PPB Ashton Read, as liquidator.

Arrunge Aboriginal Corporation

The Arrunge Aboriginal Corporation was incorporated on 7 October 1993. Located at Mt Allan Station, via Alice

Springs. Its objects were to provide housing and health services to members, as well as access to education and training.

The corporation sought an exemption from the requirement to provide audited financial statements for the years ended 30 June 1996 and 1997. However these applications were unsigned and incomplete and the corporation did not respond to numerous requests for further information.

With audited financial statements for the year ended 30 June 1998 also outstanding, on 21 June 1999 the Registrar authorised an examination, in accordance with section 60 of the Act, to inquire into the circumstances of the corporation.

The report of the examination revealed numerous breaches of the Act and the rules. The report also noted that no evidence existed of committee approval of membership and no documentation could be sighted of general or committee meetings being held. The validity of those persons holding themselves out to be the committee could not be confirmed.

In addition, the examiner's report detailed a number of other deficiencies and concerns. There was no management structure in place and no indication that decisions in

relation to the affairs of the corporation were being made by the committee. Whilst adequate financial records were being maintained on the corporation's behalf by an Alice Springs based accounting service, there was no evidence of payments being approved by the committee.

In view of these circumstances, on 12 November 1999 the Registrar petitioned the Supreme Court of Queensland for the winding up of the Arrange Aboriginal Corporation. The hearing of this application was set down for 15 December.

On 15 December 1999 the court ordered the winding up the corporation and appointing Mr John Ebbage, of the Brisbane chartered accounting firm of BDO Kendalls, as the liquidator.

Utopia Cultural Centre and Utopia Awely Batik Aboriginal Corporation

The object of the Utopia Cultural Centre and Utopia Awely Batik Aboriginal Corporation, which was Incorporated on 23 August 1995 were to foster art and craft production (particularly batik) amongst members, promote Aboriginal art and culture, and establish a women's centre in order to improve health, hygiene and nutrition. The corporation was located on Utopia Station, north east of Alice Springs.

An examination of the affairs of the corporation conducted in October 1999 reported that the corporation was no longer conducting its affairs in accordance with the Act and the rules and was effectively no longer functioning.

Whilst general and committee meetings had been held, there was no proper register of members to enable verification of those attending these meetings. The only employee of the corporation was the co-ordinator and the committee did not possess the necessary skills required to manage the corporation, being heavily dependent upon the co-ordinator to carry out statutory functions on their behalf.

Ongoing disputation had occurred between members and the Aboriginal community generally, with allegations that members had not been involved in decision making processes. That disputation had disrupted the affairs of the corporation and had brought its activities to a standstill.

On 14 December 1999 the Registrar petitioned the Supreme Court of Queensland for the winding up of the corporation. On 20 January 2000 the Court ordered that it be wound up and appointed Mr John Ebbage, of the Brisbane chartered accounting firm of BDO Kendalls, as liquidator.

Birri Gubba Aboriginal

Corporation

Birri Gubba Aboriginal Corporation was incorporated on 2 May 1994 with objectives aimed at improving and developing the social, cultural and economic welfare of the Birri Gubba Aboriginal people. The corporation was located at Sarina, Queensland.

In February 1999 allegations of mismanagement of the corporation's affairs were made to the Registrar by certain members. These allegations mainly related to information contained in the audited financial statements for the year ended 30 June 1998. The corporation was subsequently requested to comment upon the allegations made, but a satisfactory response was never received.

In June 1999 further allegations were received by the Registrar in respect of the non-authorisation of accounts for payment, the holding of meetings of doubtful validity and doubts as to whether the audit qualifications were being addressed.

A Section 60 examination conducted in July 1999 revealed significant breaches of the Act and the rules. The corporation was reported to be in a poor financial situation due to the depletion of grant funding over the previous 12 months. Continuation of funding by ATSIC for 1999-2000 was to be subject to the corporation

addressing previously identified deficiencies.

The examiner's report also noted that no minutes were available of committee and general meetings and a number of committee members were not recorded in the membership register as members of the corporation. Financial records were found to be inadequate, although it was noted that a local accounting firm had been engaged in April 1999 to assist with the accounting function and this firm had prepared a ledger, cash book and accounting manual.

On 16 December 1999 the Registrar petitioned the Supreme Court of Queensland for the winding up of the corporation and on 27 January 2000 the Court ordered that it be wound up and appointed Mr John Ebbage, of the Brisbane chartered accounting firm of BDO Kendalls, as liquidator.

NSW Women's Aboriginal Corporation

The NSW Women's Aboriginal Corporation was incorporated on 12 July 1990, its objects being to advance the status of Aboriginal women in NSW through support for conferences and meetings and the promotion of opportunities and cultural awareness. Although the address of the public officer is recorded as Wyong, the membership of the corporation extends statewide.

Audited financial returns have been filed with the Registrar up to and including the year ended 30 June 1995. Despite reminders, further returns have not been forwarded by the corporation.

A complaint was received by the Registrar in May 1999 from a member alleging that the corporation had failed to fulfil the purpose for which it was incorporated, that there was financial mismanagement and uncertainty about the holding of meetings.

The examination which followed revealed that the corporation had received a large bequest of \$465 100, mainly during 1992 and 1993. As a result of re-investment in term deposits, by February 2000 the cash reserves of the corporation had increased to \$547 000. However, the examination revealed extensive deficiencies in the management of the corporation and its level of compliance with the Act and the rules.

The examiner's report also noted the committee had not met since October 1996 and had not acted diligently in controlling the significant cash assets. The membership register had not been updated since 1996 and all applications for membership had been mislaid. Minutes of annual general meetings had also been

mislaid, with only those for meetings held in 1994 and 1996 being produced.

In view of the seriousness of the findings of the examination, and in order to protect the cash reserves of the corporation, on 20 April 2000 the Registrar petitioned the Supreme Court of Queensland for the appointment of a provisional liquidator. This application was granted on 2 May 2000 and Mr Graham Starkey, of the Brisbane accounting firm of Graham L. Starkey & Associates, was appointed provisional liquidator. The court limited his powers to taking possession of all right, title and interest to funds held in the bank accounts of the corporation, and all cash and financial records.

On 15 May 2000 the chairperson of the corporation wrote to solicitors representing the Registrar, requesting that the provisional liquidator provide funds in order to enable the corporation to receive legal advice for, and representation at, the full winding up proceedings. The chairperson also sought to have the proceedings, which were set down for hearing in Brisbane on 31 May 2000, transferred to New South Wales. On 18 May 2000 the Registrar agreed to the matter being heard in Sydney, in order to facilitate representation for the corporation.



On 19 May the provisional liquidator consented to the provision of \$3000 of corporation funds to the chairperson in order for her to obtain legal advice and representation for the winding up hearing.

At the time of the preparation of this annual report the Registrar's application for the winding up of the NSW Women's Aboriginal Corporation had not yet been heard by the Court.

Mrangalli Housing Aboriginal Corporation

Mrangalli Housing Aboriginal Corporation was incorporated on 30 June 1997 with general objectives covering training, employment, housing, encouragement of Aboriginal customs and traditions, and the overall betterment of its members.

Located at Tingha, New South Wales, its affairs were closely linked

with another Tingha organisation, the Mrangalli Aboriginal Corporation (MAC).

In August 1999 the Registrar became aware of allegations that the corporation was intercepting MAC's income, which came partly from ATSIC and partly from the NSW Department of Housing, and banking it to the corporation. Although the corporation had previously sought an exemption from financial reporting on the grounds of no financial activity, it was alleged that it had been able to purchase or lease two motor vehicles from the funds being channelled through it.

An examination of the affairs of the corporation conducted in November 1999 revealed that the affairs of the corporation were dominated by one person, who was the only employee and also the chairperson. It also revealed that the committee had not been diligent, as evidenced by the transactions between MAC and the corporation not having been recorded correctly and there being no evidence of prior consideration by the committee as a group. The examiner's report noted that correction of the MAC funds deposited to the corporation's bank account occurred only after the transactions were brought to the committee's attention by the auditor and ATSIC.

The examination also noted that the corporation was incurring liabilities, including major motor vehicle purchases without any income stream to meet these commitments.

On 24 February 2000 the Registrar served on the corporation and MAC notices in accordance with Section 71 of the Act calling upon both corporations to show cause why an administrator should not be appointed to manage their affairs.

In response to the notice, on 10 March 2000 the chairperson wrote to advise that the committee and members believed that it would be an appropriate time to wind up the operations of the corporation on the basis that its financial and operational performance was unlikely to improve in the near future due to limited economic opportunities. The chairperson also advised that the assets of the corporation would be disposed of by 5 April 2000.

In view of this advice, on 20 April 2000 the Registrar petitioned the Supreme Court of Queensland for the winding up of the Mrangalli Housing Aboriginal Corporation. On 6 June the Court ordered that it be wound up and appointed Mr William Fletcher, of the Brisbane chartered accounting firm of Bentleys MRI, as the liquidator.

CHAPTER 12

Administrative Review

Snapshot

- Eighteen requests for documents under the Freedom of Information Act 1982 (FOI Act) were made during 1999-2000.
- One applicant lodged two appeals with the Administrative Appeals Tribunal against decisions not to allow access to documents.
- Five requests for statement of reasons under the Administrative Decisions Judicial Review Act 1977 were received during the year.
- The Commonwealth Ombudsman notified the Registrar of two matters referred to his office in respect of the operations of the Office of the Registrar.

Overview

All decisions of the Registrar are subject to administrative review. The Commonwealth Ombudsman, Freedom of Information legislation and the Administrative Decisions (Judicial Review) legislation provide mechanisms to ensure that decisions made by the Registrar are fair and equitable and open to public scrutiny.

Freedom of information

Individuals may seek access to documents from the Registrar under the *Freedom of Information Act 1982* (the FOI Act). Requests for access to documents are made to the Registrar as the principal officer of a prescribed authority. During 1999-2000, the Registrar authorised his senior staff to be decision-makers under the FOI Act and they dealt with 18 requests.

Administrative Appeals Tribunal

If applicants are dissatisfied with a decision of the Registrar, they may seek a review of that decision in the Administrative Appeals Tribunal (the AAT).

One applicant lodged two appeals with the AAT against decisions of the Office of the Registrar to deny him access to a number of documents, pursuant to the provisions of the FOI Act. These appeals, one of which is still proceeding, are summarised below.

The appeals came about because the applicant, who had made two separate FOI applications previously, plus a request for an internal review of his first application, was refused access to a number of documents. In his first application, the applicant was denied access to all documents that he had sought under the FOI Act because it was too onerous and impracticable to grant the request. Following an internal review, the applicant was then given access to all the documents relevant to his claim except for eight documents considered exempt under the FOI Act. In his second application, the applicant lodged another appeal with the AAT before the FOI decision maker was able to finalise the matter.

As the first appeal progressed, the decision maker in the Office of the Registrar reconsidered his position and, having regard to the time that had elapsed since the documents sought by the applicant were first created, decided that to release them would not prejudice the operations of

the Office of the Registrar, and therefore proposed to release the remaining documents.

Those documents however also related to the Carnarvon Medical Service Aboriginal Corporation (CMSAC), which was consulted and which also objected to their release. CMSAC commenced a reverse FOI claim out of the AAT to prevent the Registrar from releasing the documents to the applicant. This appeal became the third action in which the Office of the Registrar was involved with the AAT.

The second appeal by the applicant related to his second FOI request to the Registrar covering more than 30 issues and numerous documents. The decision maker had proposed to consider the request favourably, but prior to being able to convey that information to the applicant, that person had commenced appeal proceedings in the AAT.

The decision maker then decided that he would give the applicant access to all documents on the file covering the period of the request, but excluded one document of a particularly personal nature. However, again CMSAC objected to the release of some of the additional documents and that objection was combined in their reverse FOI claim out of the AAT.

Both the reverse FOI claim by CMSAC and the second appeal by the applicant were listed for hearing before the AAT. Late on the day before the hearing the solicitors for CMSAC indicated that they would withdraw their case. Accordingly on the following day the AAT noted the withdrawal of the CMSAC case. The AAT then ordered the release of the majority of documents, which had until then remained in dispute because of CMSAC's objection. To that time the Registrar had released more than 500 pages of material. The AAT then began hearing the appeal for the remaining documents, approximately 15 pages of material. The appeal is still proceeding.

Administrative Decisions Judicial Review

The *Administrative Decisions Judicial Review Act 1977* (the ADJR Act), provides the broadest legislative avenue for an individual to seek a general review of decisions of the Registrar of Aboriginal Corporations.

Section 13 of the ADJR Act enables individuals to obtain from the Registrar a written statement of reasons for decisions made. The Registrar must give that statement within 28 days of the request.

In the reporting period requests for statements of reasons were received from the Northern Land Council and

the Central Land Council for the following Aboriginal corporations: Gulunurru Aboriginal Corporation, Wogayala Aboriginal Corporation, Mistake Creek Aboriginal Corporation, Ukaka Aboriginal Corporation and Allalgarra/ Ammangara Aboriginal Corporation.

The requests for statements of reasons related to decisions of the Registrar in respect of the corporations' failure to file annual returns in accordance with the requirements of the Act.

No subsequent action was taken by the land councils under the ADJR Act after the Registrar provided the section 13 statements.

The ADJR Act also provides for applications to be made to the Federal Court for a review of a decision, on the basis that the decision appealed against was wrong in law on one or more of the grounds set out in the ADJR Act. Broadly speaking the right to seek review is on the basis that a matter has been dealt with unfairly.

In the reporting period no applications were made pursuant to the ADJR Act for a review of the Registrar's decisions.

Commonwealth Ombudsman

An aggrieved person may seek to have what he or she perceives as unfair treatment investigated by the Ombudsman pursuant to *the Ombudsman Act 1976*. In the reporting period the Commonwealth Ombudsman notified the Registrar of two matters referred to his office in relation to the operations of the Office of the Registrar.

The first was a complaint to the Ombudsman about the alleged failure of the Office of the Registrar to adequately intervene in the statutory administration of the Gurang Land Council Aboriginal Corporation. It would appear that the complainant's principal concerns related to the operations of the corporation and his unsuccessful attempt to become a member of the association. The Office of the Ombudsman sought comments from the Registrar to assist its inquiry. The Registrar provided the Office of the Ombudsman with a detailed summary of the action he had taken in relation to the affairs of the corporation. In response, the Office of the Ombudsman formally advised the Registrar under section 12 of the Ombudsman Act that it had concluded the investigation and that no further action was proposed.

The second matter was a complaint from members of the indigenous

community in Mildura against the governing committee of Mildura Aboriginal Corporation, over its failure to admit a number of members from the local indigenous community to membership of the corporation. The Office of the Ombudsman sought advice from the Registrar as to what action he might be able to take to expedite this matter.

The Registrar provided information to the Ombudsman about his previous investigation of similar complaints from some members of the local indigenous community, and action that he had taken in respect of current concerns. As at 30 June 2000, the matter was continuing.

Appendices

Appendices

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Name	Date appointed	Date terminated
Patrick James SULLIVAN	06/07/78	24/12/79
Neville Joseph Louis JANSZ (acting)	22/10/79	14/12/79
Neville Joseph Louis JANSZ (acting)	24/12/79	14/08/82
Laurence Alwyn James MALONE (acting)	15/07/82	14/08/82
Laurence Alwyn James MALONE	15/08/82	07/12/82
Donald James O'ROURKE	07/12/82	26/01/83
Laurence Alwyn James MALONE	26/01/83	23/03/83
Robert HUEY	23/03/83	06/05/83
Anthony George KOUKOULAS	06/05/83	30/06/84
George Metcalfe BROWNBILL	30/06/84	05/12/86
James George MENHAM (acting)	21/09/85	27/01/86
James George MENHAM (acting)	16/05/86	27/05/87
Kenneth Hurtle WANGANEEN (acting)	05/01/87	16/01/87
Patricia Ann TURNER	27/05/87	25/01/89
James George MENHAM (acting)	09/06/87	03/07/87
James George MENHAM (acting)	20/11/87	21/03/88
Anthony George KOUKOULAS (acting)	21/03/88	23/06/88
William Kenneth OAKES (acting)	23/06/88	17/07/88
James George MENHAM (acting)	18/07/88	25/01/89
Donald James O'ROURKE	25/01/89	12/07/90
John Francis WATERS	19/07/90	02/04/91
Alan Edgar DOOLAN	02/04/91	03/01/92
Noureddine BOUHAFS (acting)	16/09/91	14/10/91
Noureddine BOUHAFS (acting)	19/01/92	04/01/93
Noureddine BOUHAFS	05/01/93	

B Exemptions approved under section 59A of the Act during 1999 - 2000

Exemption approved	Financial years
<i>Australian Capital Territory</i>	
Billabong Aboriginal Corporation	1999
Southside Housing Aboriginal Corporation	1998
<i>New South Wales</i>	
Albury Wodonga Aboriginal Corporation	1999
Anya-Gunya Housing Aboriginal Corporation	1999
Arakwal Aboriginal Corporation	1999
Armidale Aboriginal Corporation Youth Club	1998, 1999
Armidale Junior Sport Culture and Education Aboriginal Corporation	1998, 1999
Bangee Ngurra Aboriginal Corporation	1999
Barjai Aboriginal Corporation	1998, 1999
Bid-ee-gal Aboriginal Corporation for Housing	1998, 1999
Blacktown Aboriginal Corporation	1998
Brewarrina Aboriginal Cultural Education Aboriginal Corporation	1996, 1997
Brewarrina Aboriginal Culture Tourism Aboriginal Corporation	1996, 1997
Bulgandramine Youth Development Aboriginal Corporation	1994, 1996, 1997, 1998, 1999
Bungaree Aboriginal Corporation	1999
Carwoola Council of Elders Aboriginal Corporation	1999
Central Coast "Pelicans" Aboriginal Corporation	1999
Childcare Resource and Advisory Aboriginal Corporation	1999
Christian Aboriginal Youth Camp Aboriginal Corporation	1998, 1999
Cobowra CDEP Aboriginal Corporation	1999
Condobolin "Bila" Aboriginal Corporation	1994, 1995, 1996, 1997, 1998, 1999
Coolabah Aboriginal Corporation	1999
Daen Ooyella Aboriginal Corporation	1999
Darug Custodian Aboriginal Corporation	1999
Durri Aboriginal Corporation	1985, 1986
Gamilaroi Boomerangs Sports Aboriginal Corporation	1998

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Gomilaroi Aboriginal Corporation Medical Service	1993, 1994, 1995, 1996, 1997, 1998, 1999
Goodagah Relief Aboriginal Corporation Endeavour	1999
Greater Lithgow Aboriginal Torres Strait Islanders Corporation	1997, 1998, 1999
Gudga-Ga Nura Pre-School Aboriginal Corporation	1992, 1993, 1994, 1995, 1996, 1997, 1998
Hillston Aboriginal Corporation	1998, 1999
Jarjum Gangalehla Aboriginal Corporation	1999
Joshua Aboriginal Corporation Dandaloo District	1998, 1999
Junbung Elders Aboriginal Corporation	1999
Jungar Aboriginal Corporation	1996, 1997, 1998
Kamarah Aboriginal Corporation	1997, 1998
Kempsey Koori Artists Aboriginal Corporation	1999
Korewal (La Perouse),Elouera(Illawarra),Jerungarugh (Shoalhaven) Tribal Elders Aboriginal Corporation	1995, 1996, 1997, 1998
Kulai Pre-School "Aboriginal Corporation"	1998, 1999
La Perouse United Aboriginal Corporation for Sport and Recreation	1999
Malabugilmah Aboriginal Corporation	1996, 1997, 1998, 1999
Murong Gialinga Aboriginal and Torres Strait Islanders Corporation	1999
New South Wales Aboriginal Rugby League Association (Aboriginal Corporation)	1998
Ngalaya Aboriginal Corporation	1998, 1999
Ngamba Local Aboriginal Corporation	1998, 1999
Ngarabal Aboriginal Corporation	1999
Ngiyambandi Yaam Yaludarra Aboriginal Corporation Yuludarra	1998, 1999
New Southwales and Australian Capital Territory Higher Education Network Aboriginal Corporation	1999
Nukara Indigenous Women's Aboriginal Corporation	1998, 1999
Nunawanna Aboriginal Corporation	1999
Paruna Aboriginal Corporation	1999
Saltwater Tribal Council Aboriginal Corporation	1999
Shoalhaven Aboriginal Corporation of Elders and Friends	1999
St Clair Singleton Aboriginal Corporation	1999
Stanley Village Aboriginal Corporation	1993, 1995, 1996, 1997, 1998

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The Gidabel Aboriginal Corporation	1998, 1999
Tweed Aboriginal Corporation for Sport	1999
Ungooroo Aboriginal Corporation	1999
Waagul Aboriginal Corporation	1999
Wagga Advancement Aboriginal Corporation	1994, 1995, 1996
Wahroonga Aboriginal Corporation Raymond Terrace	1999
Wambali Transport Aboriginal Corporation	1999
Wandra Wandian Aboriginal Corporation	1996, 1997, 1998, 1999
We Do Care Aboriginal Corporation	1999
Western Suburbs Enterprise Development Aboriginal Corporation	1995, 1996, 1997, 1998, 1999
Northern Territory	
Akaye Aboriginal Corporation	1998, 1999
Alatyeye Aboriginal Corporation	1996, 1997, 1998, 1999
Alawa Aboriginal Corporation	1999
Alkngirrweltye Aboriginal Corporation	1998, 1999
Alkupitja Aboriginal Corporation	1999
Alpara Community Aboriginal Corporation	1996, 1997, 1998, 1999
Altjerra Aboriginal Corporation	1998, 1999
Ananguku Yiwarra Aboriginal Corporation	1995
Angkerle-Irengge Aboriginal Corporation	1995, 1996, 1997, 1998, 1999
Angula Aboriginal Corporation	1998, 1999
Anilalya Council (Aboriginal Corporation)	1984
Ankarra Aboriginal Corporation	1997, 1998, 1999
Anyinginyi Congress Aboriginal Corporation	1985
Aremerle- Irlkowene Aboriginal Corporation	1999
Arkarnta Aboriginal Corporation	1993, 1994, 1995, 1996, 1997, 1998, 1999
Arnapipe Aboriginal Corporation	1998, 1999
Arrillhjera Aboriginal Corporation	1993, 1994, 1995, 1996, 1997, 1998, 1999
Arruwurra Aboriginal Corporation	1993, 1994, 1995, 1996, 1997, 1998, 1999
Athenge Lhere Aboriginal Corporation	1996, 1998, 1999
Atikirra Aboriginal Corporation	1999

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Atitjere Land Aboriginal Corporation	1995, 1996, 1997, 1998, 1999
Bambalmok Aboriginal Corporation	1999
Banatjarl Aboriginal Corporation	1999
Bagermananjing Aboriginal Corporation	1993, 1994, 1995, 1996, 1997, 1998, 1999
Barnjarn Aboriginal Corporation	1999
Binjari Community Aboriginal Corporation	1999
Bongoi Aboriginal Corporation	1997, 1998
Bulabula Arts Aboriginal Corporation	1996
Bulgul Aboriginal Corporation	1996
Bulwin Aboriginal Corporation	1994, 1995, 1996, 1997, 1998, 1999
Central Australian Stolen Generation and Families Aboriginal Corporation	1999
Centralian Aboriginal Organisation Enterprise (Aboriginal Corporation)	1983, 1984, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999
Daguragu Enterprise Aboriginal Corporation	1995, 1996, 1997, 1998, 1999
Dillinya Aboriginal Corporation	1999
Doojum Aboriginal Corporation	1996, 1997, 1998, 1999
Errupmynia Aboriginal Corporation	1999
Fraser Aboriginal Corporation	1998, 1999
Goondburoon Aboriginal Corporation	1999
Huckitta Aboriginal Corporation	1994, 1995, 1996, 1997, 1998, 1999
Ileparretye Aboriginal Corporation	1995, 1996, 1997, 1998, 1999
Iiparpa Aboriginal Corporation	1980
Iiperle Aboriginal Corporation	1994, 1995, 1996, 1997, 1998, 1999
Imarranggul Aboriginal Corporation	1999
Injulkama Aboriginal Corporation	1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999
Inelye Aboriginal Corporation	1996, 1997, 1998, 1999
Itperlyenge Aboriginal Corporation	1996, 1997, 1998, 1999

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Iwupataka Water Aboriginal Corporation	1996, 1997, 1998
Janganpa Aboriginal Corporation	1989
Jibabana Aboriginal Corporation	1999
Jingaloo Aboriginal Corporation	1999
Kain Marep Torres Strait Islanders Corporation	1999
Kaltukatjara Community Council (Aboriginal Corporation)	1987
Karrinyarra Aboriginal Corporation	1997, 1998, 1999
Kujuluwa Aboriginal Corporation	1995, 1997, 1998, 1999
Kulla Marra Community Aboriginal Corporation	1999
Kulumbiringin Aboriginal Corporation	1998, 1999
Land Settlement Aboriginal Corporation	1999
Lilla Aboriginal Corporation	1998, 1999
Lingarra Ngaringman Aboriginal Corporaton	1998, 1999
Maddaingya (Malak Malak)Aboriginal Corporation	1999
Malinja Aboriginal Corporation	1997, 1998, 1999
Kurtiwurti Aboriginal Corporation	1995, 1996, 1997, 1998, 1999
MAMP Aboriginal Corporation	1995, 1996, 1997, 1998, 1999
Mangalpu Biyawal Bingarawal Aboriginal Corporation	1998 ,1999
Mangarrayi Aboriginal Corporation	1997, 1998, 1999
Mangkururpa Aboriginal Corporation	1995, 1996, 1997, 1998, 1999
Maningrida Health Board Aboriginal Corporation	1999
Maperte Aboriginal Corporation	1994, 1995, 1996, 1997, 1998, 1999
Margalkmi Aboriginal Corporation	1999
Mialli Aboriginal Corporation	1999
Minyerri Aboriginal Corporation	1999
Miwatj Health Aboriginal Corporation	1992
Mparntwe Sacred Sites Aboriginal Corporation	1999
Mulluyu Aboriginal Corporation	1993, 1994, 1995, 1996, 1997, 1998, 1999
Mulyung Aboriginal Corporation	1997, 1998, 1999
Mungar Mungar Women's Learning Group Aboriginal Corporation	1999
Mungkarta Community and Outstation Aboriginal Corporation	1993, 1994, 1995, 1996, 1997
Murun Murula Aboriginal Corporation	1996, 1997, 1998, 1999

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Nadjinem Aboriginal Corporation	1997, 1998
Ngaanyatjarra Land Council (Aboriginal Corporation)	1999
Ngarlatji Aboriginal Corporation	1997, 1998
Numayanga Aboriginal Corporation	1996, 1997
Numburindi Aboriginal Corporation	1999
Orrtipa Thurra Aboriginal Corporation	1985, 1991, 1993, 1999
Penyeme Aboriginal Corporation	1994, 1995, 1996, 1997, 1998, 1999
Peron Island Enterprise Aboriginal Corporation	1999
Petyale Community Aboriginal Corporation	1995, 1996, 1997, 1998, 1999
Puyurru Aboriginal Corporation	1998, 1999
S & J Earthmoving Equipment Aboriginal Corporation	1999
The Julin Aboriginal Corporation	1999
Tiwi Designs Aboriginal Corporation	1980
Tjirrkarli (Aboriginal Corporation)	1987
Tjupanyin Aboriginal Corporation	1997, 1998, 1999
Uluperte Community Aboriginal Corporation	1999
Mamp Kwetja Aboriginal Corporation	1995, 1996, 1997, 1998, 1999
Urapuntja Health Service Aboriginal Corporation	1980, 1984, 1987, 1990, 1991
Urlampe Aboriginal Corporation	1999
Waju Aboriginal Corporation	1999
Wambaliji Aboriginal Corporation	1997, 1998
Wampana Aboriginal Corporation	1994, 1995, 1996, 1997, 1998, 1999
Wangkatja Cultural Association Aboriginal Corporation	1998, 1999
Warrga Aboriginal Corporation	1997, 1998
Were Therre Aboriginal Corporation	1998, 1999
Werenbun Association Aboriginal Corporation	1998, 1999
Wonmurri Aboriginal Corporation	1996, 1997, 1998, 1999
Wugular Aboriginal Corporation	1997, 1998, 1999
Wunara Aboriginal Corporation	1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999
Wurrkleni Aboriginal Corporation	1999
Yambah-Mpweringe Aboriginal Corporation	1995, 1996, 1997, 1998, 1999

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Yantumpuru Aboriginal Corporation	1998, 1999
Yirra Bandoo Aboriginal Corporation	1999
Yok Aboriginal Corporation	1997
Yubanyang Aboriginal Corporation	1999
Yubulyawun Aboriginal Corporation	1999
Queensland	
“Gindaaja” Yarrabah Youth Sports and Recreation (Aboriginal Corporation)	1995, 1996, 1997, 1998, 1999
Aboriginal and Islander Community Resource Agency (Anglican Diocese of Rockhampton) Aboriginal Corporation	1992, 1994
Ait Kadal Clan Torres Strait Islanders Corporation	1995, 1996, 1997, 1998, 1999
Ang-Gnarra Aboriginal Corporation of Laura	1985
Bidunggu Aboriginal Corporation	1999
Binthi Aboriginal Corporation	1998, 1999
Binthi Land Holding Group Aboriginal Corporation	1999
Buralim Media Aboriginal Corporation	1994, 1995, 1996
Burungu Aboriginal Corporation	1993
Central Queensland Aboriginal Corporation for Cultural Activities	1998, 1999
Central Queensland Kyou Aboriginal Corporation	1999
Central Western Gangalu Aboriginal Corporation	1998, 1999
Creative Training Aboriginal Corporation	1999
Cunnamulla Dreaming Aboriginal Corporation	1999
Darwulah Aboriginal Corporation	1997, 1998
Dhamuway Torres Strait Islanders Corporation	1995, 1996, 1997, 1998, 1999
Dhoeyoema Clan Torres Strait Islanders Corporation	1995, 1996, 1997, 1998, 1999
Diocese of Cairns Catholic Council Aboriginal and Torres Strait Islanders Corporation	1999
Fraser Island Dalungdalee Aboriginal Corporation	1998, 1999
Gold Coast Aboriginal and Torres Strait Islanders Corporation for Child Care	1996, 1997, 1998, 1999
Gumbi-Gumbi Aboriginal and Torres Strait Islanders Corporation	1993, 1994
Gungarde Community Centre Aboriginal Corporation	1982, 1983, 1984, 1985, 1986, 1987
Injinoo Aboriginal Corporation	1996, 1997, 1998
Jiddabul Aboriginal Corporation	1987, 1996, 1997, 1998, 1999

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Kambuwal Aboriginal Corporation for Culture, Heritage and Land	1999
Karlooloo Aboriginal and Torres Strait Islanders Corporation	1999
Keriba Mabaigal Torres Strait Islander Corporation for Culture and Heritage	1998
Kgari Educational and Culture Centre Aboriginal Corporation	1998
Koedal Aboriginal and Torres Strait Islanders Corporation	1998, 1999
Komilario Land Aboriginal Corporation	1996
Kuku Buyunji Aboriginal Corporation	1996, 1997, 1998, 1999
Kurribie Boya Aboriginal and Torres Strait Islanders Corporation	1999
Lonway Cultural and Recreational Centre Aboriginal Corporation	1998, 1999
Mandandanji Land and Heritage Aboriginal Corporation	1998, 1999
Mardigan Aboriginal Corporation for Land	1997, 1998
Meerooni Warro Thornhill Aboriginal Corporation	1999
Mer Gedkem Le (Torres Strait Islanders) Corporation	1999
Mitakoodi Juhnjar Aboriginal Corporation	1998
Morowari Tribal Aboriginal Corporation	1998
Murri Gundooos Aboriginal and Torres Strait Islanders Corporation	1996, 1997
Ngarrabullgin Tourism Aboriginal Corporation	1999
Nunukul/Ngugi Cultural Heritage Aboriginal Corporation of Quandamooka	1996, 1997, 1998, 1999
Nyawaygi Aboriginal and Torres Strait Islanders Corporation for Womens Issues	1999
Pioneer Aboriginal and Torres Strait Islanders Corporation	1996, 1997, 1998
Saibai Mura Buway (Torres Strait Islanders) Corporation	1999
Samflodai Aboriginal and Torres Strait Islanders Corporation	1999
Tagalaka Tribal Aboriginal Corporation	1997, 1998, 1999
Toowoomba Aboriginal Corporation for Medical Services	1997, 1998
Townsville Aboriginal and Islander Performing Artists Network Aboriginal Corporation	1998
Wakamin Tribal Aboriginal Corporation	1996, 1997, 1998, 1999
Waluwarra Aboriginal Corporation	1998, 1999
Waridube Aboriginal and Torres Strait Islanders Corporation	1996, 1997, 1998
Wellesley Islands Aboriginal Corporation	1994, 1995

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Wide Bay Aboriginal and Islander Community Health	
Service Aboriginal and Torres Strait Islander Corporation	1996, 1997, 1998, 1999
Wuli Wuli Aboriginal Corporation	1999
Yarwathin Aboriginal Corporation	1998
South Australia	
Kokatha Mula Aboriginal Corporation	1999
Eringa Aboriginal Corporation	1996, 1997, 1998, 1999
Kuardia Aboriginal Corporation	1999
Kuja-Muja Aboriginal Corporation	1999
Kumangka Youth Services Aboriginal Corporation	1998, 1999
Minyungu Palyari Aboriginal Corporation	1998, 1999
Port Lincoln Tjundia Aboriginal Corporation	1999
Tasmania	
Babel Island Aboriginal Corporation	1999
Moi -IA Aboriginal Corporation	1999
United Coalition Aboriginal Corporation	1995, 1996, 1997, 1998, 1999
Victoria	
Bampi - Mi Aboriginal Corporation	1998, 1999
Djeetgun Kurnai Womens Aboriginal Corporation	1998
Goulburn Valley Christian Aboriginal Corporation	1998, 1999
Jaara Aboriginal Corporation	1999
Kerrup Jmara Elders Aboriginal Corporation	1989, 1990, 1991, 1992, 1993, 1994
Kirrae - Whurrong Aboriginal Corporation	1995, 1996, 1997, 1998, 1999
Munjala Aboriginal Corporation	1999
Victorian Aboriginal Corporation Golf Association	1999
Western Australia	
Baiyungu Abororiginal Corporation	1998, 1999
Balginjirr Aboriginal Corporation	1999
Baljarkurukun Aboriginal Corporation	1996, 1997, 1998
Ban Gal Gurrugurru Jilawadja Aboriginal Corporation	1997, 1998
Beemurra Aboriginal Corporation	1999
Bellotti Aquaculture Group Aboriginal Corporation	1999

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Bells Point Aboriginal Corporation	1996, 1997, 1998, 1999
Bhildbit Aboriginal Corporation	1999
Bidijul Aboriginal Corporation	1999
Bilgungurr Aboriginal Corporation	1999
Billard Aboriginal Corporation	1998, 1999
Billingjul Aboriginal Corporation	1998, 1999
Binjen Ningguwung Aboriginal Corporation	1999
Borninyun Aboriginal Corporation	1997, 1998, 1999
Budgarjook Aboriginal Corporation	1997, 1998, 1999
Bulanjarr Aboriginal Corporation	1999
Bundundea Aboriginal Corporation	1998, 1999
Buttah Windee Aboriginal Corporation	1994, 1995, 1996, 1997, 1998, 1999
Bwuradjen Yuat Aboriginal Corporation	1999
Carnot Springs Aboriginal Corporation	1999
Coongan Aboriginal Corporation	1999
Crana Aboriginal Corporation Beverley	1997, 1998, 1999
Culunga Community School Aboriginal Corporation	1998
Dilduwam Majangdaburru Aboriginal Corporation	1999
Djibbinj Aboriginal Corporation	1998, 1999
Djididjidi Womens Aboriginal Corporation	1999
Djimung Gnudu Aboriginal Corporation	1997, 1999
Djoodood Aboriginal Corporation	1993, 1994, 1995, 1996, 1997, 1998, 1999
Djuwarlu Aboriginal Corporation	1999
Doon Doon Pastoral Aboriginal Corporation	1999
Doorum Nyoongah Advisory Group Aboriginal Corporation	1999
Embalgun Aboriginal Corporation	1998, 1999
Galeru Gorge Aboriginal Corporation	1998, 1999
Gascoyne Sports Aboriginal Corporation	1999
Geboowama Aboriginal Corporation	1997, 1998, 1999
Gilaroong Aboriginal Corporation	1999
Goolarabooloo - Millibinyarri Aboriginal Corporation	1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999

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Goolarrgon Aboriginal Corporation	1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999
Grahams Land and Sea Aboriginal Corporation	1999
Gudumul Aboriginal Corporation	1995, 1996, 1997, 1998, 1999
Gulgagulaneng Aboriginal Corporation	1997, 1998, 1999
Gulungoor Yammatji Aboriginal Corporation	1999
Gurima Aboriginal Corporation	1999
Gurrbumi Ningguwung Aboriginal Corporation	1999
Gwaba Enterprise Aboriginal Corporation	1997, 1998, 1999
Gyrrigas Aboriginal Corporation	1996, 1997, 1998
Illengirri Malangan Aboriginal Corporation	1998, 1999
Jalaris Aboriginal Corporation	1999
Janum Ningguwung Aboriginal Corporation	1999
Kadjina Community Store Aboriginal Corporation	1998
Kalla Boodja Aboriginal Corporation	1998, 1999
Kara Le (Torres Strait Islanders Corporation)	1995, 1996, 1998, 1999
Karnparri Aboriginal Corporation	1999
Katampul Aboriginal Corporation	1993, 1994, 1995, 1996, 1997, 1998
Kepa Kurl Aboriginal Corporation	1999
Kertanyji Aboriginal Corporation	1998, 1999
Kimberley Aquaculture Aboriginal Corporation	1997, 1998
Kooljaman Land Aboriginal Corporation	1999
Koomaal Aboriginal Corporation	1999
Kora Adult Education Aboriginal Corporation	1980
Kundat Djaru Aboriginal Corporation	1981, 1989
Kunmunya Aboriginal Corporation	1999
Kururrungku Garage Mindibungu Aboriginal Corporation	1996, 1997, 1998, 1999
Kururrungku Store Mindibungu Aboriginal Corporation	1996, 1998, 1999
Lake Jasper Project (Aboriginal Corporation)	1996
Lakuwang Aboriginal Corporation	1996, 1997, 1998
Lambooo Gunian Aboriginal Corporation	1987
Ledawooloo Aboriginal Corporation	1995, 1996, 1997, 1998, 1999
Lowarda Aboriginal Corporation	1995, 1996, 1998, 1999

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Lundja Aboriginal Corporation	1997, 1998, 1999
Lynne River Aboriginal Corporation	1996, 1997, 1998, 1999
Maamba Aboriginal Corporation	1999
Maddarr Aboriginal Corporation	1997, 1998, 1999
Madjulla Aboriginal Corporation	1999
Mallee Aboriginal Corporation	1999
Maraltadji Family Aboriginal Corporation	1999
Mardiwa Loop Aboriginal Corporation	1995, 1996, 1997, 1998, 1999
Marnebulorge Aboriginal Corporation	1996, 1998, 1999
Mayi Aboriginal Corporation	1998
Milba Community Aboriginal Corporation	1989, 1996, 1997, 1998, 1999
Mimbi Aboriginal Corporation	1996, 1997, 1998, 1999
Mindibungu Aboriginal Corporation	1987, 1988, 1989, 1990
Mindi-Rardi (Aboriginal Corporation)	1994, 1995, 1996, 1997, 1998, 1999
Mingen Aboriginal Corporation	1994, 1995, 1996, 1997, 1998, 1999
Moncrieff Consultancies Aboriginal Corporation	1999
Morard Aboriginal Corporation	1998, 1999
Mowanjum Aboriginal Corporation	1981
Mungullah Community Aboriginal Corporation	1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994
Murphy Creek Aboriginal Corporation	1998
Ngalawilli Aboriginal Corporation	1996, 1997, 1998, 1999
Ngalia Heritage Research Council (Aboriginal Corporation)	1998, 1999
Ngarinyin Aboriginal Corporation	1997, 1998
Ngarlan Burr Aboriginal Corporation	1996, 1997, 1998, 1999
Ngumpan Aboriginal Corporation	1988, 1995, 1996, 1997, 1998
Ngunjiwirri Aboriginal Corporation	1997, 1998, 199
Noongar Employment and Enterprise Development Aboriginal Corporation	1999
Nyawanyawam Dawang Aboriginal Corporation	1999
Nyooljar Aboriginal Corporation	1998, 1999
OPE Enterprises Aboriginal Corporation	1999

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Palyalatju Maparnpa Aboriginal Corporation Health Committee	1999
Pantijan Aboriginal Corporation	1999
Parngurr Community School Aboriginal Corporation	1999
Pelican Resources Aboriginal Corporation	1999
Pilbara Arts, Crafts and Designs Aboriginal Corporation	1999
Purluwala Aboriginal Corporation	1999
Purnululu Aboriginal Corporation	1998, 1999
Quartz Blow Community Aboriginal Corporation	1998, 1999
Rarrdjali Aboriginal Corporation	1999
Rottnest Island Deaths Group Aboriginal Corporation	1999
Rumbul Aboriginal Corporation	1997, 1998, 1999
Saam Kerem (Torres Strait Islanders Corporation)	1999
Sale River Aboriginal Corporation	1999
Saylor Clan Torres Strait Islander Corporation	1999
Skeen Family Group Linga Aboriginal Corporation	1996, 1997, 1998, 1999
South Metropolitan Aboriginal Corporation	1996, 1997, 1998, 1999
Swan Legal Aid Aboriginal Corporation	1996, 1997, 1998, 1999
The Tjiliyna Aboriginal Corporation	1999
Tirralintji Aboriginal Corporation	1999
Walitj Aboriginal Corporation	1995, 1996, 1997
Walman / Yawuru Aboriginal Corporation	1998, 1999
Wandalgu Arts Aboriginal Corporation	1999
Warinypirna Aboriginal Corporation	1999
Western Australia Students Aboriginal Corporation	1993, 1994, 1995, 1996, 1997, 1998, 1999
Whattarguttabe Aboriginal Corporation	1999
Windjingayr Aboriginal Corporation	1999
Wongutha Birni Aboriginal Corporation	1999
Worrworum Ningguwung Aboriginal Corporation	1999
Wuggubun Aboriginal Corporation	1999
Yadgalah Aboriginal Corporation	1991, 1992, 1993, 1994, 1996, 1997, 1998
Yagga Yagga Enterprises Aboriginal Corporation	1996, 1997, 1998, 1999
Yamatji Wirriya Aboriginal Corporation	1999

APPENDIX C

Examinations completed under Section 60 of the Act during 1999-2000

Corporation	Examiner
New South Wales	
Coomealla Health Aboriginal Corporation	E. J. Pippet
Tingha Aboriginal Corporation	Peter Scolari & Co Pty Ltd
Narrandera Wiradjuri Elders Group Aboriginal Corporation	MGI Wamstekers
Ngaimpe Aboriginal Corporation	Office of the Registrar
Gundabooka Aboriginal Corporation	Peter Scolari & Co Pty Ltd
Ullamulla Pejar Aboriginal Corporation	MGI Wamstekers
Munjuwa Queanbeyan Aboriginal Corporation	Bird Cameron Partners
Twofold Aboriginal Corporation	Bird Cameron Partners
Mrangalli Aboriginal Corporation	Bird Cameron Partners
Mrangalli Housing Aboriginal Corporation	Bird Cameron Partners
Nulla Nulla Boongutti Aboriginal Corporation	Walter & Turnbull
Yalbillinga Boori Day Care Centre Aboriginal Corporation	Peter Scolari & Co Pty Ltd
Towri Aboriginal Corporation	MGI Wamstekers
NSW Women's Aboriginal Corporation	MGI Wamstekers
Wdajri Myiral Elders Aboriginal Corporation	Office of the Registrar
Nanima Progress Association (Aboriginal Corporation)	Hoholt Financial Consulting Pty Ltd
Queensland	
Lockhart Women's Aboriginal Corporation	Price Waterhouse Coopers
Napranum Aboriginal Corporation	TCM Partners
Jiddabul Aboriginal Corporation	Hall Chadwick
Mooloola Aboriginal and Torres Strait Islanders Corporation	Don Usher & Co
Goondir Aboriginal & Torres Strait Islanders Corporation for Health Services	Cranstoun & Hussein
Kooma Aboriginal Corporation for Land	Ludgates
Birri Gubba Aboriginal Corporation	Tognola Cabassi McCallum & Co
Wirri Yowiburra Touri Aboriginal Corporation	Tognola Cabassi McCallum & Co
Link-up (QLD) Aboriginal Corporation	Prentice Parbery Barilla
Yulu-Burri-Ba Aboriginal Corporation for Community Health	Thomas Noble & Russell

Townsville Aboriginal and Torres Strait Islanders

Corporation For Women

Marillac House Aboriginal Corporation

North Queensland Land Council Aboriginal Corporation

Western Australia

Balangarri Aboriginal Corporation

Winun Ngari Aboriginal Corporation

Barrel Well Community Nanda Aboriginal Corporation

Morawa Aboriginal Corporation

Ngoonjuwah Council Aboriginal Corporation

Wirrimanu Aboriginal Corporation

Carnarvon Medical Service Aboriginal Corporation

Derby Aboriginal Health Service Council Aboriginal
Corporation

Murchison Region Aboriginal Corporation

East Kimberley Aboriginal Medical Service Aboriginal
Corporation

Pilbara Aboriginal Land Council (Aboriginal Corporation)

South Australia

Irrwanyere Aboriginal Corporation

Northern Territory

Gulin Gulin and Weemol Community Council
Aboriginal Corporation

Arrunge Aboriginal Corporation

Urapuntja Council Aboriginal Corporation

Utopia Cultural Centre and Utopia Awley Batik
Aboriginal Corporation

Rumburriya Malandari Council Aboriginal Corporation

Victoria

Kerrup Jmarra Elders Aboriginal Corporation

TCM Partners

Sims Lockwood

Lawrence & Reed

De Castro & Sullivan

De Castro & Sullivan

Shakespeare & Co

Shakespeare & Co

John Foley & Associates

Business Support Pty Ltd

KJH Enterprises

Simon R Coad

Shakespeare & Co

Simon R Coad

Jon Blewitt & Associates

Swan Faulkner Fox

R.V. Lowry & Associates

Walter & Turnbull

De Castro & Sullivan

De Castro & Sullivan

Garraway & Partners

MGI Wamstekers

Corporation	Examiner
New South Wales	
Dubbo Koorie Housing Aboriginal Corporation	MGI Wamstekers
Wandoo Aboriginal Corporation	MGI Wamstekers
Sydney Regional Aboriginal Corporation Legal Service	MGI Wamstekers
Batemans Bay Aboriginal Corporation	Street Quinn Pty Ltd
Kullila Welfare and Housing Aboriginal Corporation	Office of the Registrar
Queensland	
Taribelang Bunda Aboriginal Corporation	Prentice Parbery Barilla
"Waiben" Torres Strait Islanders Corporation	Hayward Gesch Dorge
Twin Cities Aboriginal and Torres Strait Islanders Corporation	TCM Partners
Pulkurru Aboriginal Corporation	MGI Wamstekers
Miles Aboriginal Corporation for Housing and Community Development	Indecorp Pty Ltd
Western Australia	
Pantijan Aboriginal Corporation	Graham W Bell & Associates
Kukabubba Aboriginal Corporation	Anthony M Travers & Associates
Koomaal Aboriginal Corporation	Tendering in progress
Yagga Yagga Community Aboriginal Corporation	KJH Enterprises
Kunawarrtji Aboriginal Corporation	Business Support Pty Ltd
Windidda Aboriginal Corporation	Simon R Coad
Jardamu Women's Group Aboriginal Corporation	Tender in progress
Tkalkaboorda Aboriginal Corporation	Tender in progress
Northern Territory	
Amanagarra Aboriginal Corporation	BDH Consulting Pty Ltd
Ngurrdalingi Aboriginal Corporation	BDH Consulting Pty Ltd
Binjari Community Aboriginal Corporation	Tender in progress

E Section 60A compliance notices issued during 1999-2000

Corporation	State	Date of Notice
Kullila Welfare and Housing Aboriginal Corporation	NSW	29/07/1999
Coomealla Health Aboriginal Corporation	NSW	27/08/1999
Winun Ngari Aboriginal Corporation	WA	07/09/1999
Mungoorbada Aboriginal Corporation	NT	12/09/1999
Aboriginal Movement for Outback Survival Aboriginal Corporation	WA	13/09/1999
Jiddabul Aboriginal Corporation	QLD	21/09/1999
Mooloola Aboriginal & Torres Strait Islanders Corporation	QLD	18/10/1999
Tkalkaboorda Community Aboriginal Corporation	WA	01/11/1999
Napranum Aboriginal Corporation	QLD	01/11/1999
Gulin Gulin and Weemol Community Council Aboriginal Corporation	NT	01/11/1999
Urapuntja Council Aboriginal Corporation	NT	07/11/1999
Ngaimpe Aboriginal Corporation	NSW	07/11/1999
Kooma Aboriginal Corporation for Land	QLD	15/11/1999
Gundabooka Aboriginal Corporation	NSW	14/11/1999
Goondir Aboriginal & Torres Strait Islanders Corporation for Health Services	QLD	29/11/1999
Ullamulla Pejar Aboriginal Corporation	NSW	02/12/1999
Kirrae-Whurrong Aboriginal Corporation	VIC	13/12/1999
Munjuwa Queanbeyan Aboriginal Corporation	NSW	15/12/1999
Mardigan Aboriginal Corporation for Land	QLD	21/12/1999
Wirrimanu Aboriginal Corporation	WA	23/12/1999
Ngoonjuwah Council Aboriginal Corporation	WA	17/01/2000
Narrandera Wiradjuri Elders Group Aboriginal Corporation	NSW	25/01/2000
Twofold Aboriginal Corporation	NSW	03/02/2000
Yalbillinga Boori Day Care Centre Aboriginal Corporation	NSW	18/02/2000
Wiri/Yuwiburra "Touri" Aboriginal Corporation	QLD	29/02/2000
Yulu-Burri-Ba Aboriginal Corporation for Community Health	QLD	13/04/2000

APPENDIX E

Townsville Aboriginal and Torres Strait Islanders Corporation for Women	QLD	16/06/2000
East Kimberly Aboriginal Medical Service Aboriginal Corporation	WA	28/06/2000
Nulla Nulla Boongutti Aboriginal Corporation	NSW	28/06/2000
Pilbara Aboriginal Land Council (Aboriginal Corporation)	WA	30/06/2000
Wdajri Myiral Elders Aboriginal Corporation	NSW	30/06/2000
Derby Aboriginal Health Service Council Aboriginal Corporation	WA	30/06/2000

F Section 71 notices issued during 1999-2000

<u>Corporation</u>	<u>State</u>	<u>Date of Notice</u>
Aboriginal Corporation of Employment and Training Development	SA	08/07/99
Irrwanyere Aboriginal Corporation	NT	26/07/99
Mungoorbada Aboriginal Corporation	NT	11/08/99
Aboriginal Movement for Outback Survival Aboriginal Corporation	WA	13/08/99
Armidale Baalapiny Housing Aboriginal Corporation	NSW	03/08/99
Tkalkaboorda Community Aboriginal Corporation	WA	23/08/99
Nurapai Torres Strait Islanders Corporation	QLD	27/08/99
Barrel Well Community Nanda Aboriginal Corporation	WA	07/09/99
Gumala Aboriginal Corporation	WA	20/09/99
Napranum Aboriginal Corporation	QLD	21/09/99
Theodore Aboriginal Corporation	QLD	29/09/99
Gulin Gulin and Weemol Community Council Aboriginal Corporation	NT	30/09/99
Indigenous Tasmanians Aboriginal Corporation	TAS	10/11/99
Rrumburriya Malandari Council Aboriginal Corporation	NT	15/11/99
Narrandera Wiradjuri Elders Group Aboriginal Corporation	NSW	06/12/99
Wiri/Yuwiburra "Touri" Aboriginal Corporation	QLD	07/12/99
Ngoonjuwah Council Aboriginal Corporation	WA	13/12/99
Link-up (QLD) Aboriginal Corporation	QLD	13/12/99
Twofold Aboriginal Corporation	NSW	06/01/00
Nulla Nulla Boongutti Aboriginal Corporation	NSW	21/02/00
Mrangalli Aboriginal Corporation	NSW	24/02/00
Mrangalli Housing Aboriginal Corporation	NSW	24/02/00
Towri Aboriginal Corporation	NSW	06/03/00
Murchison Region Aboriginal Corporation	WA	08/03/00
Carnarvon Medical Service Aboriginal Corporation	WA	05/04/00

Aboriginal and Torres Strait Islanders Corporation for Men (Brisbane)
Aboriginal and Torres Strait Islanders Corporation for Women (Brisbane)
Aboriginal Community Justice Panels of Warrnambool District Aboriginal Corporation
ACT Ngunnawal Education Aboriginal Corporation
Ahalperarenye Cattle Aboriginal Corporation
Alpirakina Cattle Aboriginal Corporation
Angkwetengarenye Cattle Aboriginal Corporation
Atakertarenye-Theleyarenye Cattle Aboriginal Corporation
Atitjere Homelands Aboriginal Corporation
Australian Indigenous Soldiers Aboriginal Corporation
Barlmarrag Aboriginal Corporation
Barrier Breakers Torres Strait Islanders Corporation for Arts
Billong Housing Aboriginal Corporation
Biridu Aboriginal Corporation
Bloganmin Aboriginal Corporation
Bogal Box Ridge Aboriginal Corporation
Buglung-Gala Cultural Institute Aboriginal Corporation
Bulgra Jarlum Narua Aboriginal Corporation
Buningbarr Aboriginal Corporation
Cabarita Aboriginal Corporation
Currawong Aboriginal Corporation
Doomadgee United Sporting Aboriginal Corporation
Duidgee Aboriginal Corporation

Far East Gippsland Aboriginal Corporation
Flinders Outstation Aboriginal Corporation
Gelang Designers Printers Manufactures Torres Strait Islanders Corporation
Gilinyowan Aboriginal Corporation
Gillawarna Aboriginal Corporation
Gillawarra Cultural Centre and Keeping Place (Aboriginal Corporation)
Gingie Community Aboriginal Corporation
Gippsland Cultural Heritage Access Council (Aboriginal Corporation)
Goolumburoo Community Aboriginal Corporation
Goophing Aboriginal Corporation
Goulburn Valley Community Aboriginal Corporation
Grafton Moobera Dubays Aboriginal Corporation
Griffith Juvenile Justice Aboriginal Corporation
Griffith Ladies Social Group Aboriginal Corporation
Gundurimba Aboriginal Corporation
Gunya Housing Aboriginal and Torres Strait Islanders Corporation
Gurra-Bunjya Youth Culture Training Camp Aboriginal Corporation
Iina Torres Strait Islanders Corporation (Research and Resource Centre)
Ikuntji Cattle Aboriginal Corporation
Imanpa Housing Association Aboriginal Corporation
Information and Neighbourhood Aboriginal Corporation
Ingham Small Crop Aboriginal Corporation
Jaapalpa Aboriginal Corporation
Junui Nyaagili Ngiinaw Aboriginal Corporation = Children Find Yourselves
K.E.E.P Aboriginal Corporation
Kaipa (Torres Strait Islanders Corporation)
Kal Services Aboriginal Corporation
Kalaako Maduwongga Ngurlu Waljen Families Aboriginal Corporation
Kalaya Aboriginal Corporation
Karlundi Community Aboriginal Corporation
Karranbah Housing Aboriginal Corporation
Kimberley Aboriginal Broadcasting Network Aboriginal Corporation

APPENDIX

G

King Kiara Community Council (Aboriginal Corporation)
Knaretjetere Aboriginal Corporation
Kulun Nintibai Child Care Aboriginal Corporation
Kurtijar Sporting and Recreation Aboriginal Corporation
La Perouse Aboriginal Community Knockout Committee Aboriginal Corporation
La Perouse Aboriginal Corporation
Lametha Aboriginal Corporation
Loftus Road Aboriginal Corporation
Mackay Mer Aboriginal and Torres Strait Islanders Corporation
Maclean United Sporting Aboriginal Corporation
Macleay Combined Sports Aboriginal Corporation
Malabar Aboriginal Corporation
Mardingar Aboriginal Corporation
Meriba Erwer Lag Aboriginal and Torres Strait Islanders Corporation (MELATSI)
Mildura Community Justice Panel (Aboriginal Corporation)
Minyma Pukurlpa Aboriginal Corporation
Moogee Aboriginal Corporaton
Moree Senior Citizen Aboriginal Corporation
Morrell Park Farm Aboriginal Corporation
Mulgarn Aboriginal Corporation
Muli Art Aboriginal Corporation
Munding-Garrbay Aboriginal Corporation
Muran Aboriginal Corporation Cobourg
Murrumbidgee Aboriginal and Torres Strait Islanders Corporation for Health and Welfare
Murruwun Aboriginal Corporation
National Indigenous Advisory Group Aboriginal Corporation
Neeworra Aboriginal Corporation
Nemarluk Outstation Aboriginal Corporation
Ngatijirri, Wawultja and Ngapa Aboriginal Corporation

APPENDIX G

Ngruwar Aboriginal Corporation
Ngurin Aboriginal Corporation
Noongu Goo Aboriginal Corporation
Normanton Mai Aboriginal Corporation
North Queensland Aboriginal and Torres Strait Islanders Corporation for Music
North West Cultural Heritage Aboriginal Corporation Committee
Nurunderi Cultural Aboriginal Corporation
Nyungah Sobriety Aboriginal Corporation
Opal Aboriginal Corporation
Papurrunya Aboriginal Corporation
Perleeka Television Aboriginal Corporation
Putardi Aboriginal Corporation
Queensland Aboriginal & Torres Strait Islanders Corporation for Indigenous
Education Workers
Rambulna Cultural Association Aboriginal Corporation
Rockers Sporting Club Aboriginal Corporation
Rollah Group Aboriginal Corporation
SEAD Aboriginal Corporation
South Coast Youth Movement Aboriginal Corporation
Southern Queensland Aboriginal Lands Council Aboriginal Corporation
Statewide Community Justice Panel Aboriginal Advisory Body (Aboriginal
Corporation)
Summervale Aboriginal Corporation
Tableland Aboriginal Arts and Crafts Association Aboriginal Corporation (TAACA)
Thalkurr Aboriginal Corporation
The Aboriginal Group - Recreational and Environmental Employment
Development Aboriginal Corporation
Thompson Family Aboriginal Corporation
Tiwi Ngaripuluwamigi Aboriginal Corporation

APPENDIX

G

Tjapakarra Aboriginal Corporation
Top End Music Aboriginal Corporation
Torres Strait Islanders Corporation for Cultural Educational and Welfare Advancement
Torres Strait Islanders Corporation for N.S.W.
Ulladulla Media Aboriginal Corporation
Utopia Artists Aboriginal Corporation
Walca Echuca Regional Community Justice Panel Aboriginal Corporation
Walker River Community Aboriginal Corporation
Wallaby Island Aboriginal Corporation
Wanamara Aboriginal Corporation
Warnoo Mura Aboriginal and Torres Strait Islanders Corporation for Women
Wawi Homelands (Aboriginal Corporation)
Western Australian Youth Services Aboriginal Corporation
White Soak Aboriginal Corporation
Wingagula Aboriginal Corporation
Wolka Women's Aboriginal Corporation
Wongatha Ngalipa Aboriginal Corporation
Wundargoodie Aboriginal Corporation
Wungu Aboriginal Corporation
Yamatji Birni Aboriginal Corporation
Yangennanock Aboriginal Corporation
Yarraman Aboriginal Corporation
Yidinji Community Aboriginal Corporation
Yirrgandyji Aboriginal Corporation
Yuendumu Alcohol Prevention Association Aboriginal Corporation
Yulumunka Aboriginal Corporation
Yuroke Students Aboriginal Corporation

H Corporations under administration during 1999-2000

Corporation	Administrator appointed	Date appointed	Date cancelled
<i>New South Wales</i>			
Muli Art Aboriginal Corporation	Barry Jameson	11/04/1997	23/02/2000
Armidale Baalapiny Housing Aboriginal Corporation	Peter Scolari	22/09/1999	9/02/2000
Towri Aboriginal Corporation	Peter Scolari	18/04/2000	In progress
Mrangalli Aboriginal Corporation	Bill Malvern	2/05/2000	In progress
<i>Queensland</i>			
Gurang Land Council (Aboriginal Corporation)	Alex Fraser	21/05/1998	12/11/1998
	Garry Hamilton	12/11/1998	24/02/2000
Petford Training Farm (Aboriginal Corporation)	Glen Walker	13/04/1999	6/09/1999
Yaamba Aboriginal and Torres Strait Islanders Corporation for Men	Glen Walker	31/05/1999	9/07/1999
	John Ebbage	9/07/1999	7/04/2000
Nurapai Torres Strait Islanders Corporation	Lorraine Forman	6/09/1999	18/02/2000
Theodore Aboriginal Corporation	Lorraine Forman	15/11/1999	16/05/2000
Link-up (QLD) Aboriginal Corporation	Lorraine Forman	7/02/2000	In progress
<i>Western Australia</i>			
Balangarri Aboriginal Corporation	Julie Barnes	18/01/1999	2/02/1999
	Peter Eastlake	2/02/1999	27/08/1999
Emama Gnuda Aboriginal Corporation	Lorraine Forman	15/06/1999	17/12/1999
Barrel Well Community Nanda Aboriginal Corporation	Craig Somerville	13/10/1999	9/12/1999
Gubrun Aboriginal Corporation	Joe Schiavi	19/08/1999	8/02/2000
Gumala Aboriginal Corporation	Eamonn Thackaberry	10/11/1999	16/06/2000
Murchison Regional Aboriginal Corporation	John Stringfellow	10/05/2000	In progress

APPENDIX

H

Carnarvon Aboriginal Medical Service
Aboriginal Corporation

Eamonn Thackeberry 12/05/2000 In progress

South Australia

Aboriginal Corporation of Employment
and Training Development

Eddie Pippet 26/07/1999 26/11/1999

Northern Territory

Irrwanyere Aboriginal Corporation

Eddie Pippet 9/09/1999 29/02/2000
John Hayes 29/02/2000 27/06/2000

I Corporations under liquidation as at 30 June 2000

Australian Capital Territory

Bogong Community Aboriginal and Torres Strait Islanders Corporation

New South Wales

Adjee Aboriginal Corporation

Coomealla Youth Development Aboriginal Corporation

Dainggati Aboriginal Corporation

Girree Girree Aboriginal Corporation

Gwydir Property Aboriginal Corporation

Kamilaroi Aboriginal Corporation

Minnon Housing Aboriginal Corporation

Narwon Housing Aboriginal Corporation

Nucoorilma Aboriginal Corporation

Wirrajarrai Aboriginal Corporation

Jannawigu Youth Centre Aboriginal Corporation

Carnma Trading Aboriginal Corporation

Wattle Hill Housing and Advancement Aboriginal Corporation

Euston Aboriginal Corporation

Allambi Aboriginal Corporation

Boggabilla Aboriginal Corporation

Nambucca Valley Aboriginal Corporation for Sport

Leeton and District Aboriginal Corporation

Mungindi Aboriginal Corporation

Armidale Baalapiny Housing Aboriginal Corporation

Narooma Community Centre Aboriginal Corporation

Yarrahappinni Aboriginal Corporation

Orange Mirriwinni Aboriginal Corporation

Dhungulla Economic Development Aboriginal Corporation

APPENDIX

I

Orana Barellan Aboriginal Corporation
Central Area Training Accounting and Resource Aboriginal Corporation
Cootamundra and Districts Aboriginal Corporation
Tingha Aboriginal Corporation
Black Swan Aboriginal Theatre (Aboriginal Corporation)
Wongaibon Women's Aboriginal Corporation
New Burnt Bridge Aboriginal corporation
Kattang Housing Aboriginal Corporation
Gunyah Housing Aboriginal Corporation
Mirrabooka Housing Aboriginal Corporation
NSW Women's Aboriginal Corporation
Mrangalli Housing Aboriginal Corporation

Northern Territory

Mbantarnya Aboriginal Corporation
Mutchirr Aboriginal Corporation
Allalgara/Annangara Aboriginal Corporation
Babbarra Women's Council Aboriginal Corporation
Gulunurru Aboriginal Corporation
Wogayala Aboriginal Corporation
Ukaka Aboriginal Corporation
Mistake Creek Aboriginal Corporation
Mount Liebig Aboriginal Corporation
Payeperrentye Aboriginal Corporation
Sandover Farm Aboriginal Corporation
Tuwakam Aboriginal Corporation
Kuwuma Djudian Aboriginal Corporation
Jangirurlu Aboriginal Corporation
Arrunge Aboriginal Corporation
Utopia Cultural Centre and Utopia Awely Battik Aboriginal Corporation

APPENDIX

I

Ahalpere/Pitchi Richi Aboriginal Corporation

Likajarrayinda Aboriginal Corporation

Aboriginal Building Corporation (Aboriginal Corporation)

Queensland

Deeral Aboriginal and Torres Strait Islanders Corporation

Central Queensland Aboriginal Corporation for Training Resources

Thallon Aboriginal Corporation

Theorgine Educational and Culture Centre Aboriginal Corporation

Townsville & District Aboriginal and Torres Strait Islanders Corporation for Legal Services

Goolburri Men's Aboriginal Corporation

National Aboriginal & Islanders Legal Services Aboriginal Corporation

Queensland Aboriginal & Islanders Legal Services Aboriginal Corporation

Ngumarryina Aboriginal Corporation

Ghundu AbI & TSI Corporation

Waratah Aboriginal Corporation

Keriba Kazil Torres Strait Islanders Corporation

Gungandji Aboriginal Corporation

Camu Goun-Doi Aboriginal Corporation

Uutaalnganu Aboriginal Corporation

Petford Training Farm (Aboriginal Corporation)

Townsville Regional Aboriginal & Torres Strait Islanders Corporation for Youth

Manth-thayan Aboriginal Corporation

Capricorn Aboriginal Corporation for Heritage and Culture

Lockhart Women's Aboriginal Corporation

Nurapai Torres Strait Islanders Corporation

Birri Gubba Aboriginal Corporation

Millmerran Aboriginal and Torres Strait Islanders Corporation

Dabu Jajikal Aboriginal Corporation

Dirrabandi Aboriginal Corporation

Theodore Aboriginal Corporation

APPENDIX

I

Western Australia

Bibelmen Mia Aboriginal Corporation
Nyul Nyul Aboriginal Corporation
Warralong Aboriginal Corporation
West Pilbara Land Council Aboriginal Corporation
Yabu Bindalynga Aboriginal Corporation
Karla Aboriginal Corporation
Mearu Djarula Aboriginal Corporation
Murnkurni Women's Aboriginal Corporation
Gooda Binya Aboriginal Corporation
Kupartiya (Aboriginal Corporation)
Gulingi Nangga Aboriginal Corporation
Ngadju Bugarla Mirning Wamu Wamu Aboriginal Corporation
Balangarri Aboriginal Corporation
Miniarra Resource Agency Aboriginal Corporation
Butchilbidi Aboriginal Corporation
Buurabalayji Thalanyji Aboriginal Corporation
Onslow Women's Aboriginal Corporation
Wandanooka Aboriginal Corporation.
Morawa Aboriginal Corporation
Gubrun Aboriginal Corporation
Yonga Aboriginal Corporation
Aboriginal Driver Training Program Aboriginal Corporation
Yathalla Group Aboriginal Corporation
Guddoo Marddah Aboriginal Corporation

Tasmania

Tasmanian Native Resources Aboriginal Corporation

J Appointment of liquidators during 1999-2000

as a result of winding up action by the Registrar

New South Wales

Dhunghulla Economic Development Aboriginal Corporation
Central Area Training Accounting and Resource Aboriginal Corporation
Cootamundra and Districts Aboriginal Corporation
Tingha Aboriginal Corporation
Black Swan Aboriginal Theatre (Aboriginal Corporation)
New Burnt Bridge Aboriginal Corporation
Wongaibon Women's Aboriginal Corporation
Armidale Baalapiny Housing Aboriginal Corporation
Kattang Housing Aboriginal Corporation
Gunyah Housing Aboriginal Corporation
Mirrabooka Housing Aboriginal Corporation
NSW Women's Aboriginal Corporation
Mrangalli Housing Aboriginal Corporation

Queensland

King Kiara Community Council (Aboriginal Corporation)
Keriba Kazil Torres Strait Islanders Corporation
Gungandji Aboriginal Corporation
Camu Goun-Doi Aboriginal Corporation
Uutaalnganu Aboriginal Corporation
Petford Training Farm (Aboriginal Corporation)
Townsville Regional Aboriginal & Torres Strait Islanders Corporation for Youth
Manth-thayan Aboriginal Corporation
Capricorn Aboriginal Corporation for Heritage and Culture

APPENDIX

J

Lockhart Women's Aboriginal Corporation

Nurapai Torres Strait Islanders Corporation

Millmerran Aboriginal and Torres Strait Islanders Corporation

Dabu Jajikal Aboriginal Corporation

Dirrabandi Aboriginal Corporation

Theodore Aboriginal Corporation

Birri Gubba Aboriginal Corporation

Northern Territory

Mistake Creek Aboriginal Corporation

Payeperrentye Aboriginal Corporation

Mount Liebig Aboriginal Corporation

Sandover Farm Aboriginal Corporation

Tuwakam Aboriginal Corporation

Kuwuma Djudian Aboriginal Corporation

Flinders Outstation Aboriginal Corporation

Jangirurlu Aboriginal Corporation

Arrunge Aboriginal Corporation

Utopia Cultural Centre and Utopia Awely Batik Aboriginal Corporation

Ahalpere/Pitchi Richi Aboriginal Corporation

Likajarrayinda Aboriginal Corporation

Western Australia

Gooda Binya Aboriginal Corporation

Kupartiya (Aboriginal Corporation)

Gulingi Nangga Aboriginal Corporation

Ngadju Bugarla Mirning Wamu Wamu Aboriginal Corporation

Balangarri Aboriginal Corporation

Miniarra Resource Agency Aboriginal Corporation

Butchilbidi Aboriginal Corporation

APPENDIX

J

Buurabalayji Thalanyji Aboriginal Corporation

Onslow Women's Aboriginal Corporation

Wandanooka Aboriginal Corporation.

Morawa Aboriginal Corporation

Gubrun Aboriginal Corporation

Yonga Aboriginal Corporation

Aboriginal Driver Training Program Aboriginal Corporation

Yathalla Group Aboriginal Corporation

Guddoo Marddah Aboriginal Corporation

