



Staff from the Registrar's office.

# Improving governance in Aboriginal and Torres Strait Islander corporations

The new Registrar of Aboriginal and Torres Strait Islander Corporations, Anthony Beven, outlines his priorities for the next 18 months, emphasising a continuing strong focus on assisting corporations to improve their governance standards and transition to the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act).



**ORACLE** What is your background and what led you to the role of Registrar?

**Anthony** I was very pleased to be appointed to the position of Registrar on 1 October 2007 and am looking forward to the challenges of the new role. The Registrar's office has a good reputation for the work it does with Aboriginal and Torres Strait Islander communities around Australia and I am committed to continuing that good work during my three year appointment.

My predecessor, Laura Beacroft, served for five years as Registrar and managed the introduction of the new CATSI Act, commenced the upgrade of our public registry and information system (ERICCA) and secured additional resources and funding for the office. She built around her a team of professionals and created a corporate spirit in this office that works tirelessly to achieve positive outcomes. On behalf of our corporations, the communities they serve, our many stakeholders and this office, I say 'Thank you Laura—you did an amazing job'.

My background is corporate governance. Before I came here, I was the South Australian Regional Commissioner for the Australian Securities and Investments Commission (ASIC). In my career, I have worked with ASIC in a number of roles. I spent 10 years with ASIC in the Northern Territory and in recent times I have focused on credit and financial services issues facing Indigenous and regional consumers. From 1995–99 I worked in Papua New Guinea as the Registrar of Companies and the Registrar of Business Groups (the PNG equivalent of the Registrar of Aboriginal and Torres Strait Islander Corporations).

I am now looking forward to building on the strengths of the Registrar's office but at the same time reviewing how we do things and then make improvements wherever we see opportunities to make a difference. Improving the governance standards and accountability of corporations is an obvious area for us to start working on.

**ORACLE** What are the challenges facing Aboriginal and Torres Strait Islander corporations today?

**Anthony** There are many challenges but a number of these provide new opportunities.

Let's start with perhaps the most difficult challenges for any business—location (where you operate your business in the market) and business sustainability (how you keep it going).

Over half of Aboriginal and Torres Strait Islander corporations operate in remote or very remote parts of Australia. Many are non-profit and deliver essential services and infrastructure, for example, medical clinics and power generation. Others provide important community economic activity—art and craft centres are a typical example.

Among the challenges for these corporations are communications, transport, sustainable funding, reliability of supply and demand, infrastructure, resources and access to business know-how and training. Within these challenges though, there are opportunities. For example, some remote corporations have added communication and transport services to their business activities while others are successfully tapping into the growing interest worldwide in Aboriginal and Torres Strait Islander art. Enterprise, as always, is alive in the bush.

But sustainability—keeping the business going into the future—is the number one problem today. It is increasingly difficult to secure talented and dedicated volunteers to work in the non-profit sector, especially in remote locations. Aboriginal and Torres Strait Islander corporations need to identify and nurture new leaders to become involved in the running of the corporation.

Compliance is also a major challenge for any organisation. Many corporations registered with my office constantly struggle to meet the requirements of funding bodies, government agencies and regulators.

**ORACLE** What do you see as the key priorities for the Registrar's office?

**Anthony** After talking to staff and several key stakeholders it is pretty clear to me now what our priorities need to be over the next 18 months. They are:

1. Finalise the new public register (ERICCA) by 1 July 2008.
2. Increase the number of corporations registered under the CATSI Act.
3. Increase compliance by Aboriginal and Torres Strait Islander corporations with the CATSI Act.
4. Undertake a review to simplify and reduce the cost to corporations of complying with the CATSI Act. This will include how we can better use technology to achieve this.
5. Finalise and implement a Reconciliation Action Plan.
6. Finalise the implementation of the CATSI Act and the transition of corporations to the new Act.
7. Expand our corporate governance training program to increase its impact.
8. Review the service delivery model for the Registrar's office.



*Participants from the Introduction to Corporate Governance Workshop held in Balgo community in October 2007*

## INTERVIEW

**ORACLE** When you say ‘increase compliance by corporations with the CATSI Act’, what have you got in mind?

**Anthony** Earlier I mentioned that a real challenge for Aboriginal and Torres Strait Islander corporations is maintaining compliance. And improving compliance is crucial to raising public confidence in Indigenous corporations. But making it easier to comply, particularly with the requirements of the CATSI Act, is something I am keen to work on. This is an immediate issue that I have already started to address.

It’s a sad fact that rates of legislative compliance by Aboriginal and Torres Strait Islander corporations are lower than for mainstream companies or associations. I have been given a number of reasons why it is difficult for many of our remote non-profit corporations to comply with the legislation. I do understand their difficulties but I know a lot of work can be done by my office and corporations to improve compliance rates. And we will work on it together, for two main reasons—first, the need to comply with the law, and second, poor compliance reflects badly on all corporations and will affect the support that funding bodies, government and the markets provide to them.

Let me put this in simple terms. Our vision is for Aboriginal and Torres Strait Islander people to secure strong and viable futures through good governance of their corporations. Compliance is an important part of good governance and we are going to apply the law, where we have to, to improve it. But my office will also assist corporations to get across the line. The vast majority of corporations want to do the right thing and we are always here to help any that want our assistance.



**ORACLE** There have been a lot of changes for Aboriginal and Torres Strait Islander corporations with the introduction of the CATSI Act. How will your office assist corporations to transition to the new Act and understand their obligations?

**Anthony** The introduction of the CATSI Act is a timely opportunity for Aboriginal and Torres Strait Islander corporations to review and improve their structure and governance. By doing so they will be better equipped to meet the needs of their members.

My strong message to corporations is that they need to turn their attention now to understanding their corporate responsibilities under the new Act. Don’t leave it to the last minute or when a problem arises.

And always remember that if you are having any difficulties understanding the requirements of the law, we are there to help.

The Registrar’s office has a range of publications to help corporations understand their obligations under the new Act. Information sessions are conducted around the country about the new law and our website is also a comprehensive repository of information on what corporations need to do to comply with the new Act.

Corporations can also call our freecall number (1800 622 431) for advice.

The Registrar’s office is an industry leader in the development and delivery of governance training to Aboriginal and Torres Strait Islander people and communities. The CATSI Act gives us the ability and responsibility to expand on our role in this respect. I encourage all corporations to investigate the corporate governance workshops and accredited courses that we hold in various locations around Australia. It is a way to develop the capacity of key people of corporations and to better prepare them to avoid or deal with any problems they may have down the track. More information on these can be found on our website.

*Jasmine Lawson, Marita Schlager and Melanie Nelson at the Introduction to Corporate Governance Workshop held in Alice Springs in September 2007.*

## INTERVIEW

**ORACLE** Do you have any plans in mind about how the Registrar's office can deliver better services to corporations?

**Anthony** As I said earlier, one of the priorities I have identified is to undertake a review of how we deliver services to corporations. It is too early to indicate what will be the outcome of this review but I am sure that the internet and online lodgement will play a key role in improving the accuracy of our database and making it easy to comply with the legislative arrangements in a timely manner. I welcome any suggestions from corporations as to how we can improve our services to them.

**ORACLE** Aboriginal and Torres Strait Islander corporations are located throughout Australia and many are in remote or very remote locations. How do you plan to communicate with and keep in touch with corporations?

**Anthony** Aboriginal and Torres Strait Islander corporations are indeed located in all parts of Australia, from the remotest regions to the major capital cities. Because of the vast geographical spread of the small number of corporations we regulate it is not practical or cost effective to have offices located in every centre. What is important though, is ensuring that when a corporation has a query or needs some support, that help is available quickly and easily.

The most effective way to achieve this is to provide an easy-to-use and comprehensive website supported by a freecall telephone number for those that do not have access to the internet or prefer to talk directly to a person. In 2008, we will be improving our freecall service. We have already started on a comprehensive refresh of our website.

I know from my own experience that most Aboriginal and Torres Strait Islander people prefer to deal face to face with a person. The best way to improve the communication of our message to corporations is to meet with corporations. Each year the staff of the Registrar's office travel to many locations, remote, regional and urban, to meet with corporations, their members and directors, to directly hear their concerns and issues, and provide them with information and assistance. This will continue in 2008.

We will also trial a new approach and outpost staff to a remote region to improve our interaction and communication with corporations in that region. The first trial will commence in the East Kimberley in April 2008. We will have two staff outposted to the Indigenous Coordination Centre in Kununurra for a period of 9 months.



*Ina Scales, a participant from the Introduction to Corporate Governance Workshop held in Alice Springs*

**ORACLE** Any final words?

**Anthony** Over the last 12 months many changes have occurred for the Registrar's office and for Aboriginal and Torres Strait Islander corporations.

We have seen the start of the new CATSI legislation, the development of a new registry and public information system (ERICCA), the appointment of a new Registrar and significant policy changes for Aboriginal and Torres Strait Islander corporations. It is an exciting time and a real chance for corporations to review where they are now and where they want to go in the future. My message is that the Registrar's office will be there to help corporations along that path.

In coming months I will provide more guidance on our priorities for the next 18 months. I also want to hear the views of our corporations on how our office can improve what we do and thereby better help corporations to meet their objectives. Watch this space for further updates.