

# Performance reporting



## Business plan 2015-16

The Registrar identified several priorities in the ORIC business plan 2015–16 to align with the *ORIC strategic plan 2014–17*. These priorities acknowledge that Aboriginal and Torres Strait Islander corporations are important for communities and Australian society.

In line with the business plan and the Registrar's core functions, ORIC's aim has been to increase public confidence in the standards of corporate governance and the viability of Aboriginal and Torres Strait Islander corporations.

### Reducing red tape

Over recent years the Registrar has worked with states and territories to ensure that associations and cooperatives are able to transfer easily to the CATSI Act. In 2015–16 a number of jurisdictions completed the task of amending their legislation or regulations to make this so.

All state and territory legislation for associations and cooperatives, and the Commonwealth *Corporations Act 2001*, now permit associations, cooperatives and companies to transfer their incorporation to the CATSI Act.

To assist organisations with the transfer process, particularly as it's different in each jurisdiction, ORIC has continued to develop step-by-step guides which are readily available on the ORIC website.

Again to assist organisations with transfers, the Registrar has provided a range of other material and resources. For example, the eligibility requirements for LawHelp, ORIC's pro bono legal assistance scheme, have been expanded to include organisations wishing to seek legal advice before they transfer (see page 49).

### Stronger organisational governance for corporations

To assist Aboriginal and Torres Strait Islander corporations searching for an independent director to sit on their boards, the Registrar launched the Independent *directory*, a free

online service for corporations to find and be matched with suitable qualified candidates. The Independent *directory* was officially launched on 21 October 2015 (see page 68).

### Enforce the law

Where there was evidence of wrongdoing the Registrar took action, as appropriate.

Complaints received from and about corporations were assessed and referred for further investigation as necessary.

The Registrar concluded 16 minor regulatory prosecutions against corporations that failed to meet their reporting obligations, filed two major criminal actions, finalised one civil prosecution while a further one remained in progress.

### Regulation and compliance

For the sixth consecutive year the Registrar has exceeded the target of 95 per cent of corporations compliant with reporting obligations, with 97.1 per cent of corporations meeting this requirement during the year.

The Registrar completed examinations of 39 corporations, slightly below the initial plan to carry out 45 examinations during the year.

Eleven special administrations were completed during 2015–16 with all 11 successfully handed back to members' control.

### Capacity development

The Registrar delivered corporate governance training to 865 people from 208 corporations, exceeding the target of reaching at least 750 people. Over 88 per cent of participants reported a significant increase in governance training and skills (which is just under the target of 90 per cent).

A new two-day corporate governance training program designed especially for corporations in remote communities was developed. Feedback from two trials was promising.

# Reporting and registration

## Corporation reporting compliance

The Registrar increased reporting compliance from 52.0 per cent in 2006–07 to 97.1 per cent in 2015–16 by providing targeted assistance to corporations and through ORIC's prosecution programs.

Improved compliance has significantly increased the accuracy and reliability of the free public Register of Aboriginal and Torres Strait Islander Corporations.

It's a requirement under the CATSI Act that corporations lodge their annual reports with the Registrar's office within six months after the end of their financial year. For most corporations this means that their reports for the 2014–15 financial year had to be lodged by 31 December 2015.

Reporting requirements vary according to the registered size of a corporation—large, medium or small—and its income.

In 2015–16 the highest number of corporations in ORIC's history lodged their reports. From a total of 2509<sup>1</sup> corporations required to submit reports, 2436 complied with their obligations under the CATSI Act.

In percentage terms, the reporting compliance rate for 2015–16 was 97.1 per cent (compared to 97.3 per cent last year). A total of 101 more corporations than last year complied.<sup>2</sup>

For the past six years reporting compliance has exceeded 95 per cent.

Of the reports lodged, 66.5 per cent were submitted through the Registrar's online lodgment system. This represents a 7.2 per cent increase from last year in the number of reports submitted online.

**FIGURE 2: Reporting compliance from 2001–02 to 2014–15**



1 The number of corporations required to provide 2014–15 reports was 2509. This number is different to the total number of registered corporations (2781 at 30 June 2016) as it's based on corporations registered at 31 December 2014 and excludes corporations under liquidation or being deregistered.

2 In 2014–15 2400 corporations were required to lodge reports (for the 2013–14 reporting period) and a total of 2335 corporations complied.

As at 30 June 2016 there were 156 registered native title bodies corporate (RNTBCs) registered under the CATSI Act, as required by the *Native Title Act 1993*. Of these 144 were required to report for the 2014–15 financial year, only one failed to do so, producing an overall compliance rate of 99.3 per cent.

**TABLE 2: Reporting compliance for RNTBCs from 2012–13 to 2014–15**

REPORTING PERIOD	2012–13	2013–14	2014–15
Number required to report	108	131	144
Number compliant	106	131	143
Percentage compliant	98.1%	100.0%	99.3%

Maintaining high compliance rates is important because high compliance gives members, communities, creditors and government agencies confidence that information maintained by the Registrar on the public Register of Aboriginal and Torres Strait Islander Corporations is accurate and up to date.

To retain high reporting compliance rates, the Registrar’s office conducts an annual communication and support program to encourage easy contact with corporations and to assist them as needed. Similar to last year, activities in 2015–16 included:

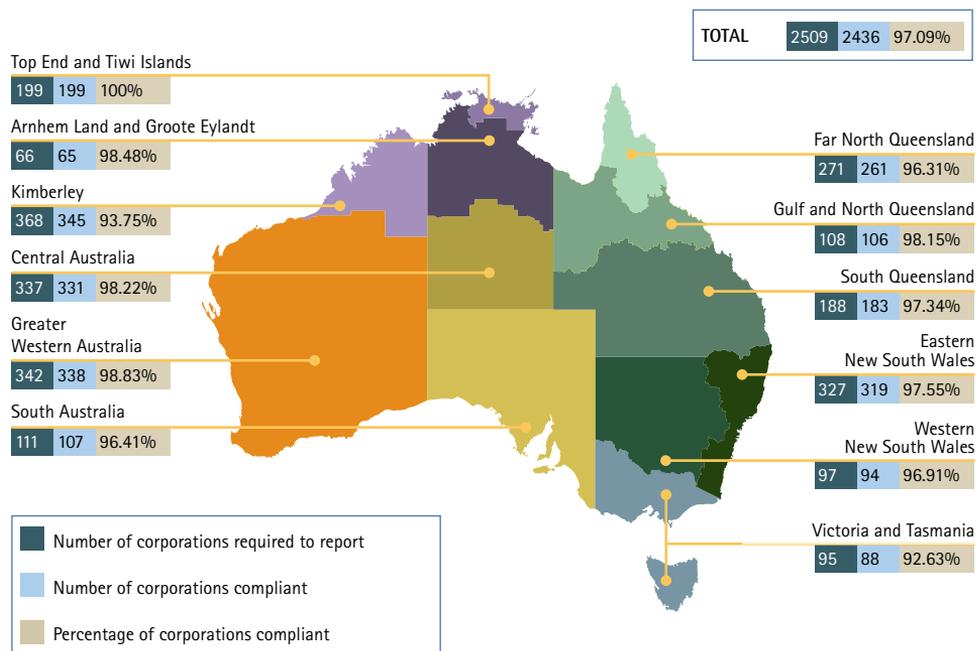
- A **COMMUNICATION STRATEGY** to remind corporations of their reporting obligations and to offer guidance when contacted directly via email, letter or telephone, and by placing:
  - advertisements in a national Aboriginal and Torres Strait Islander newspaper (*Koori Mail*)
  - notices and messages on the Registrar’s website
  - reminders in ORIC publications

- **FOLLOWING-UP OF KEY GROUPS AND SPECIFIC SECTORS**, such as RNTBCs and corporations helped by bigger corporations operating in remote regions.
- **FACE-TO-FACE VISITS** by ORIC’s regional officers, particularly to corporations in remote locations and outside metropolitan areas. Regional officers helped to complete reports as well as helped build capacity for the future.
- **TELEPHONE REMINDERS TO NEWLY REGISTERED CORPORATIONS** reporting for the first time and to corporations that were late to lodge in the previous year.
- **TELEPHONE OUTREACH TO CORPORATIONS IN BREACH**—ORIC staff identified corporations that for whatever reason did not submit their annual reports by the due date and, where appropriate, gave them assistance to complete them.
- **FORMAL WARNING NOTICES** were sent to corporations which were in breach and that failed to respond to reminders.

**TABLE 3: Reporting compliance by region as at 30 June 2016**

PM&C REGIONAL NETWORK	ORIC OFFICES	NUMBER OF CORPORATIONS REQUIRED TO REPORT	NUMBER OF CORPORATIONS COMPLIANT	PERCENTAGE OF CORPORATIONS COMPLIANT
Eastern New South Wales	Coffs Harbour	327	319	97.6%
Western New South Wales	Coffs Harbour	97	94	96.9%
Far North Queensland	Cairns	271	261	96.3%
Gulf and North Queensland	Cairns	108	106	98.2%
South Queensland	Brisbane	188	183	97.3%
Central Australia	Alice Springs	337	331	98.2%
South Australia	Alice Springs	111	107	96.4%
Top End and Tiwi Islands	Darwin	199	199	100.0%
Arnhem Land and Groote Eylandt	Darwin	66	65	98.5%
Kimberley	Broome	368	345	93.8%
Greater Western Australia	Perth	342	338	98.8%
Victoria and Tasmania	Canberra (national office)	95	88	92.6%
<b>Total</b>		<b>2509</b>	<b>2436</b>	<b>97.1%</b>

**FIGURE 3: Reporting compliance by region as at 30 June 2016**



## Consequences of not reporting

Corporations that don't lodge their annual reports by the reporting deadline know that they risk prosecution. The Registrar has ensured that corporations are aware of this fact.

As stated earlier, 31 December is the deadline for most corporations. During 2015–16, the Registrar finalised prosecutions against 16 corporations for failing to lodge their reports by the required time (see 'Investigations and prosecutions' on page 33).

The maximum penalty for corporations for each 2014–15 report not lodged was \$22,500.

The Registrar has the power to deregister certain corporations that remain in longstanding breach.

## Guides and booklets

The Registrar produces **guides, booklets and brochures** to help corporations interpret the CATSI Act, comply with their reporting requirements and to understand their corporate governance obligations. Some examples:

- *Get in on the Act* is a small booklet that provides a quick overview of the CATSI Act
- *Corporation reporting guide* is designed to help auditors and accountants prepare reports for corporations. It includes advice on the application of unexpended grants in financial statements and also provides advice on who may audit a corporation's financial statements (in line with changes to the CATSI Act Regulations).
- *Healthy corporation checklist* is an online checklist (also available as a hardcopy booklet) that allows corporations to check their compliance standards with their rule book and the law. It also contains useful templates and forms.

## Registration services

In 2015–16:

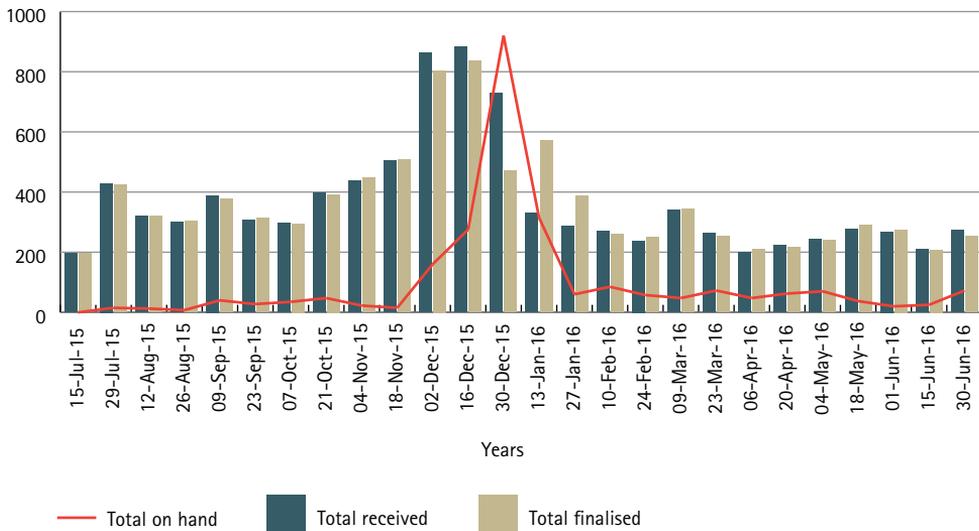
- 177 new corporations registered under the CATSI Act, which is an increase on the 170 corporations that registered last year. It is also the highest number of corporations to register in a single year since 2010–11. The count includes 25 transfers of incorporation to the CATSI Act from other incorporation legislation.
- 84 corporations were deregistered
- 190 requests for rule book changes were approved, representing a 4.4 per cent increase from the 182 rule book changes approved last year.
- 1031 'notification of a change to corporation officers' details' and 'notification of a change to corporation address and/or contact details' forms were processed and changes made to the public Register of Aboriginal and Torres Strait Islander Corporations. This represents a 21 per cent increase from the 852 forms processed last year.
- 468 annual general meeting (AGM) extensions and exemptions were granted by the Registrar.
- 1791 written inquiries from corporations were finalised. These included inquiries about registration assistance, requests for information, support and referrals.

ORIC provides a range of registration services to Aboriginal and Torres Strait Islander groups and corporations.

**In 2015–16 ORIC received 9473 documents (including written inquiries) from corporations and the public— up from 8669 documents in the previous year (representing a 9.3 per cent increase).**

The processing of documents or responses to inquiries was completed in an average time of 2.75 business days (compared to 2.57 business days last year). This is a very reasonable turnaround time, especially with the increase in the number of documents received this year (as measured against last year).

**FIGURE 4: Number of documents and inquiries 2015–16**



**TABLE 4: Registration services from 2011–12 to 2015–16**

	2011–12	2012–13	2013–14	2014–15	2015–16
Incorporations (new registrations)	164	162	166	187	184
Applications actioned**	183	163	175	182	186
● approved	173	155	163	170	177*
● refused	7	5	10	9	8
● lapsed/withdrawn	3	3	2	3	1
<b>RULE BOOK CHANGE REQUESTS</b>					
Requests received	159	163	213	200	207
Requests actioned**	163	163	226	198	209
● approved	158	153	216	182	190
● refused	5	10	10	16	19
● lapsed/withdrawn	0	0	0	0	0
<b>NAME CHANGE REQUESTS</b>					
Requests received	17	17	22	10	12
Requests actioned**	18	19	23	12	13
● approved	18	17	23	12	12
● refused	0	2	0	0	1
● lapsed/withdrawn	0	0	0	0	0
<b>CHANGE OF CORPORATION CONTACT AND OFFICER DETAILS</b>					
Change requests received	811	821	852	860	1036
Change requests applied to the public register**	797	812	852	852	1031
<b>ANNUAL GENERAL MEETING EXTENSIONS AND OTHER EXEMPTIONS</b>					
Matters finalised**	448	431	379	471	468
<b>WRITTEN INQUIRIES RECEIVED</b>					
Inquiries finalised**	3014	2337	2319	1950	1797

Notes:

\*Of the 177 applications approved 25 were organisations transferring their registration from other jurisdictions (of the 170 approved in 2014–15, 11 organisations were transfers).

\*\*Some services finalised during the financial year were initiated in the previous year.

## Lodgment of forms and reports online

### In 2015–16:

- 47 per cent of all forms lodged with the Registrar were submitted electronically. This represents a 5 per cent increase from last year.
- 66.5 per cent of all general reports were also lodged electronically, an increase of 7.2 per cent from last year.

Each year an increasing number of corporations choose to lodge their forms and reports online (rather than by hard copy through the post or by fax).

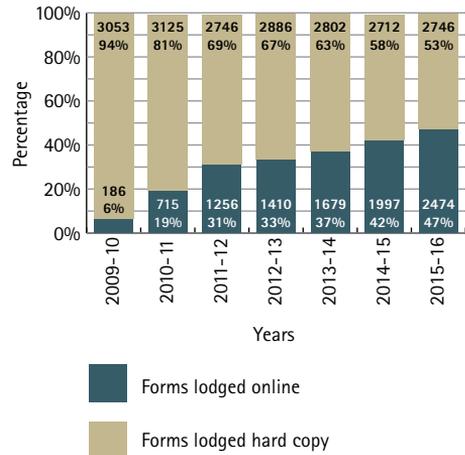
ORIC's online lodgment system at <https://online.oric.gov.au> is simple to use. Furthermore, corporations are now finding that updating their corporation's information is much easier. This is because the system is able to pre-populate forms by extracting the latest information from the public register. Corporations can simply update or add information, or delete information that is out of date, as required.

### ERICCA

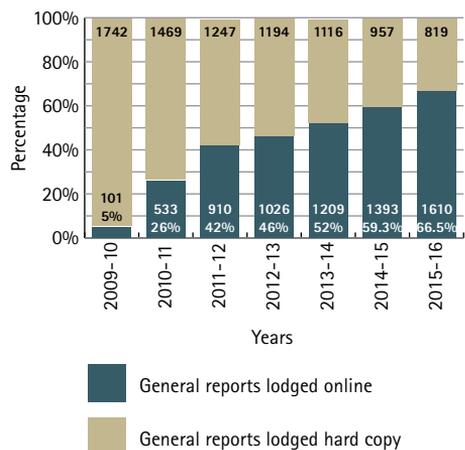
ORIC manages, maintains and updates ERICCA (Electronic Register of Indigenous Corporations under the CATSI Act), which is a database that helps the Registrar to administer the CATSI Act.

ERICCA includes two public registers which are accessible from the ORIC website—the Register of Aboriginal and Torres Strait Islander Corporations and the Register of Disqualified Officers. Information held in ERICCA is also used to prepopulate a range of forms within ORIC online lodgment system.

**FIGURE 5: Forms lodged online compared to hard copy from 2009–10 to 2015–16**



**FIGURE 6: General reports lodged online compared to hard copy from 2009–10 to 2015–16**



## Registered corporations

As at 30 June 2016 there were 2781 corporations registered under the CATSI Act.

FIGURE 7: Registered and new corporations from 1990–91 to 2015–16

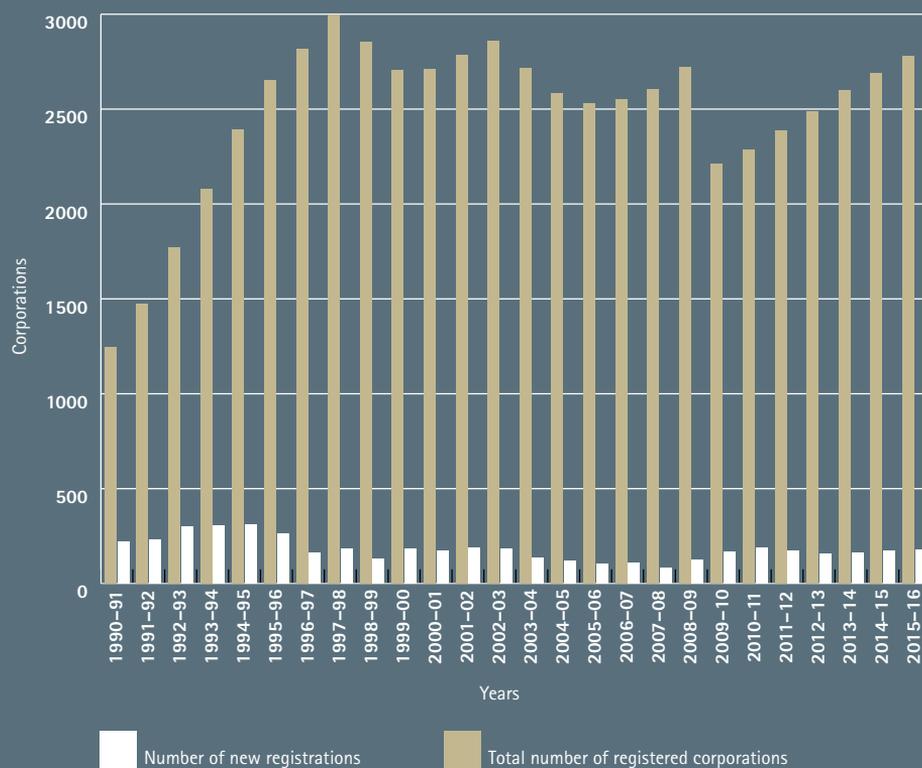


TABLE 5: Registered corporations by region as at 30 June 2016

PM&C REGIONAL NETWORK	ORIC REGIONAL OFFICES	TOTAL
Eastern New South Wales	Coffs Harbour, Brisbane and Cairns	388
Western New South Wales	Coffs Harbour, Brisbane and Cairns	111
Far North Queensland	Coffs Harbour, Brisbane and Cairns	310
Gulf and North Queensland	Coffs Harbour, Brisbane and Cairns	119
South Queensland	Coffs Harbour, Brisbane and Cairns	223
Central Australia	Alice Springs	351
South Australia	Alice Springs	126
Top End and Tiwi Islands	Darwin and Broome	215
Arnhem Land and Groote Eylandt	Darwin and Broome	74
Kimberley	Darwin and Broome	379
Greater Western Australia	Perth	378
Victoria and Tasmania	Canberra (national office)	107
<b>Total</b>		<b>2781</b>

**TABLE 6:** Registered and new corporations from 1990–91 to 2015–16

YEAR	NUMBER OF TOTAL REGISTERED CORPORATIONS	NUMBER OF NEW REGISTRATIONS
1990–91	1244	220
1991–92	1474	230
1992–93	1772	298
1993–94	2076	304
1994–95	2389	313
1995–96	2654	265
1996–97	2816	162
1997–98	2999	183
1998–99	2853	128
1999–00	2703	183
2000–01	2709	171
2001–02	2783	187
2002–03	2861	183
2003–04	2713	134
2004–05	2585	120
2005–06	2529	102
2006–07	2552	111
2007–08	2605	84
2008–09	2723	125
2009–10	2210	163
2010–11	2286	187
2011–12	2391	173
2012–13	2488	155
2013–14	2596	163
2014–15	2688	170
2015–16	2781	177

## Strengthening organisational governance

The Australian Government decided that, as from 1 July 2014, organisations receiving grants of \$500,000 or more in a single financial year for funding administered by the Indigenous Affairs Group within PM&C, must incorporate under Commonwealth legislation.

This change was made to improve public confidence in the security and delivery of programs by organisations funded by the Australian Government. Incorporation under Commonwealth legislation, rather than state or territory legislation, provides a more robust regulatory framework and access to specialist assistance to address governance issues.

To help in the implementation of this policy, the Registrar has devoted extra resources to assist organisations to transfer to the CATSI Act.

As at 30 June 2016 ORIC had dealt with 147 requests for assistance to transfer to the CATSI Act. In addition, the guidelines for the Registrar's pro bono legal service, LawHelp, were expanded so that organisations seeking legal advice before transferring to the CATSI Act, were eligible to seek that advice through LawHelp.

Over 2014–15, 11 organisations transferred their registration to the CATSI Act from other legislation. During 2015–16 a further 25 organisations transferred.

**REGISTERED**



### CASE STUDY: An unusual circumstance

#### Yindjibarndi Aboriginal Corporation RNTBC

The Yindjibarndi Aboriginal Corporation RNTBC (YAC) in the Pilbara region of Western Australia looks after the native title interests of the Yindjibarndi people.

In 2015 the corporation found itself in the unusual situation of having no validly appointed directors. A split within the corporation, combined with the rule book stating that all decisions (including at directors' meetings) must be agreed to by a 75 per cent majority, led to a failure to appoint directors at YAC's AGM on 30 November.

This situation became evident when, on application from a corporation member, the Western Australian Supreme Court decided that, as a result of section 246-25(4) of the CATSI Act, the corporation had been without validly appointed directors since the AGM.

Rather than immediately appoint an administrator (in line with the plaintiff's application), Justice Le Meire adjourned his decision until the Registrar had an opportunity to consider the options—either to appoint a special administrator or take some other action to resolve the impasse.

The Registrar determined that the most effective option, in terms of both cost and time, was to use his powers under section 439-10(d) of the CATSI Act to call a general meeting for members to appoint new directors.

Under section 69-35(2) of the CATSI Act, the Registrar also has the power to change a corporation's rules where they do not meet the Act's internal governance requirements. In YAC's case, the Registrar replaced the need for resolutions (other than special resolutions) to be approved by 75 per cent of the voting members with the more usual requirement that resolutions can be passed if a majority of votes cast are in favour of the motion.

In March 2016 the Registrar called a general meeting, which he elected to chair, on 19 April 2016 to appoint new directors. The notice also included a special resolution for additional rule changes that the Registrar wanted the members to consider.



It was a good turnout. More than 250 members from a possible 448 listed corporation members attended the general meeting or submitted proxy appointments. Proper process was carefully followed. Members were signed in, voting bands allocated and proxy appointments assigned.

After the Registrar explained the reason for the meeting, the members heard from many nominees and members, each expressing their commitment to YAC.

As 27 members nominated for the 12 director positions available, a secret ballot was held. The Registrar and his staff undertook the count and 12 individuals were duly appointed.

The special resolution to introduce the Registrar's proposed rule changes did not achieve the required majority and failed.

It took over five hours to complete the business of the general meeting, demonstrating the high level of interest. Members participated fully, patiently and respectfully.

The Registrar's actions brought the members together and allowed for the re-instatement of a validly appointed board of directors. It also allowed YAC to continue with its governance processes and native title functions.

Everything considered, it was a successful outcome.

For more information on this matter see the Registrar's media release of 23 March 2016, *ORICMR1516-17: Registrar calls general meeting for Yindjibarndi*

# Regulation

## Examinations

In 2015–16 ORIC completed 39 examinations.

The Registrar has the authority under the CATSI Act (section 453-1) to examine a corporation's books and records at any time. The purpose of an examination is to assess a corporation's financial health and corporate governance standards. For example, an examination checks that a corporation is:

- running in accordance with the CATSI Act and its rule book
- keeping up-to-date financial records and is managing its finances correctly, in line with proper policies and procedures
- handling appropriately any conflicts of interest and benefits to related parties.

Each year the Registrar conducts a routine program of examinations. Some initiated by the Registrar are in response to potential governance issues raised about a corporation.

Examinations contribute to the intent of the CATSI Act as a special measure to advance and protect the interests of Aboriginal and Torres Strait Islander people and their respective cultures. They also perform an important function in detecting early signs of potentially troubling issues at a corporation.

Equally, corporations that are running well often view examinations as very positive experiences. To receive a favourable examination report can be very reassuring or confirm what they already know—that they are managing their corporation's affairs to a high standard.

For more information see ORIC's policy statement *PS-25: Examinations* available on the ORIC website.

During the financial year the Registrar started 44 examinations and completed 39, as set out in tables 7 and 8.

**TABLE 7: Examinations completed by state/territory 2015–16**

LOCATION BY STATE/TERRITORY	NUMBER OF CORPORATIONS
Australian Capital Territory	0
New South Wales	9
Northern Territory	13
Queensland	8
South Australia	2
Tasmania	0
Victoria	2
Western Australia	5
<b>Total</b>	<b>39</b>

The examination program for the 2015–16 financial year covered corporations with the following activities:

**TABLE 8: Examinations completed by activities 2015–16**

MAIN ACTIVITIES OF CORPORATIONS	NUMBER OF EXAMINATIONS
Health and aged care services	10
Drug and alcohol rehabilitation services	1
Community services	4
Land management	1
Registered native title bodies corporate (RNTBCs)	3
Other native title	7
Agriculture, forestry and fishing	2
Art and cultural centres	2
Tourism	1
Housing	4
Employment and training	2
Community stores	1
Communications (radio, broadcasting and language)	1
<b>Total</b>	<b>39</b>

## Outcomes of examinations

The outcomes of the 39 examinations completed over 2015–16 were:

- 6 corporations (15 per cent) were found to be operating well and required no further action. They were each sent a management letter.
- 27 corporations (69 per cent) were required to rectify less serious matters which were settled through the issue of a compliance notice<sup>3</sup> under section 439-20 of the CATSI Act.
- 4 corporations (10 per cent) had serious findings and were issued with a 'show cause notice' under section 487-10 of the CATSI Act. These corporations were required to explain why they should not be placed under special administration.
- 2 examinations (5 per cent) were completed for subsidiaries of a parent corporation, and as such comments on the findings were sent to the parent corporation for consideration.

Five examinations were still in progress as at 30 June 2016.

**TABLE 9: Outcomes of examinations 2010–11 to 2015–16**

EXAMINATION OUTCOME	2010–11	2011–12	2012–13	2013–14	2014–15	2015–16
Management letters	29	19	22	12	16	6
Compliance notices	34	31	26	26	33	27
Show cause notices	7	9	1	7	10	4
Other	2	2	2	1	0	2
Total	72	61	51	46	59	39

- 3 Compliance notices provide direction for corporations on how to improve their standards of corporate governance and financial management after an examination is done.

Compliance notices are made available on the public Register of Aboriginal and Torres Strait Islander Corporations. They provide valuable information to a corporation's members and other stakeholders (such as funding agencies and creditors) about the standards of corporate governance and financial management within a corporation at a given point in time.

## Special administrations

In 2015–16:

- 5 special administrations continued from the previous year.
- 10 special administrations were started.
- 11 special administrations were completed, with all handed back to members' control.
- 4 special administrations were still in progress as at 30 June 2016.

Special administrations are a form of external administrations unique to the CATSI Act. They allow the Registrar to provide early and proactive regulatory assistance to corporations experiencing financial or governance difficulties.

The Registrar appoints an independent, suitably qualified person (the special administrator) to work with a corporation to fix its internal problems and to restore it, as soon as possible, to good health. Once this is achieved, the special administrator returns full control of the corporation to its members. In all cases the special administrator works in the best interests of the corporation and its members.

Special administrations are quite different to receiverships, liquidations or voluntary administrations as defined under the *Corporations Act 2001*, which are usually driven by the interests of creditors.

There are several grounds on which the Registrar can decide to place a corporation under special administration. As outlined at section 487-5(1) of the CATSI Act, the grounds are not restricted to insolvency or the inability to pay a debt.

For more information please see the Registrar's policy statement, *PS-20: Special administrations*.



The Registrar addressing members of the Nguuiu Club Aboriginal Corporation following its transfer to the CATSI Act and its placement under special administration, January 2016.

Four of the 10 new special administrations (or 40 per cent) in 2015–16 were started after the directors wrote to the Registrar asking for assistance.

Before any corporation is placed under special administration, however, the Registrar usually accords it a period of natural justice. Through a 'show cause' procedure the corporation is asked to explain why it should not be put into special administration. The time the corporation takes to respond depends on its particular circumstances but the Registrar usually allows at least 14 days.

The aim of every special administration is to achieve one or both of the following:

- **RESTORATION OF GOOD OPERATIONAL ORDER**—usually after a corporation has not complied with a provision of the CATSI Act or its rule book, has experienced financial difficulties or there has been a dispute
- a **RESTRUCTURE**—usually after the directors or members have asked the Registrar to intervene to review governance standards or organisational structures.

Eleven special administrations ended during 2015–16. Six were completed within six months in line with ORIC's key performance indicator. A successful business turnaround was achieved in all 11 corporations (100 per cent) in that they were handed back to members' control.

**TABLE 10: Corporations placed under special administration in 2015–16**

DATE APPOINTED	ICN	CORPORATION   SPECIAL ADMINISTRATOR(S)	DATE ENDED OR DUE DATE   OUTCOME
13 Jul 2015	4207	Western Desert Lands Aboriginal Corporation (Jamukurnu–Yapalikunu) RNTBC	26 Feb 2016
		Jack James and Paula Cowan	Handed back to members' control.
4 Jan 2016	8335	Nguiu Club Aboriginal Corporation	3 June 2016
		Stuart Reid and Austin Taylor	Handed back to members' control.
11 Jan 2016	7445	Lirrwi Yolngu Tourism Aboriginal Corporation	31 August 2016
		Brian Woods	Handed back to members' control.
12 Jan 2016	1473	The Central Australian Aboriginal Alcohol Programmes Unit Aboriginal Corporation	30 June 2016
		Peter McQuoid	Handed back to members' control.
18 Jan 2016	85	Woolah Aboriginal Corporation	31 August 2016
		Andrew West	Handed back to members' control.
19 Jan 2016	2164	Purga Elders & Descendants Aboriginal Corporation	21 April 2016
		Peter Saunders	Handed back to members' control.
26 Feb 2016	7897	Gulf Savannah NT Aboriginal Corporation	27 May 2016
		Gerry Mier and Tony Jonsson	Handed back to members' control.
31 Mar 2016	2989	Doon Doon Pastoral Aboriginal Corporation	28 July 2016
		Andrew West	Handed back to members' control.
3 May 2016	1276	Danila Dilba Biluru Butji Binnilutlum Health Service Aboriginal Corporation	3 May 2016
		Peter Armstrong	Handed back to members' control.
6 June 2016	3170	Larrakia Nation Aboriginal Corporation	7 December 2016
		Gerry Mier and Tony Jonsson	In progress

**TABLE 11: Corporations with a special administration continuing from last year**

DATE APPOINTED	ICN	CORPORATION   SPECIAL ADMINISTRATOR(S)	DATE ENDED OR DUE DATE   OUTCOME
16 Feb 2015	7355	Pika Wiya Health Service Aboriginal Corporation	31 August 2015
		Jack James and Paula Cowan	Handed back to members' control.
3 March 2016	3789	Mamu Aboriginal Corporation RNTBC	18 September 2015
		Gerry Mier and Tony Jonsson	Handed back to members' control.
6 March 2015	500	Murchison Region Aboriginal Corporation	3 September 2015
		Andrew West and Kahsai Tesfa	Handed back to members' control.
9 March 2015	1061	Mungoorbada Aboriginal Corporation	16 March 2016
		Stuart Reid and Austin Taylor	Handed back to members' control.
8 April 2015	7573	Thamarrurr Regional Authority Aboriginal Corporation	20 November 2015
		Stuart Reid and Austin Taylor	Handed back to members' control.



## Special administration communications

During the course of a special administration the Registrar expects the special administrator to communicate regularly with members and stakeholders. This is to keep members, former directors, funding agencies, creditors, employees and other interested parties up to date with progress. The special administrator must explain the changes that have to be made as well as outline the plans for the corporation's future.

To do this special administrators send out regular newsletters and hold community information meetings.

To support the special administrators in this task the Registrar's office contributes writing and graphic design expertise.



All special administration newsletters are available on the ORIC website

Below is an email received by the special administrator of Lirrwi Yolngu Tourism Aboriginal Corporation.

4 May 2016

Hi Brian

Thank you so much for the Special Administration Newsletter - and huge compliments on the clarity of the information and the language used in describing the situation addressed by the Special Administrator and the actions being taken as part of the second and third phases of the Special Administration.

I have always been an admirer of Plain English in its most eloquent form which is a very inclusive way of communicating, especially for people whose first language is not English. So many thanks for this next step in communication re the Special Administration processes which will be of great assistance to Yolngu stakeholders.

Warm regards

Robyn



## CASE STUDY: Special administration—big lift for WDLAC

On 29 February 2016 the special administration at the Western Desert Lands Aboriginal Corporation (Jamukurnu-Yapalikunu) RNTBC (WDLAC) ended.

This large and important corporation holds and manages the native title rights and interests of the Martu people, including exclusive use, occupation, possession and control of 136,000 square kilometres in the central western desert region of Western Australia. 'It also delivers cultural, social and economic benefits for the Martu people,' said the Registrar.

In July 2015, after it became clear that WDLAC could not solve its deep governance and financial problems on its own, the Registrar placed the corporation under special administration.

In consultation with the members, the special administrators, Jack James and Paula Cowan from Palisade Business Consulting, worked through challenging issues to achieve a remarkable turnaround for WDLAC.

'This was a particularly successful special administration,' said the Registrar. 'In just seven months the special administrators completely reversed WDLAC's fortunes so that, once again, the corporation is looking at a healthy future.'

Among the special administration's achievements:

- reduction of WDLAC's operating costs and a return to profitability. In the 2013–14 financial year WDLAC incurred a \$1.8 million loss followed by a \$2.4 million loss in 2014–15. In a significant turnaround WDLAC recorded an operating surplus of \$348,044 in the first half of the 2015–16 financial year
- finalisation and registration of an Indigenous Land Use Agreement (ILUA) with Newcrest Mining Limited which will provide the Martu people with \$18 million and employment and business opportunities over the

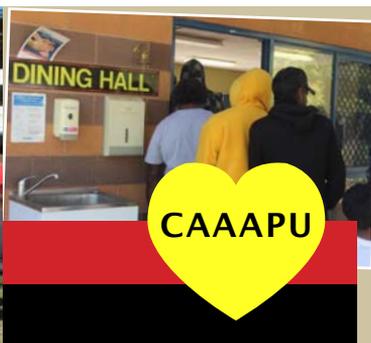
next six years. The ILUA had been under negotiation for eight years

- arrangements made for an independent trustee to manage approximately 75 per cent of the funds received under the Newcrest ILUA
- re-establishment of the trust of the traditional owners and Martu communities in WDLAC and the rebuilding of relationships with WDLAC's major stakeholders
- review of WDLAC's operations and disposal of unprofitable business ventures
- introduction of innovative management and service arrangements. From 1 July 2012 to 30 June 2015 WDLAC incurred costs of \$4,721,145 for a CEO, a CFO and legal services. The special administrators engaged native title representative body, Yamatji Marlpa Aboriginal Corporation, to provide management, administration, accounting and legal services to WDLAC at one tenth of the cost of the previous arrangements
- creation of a new position (liaison officer) for a Martu person in the community of Parngurr as a result of savings made in WDLAC's administration and management costs
- appointment of a smaller board of new directors, which includes an independent director (a first for WDLAC). The new member directors are representatives of the six areas of country within the Martu determination area—Karlamingurrara, Ngayunanalku, Pilakaja, Pitijjarli, Rirrakaja and Walakaja.
- several important changes to the corporation's rule book, including ensuring improved reporting to members and directors.

The Registrar continues to monitor WDLAC closely. The Registrar also ensured that in April 2016 the new directors received corporate governance training.

For more information see the Registrar's media releases:

- 9 February 2016 *ORICMR1516-14: WDLAC back in Martu hands and*
- 13 July 2015 *ORICMR1516-02: WDLAC under special administration.*



The handover ceremony at CAAAPU on 30 June 2016 was a family open day with food and entertainment. Four of the five newly appointed directors (Aimee Austin, Jocelyn Dhu, Joel Liddle and Michael Liddle—Stewart Naylor (absent)) with Peter McQuoid (special administrator), Pauline Reynolds (CEO of CAAAPU) and Anthony Beven (Registrar).

### CASE STUDY: Special administration—CAAAPU restored and renewed

Based in Alice Springs in the Northern Territory, The Central Australian Aboriginal Alcohol Programmes Unit Aboriginal Corporation (CAAAPU) has since 1992 offered culturally appropriate drug and alcohol treatment services to local Aboriginal people.

'CAAAPU's work in helping people to address their addictions and to get well again is vital not only for them as individuals but for the entire community,' said the Registrar. 'I applaud CAAAPU's aims to protect people from self-harm and also from altercations with the police or the justice system.'

Clients have access to medical professionals, a number of different health and counselling programs, and can attend either CAAAPU's residential clinic or be part of an outpatient service.

On 12 January 2016 the Registrar placed CAAAPU under special administration because an examination of the books showed it had incurred an operating loss of \$233,000 for the 2014–15 financial year, was operating with insufficient working capital, and had poor internal financial management practices.

Within six months the special administrator, Peter McQuoid from PDM Consultancy, strengthened CAAAPU's financial and operational management structures, and got CAAAPU back on track.

As a direct result of the improved management structure there was an almost immediate occupancy rate increase at CAAAPU's residential clinic—from 43 per cent in the first half of the financial year to almost 100 per cent by mid June 2016.

A new CEO was employed who has extensive experience in managing alcohol and other drug rehabilitation services, including at the Alice Springs hospital. A new board of five directors was also appointed, including two independent directors with sector experience.

In addition, relationships were renewed with key organisations and agencies in Alice Springs, most notably the Central Australian Aboriginal Congress Aboriginal Corporation, the largest Aboriginal medical service in central Australia.

'This special administration, which ended on 30 June 2016, was very effective,' said the Registrar. 'CAAAPU was back on its feet in a short time and without interruption to its important services. As a result of the special administration CAAAPU is now stronger as a place of "health, hope and healing" for Aboriginal people in central Australia.'

The Registrar will monitor the corporation closely for up to 12 months and has provided corporate governance training to the new directors.

For more information about CAAAPU see media releases of 30 June 2016 *ORICMR1516-24: Fresh start for Alice Springs facility* and 12 January 2016 *ORICMR1516-10: Registrar orders treatment for Alice Springs facility*.

## Investigations and prosecutions

In 2015–16 charges were filed in two major criminal matters and the Registrar also concluded 16 minor regulatory prosecutions against corporations that failed to meet their reporting obligations. One civil action remained in progress and another was concluded.

The Registrar undertakes a range of criminal and civil litigation to address serious cases of poor governance and breaches of duty under the CATSI Act. A summary of outcomes, including penalties imposed by the courts, is maintained on the ORIC website.

### Criminal matters

#### Matters in progress

As at 30 June 2016 there were two criminal matters in progress.

*Alan Bishop—former CEO of Garnduwa Amboorny Wirnan Aboriginal Corporation (Garnduwa)*

On 16 May 2016 charges were laid against the former chief executive officer (CEO) of the Garnduwa Amboorny Wirnan Aboriginal Corporation (Garnduwa).

It is alleged that Mr Alan Hugh Bishop dishonestly misused his position as CEO of Garnduwa on 38 occasions to transfer corporation funds into his own personal bank or credit card accounts. From July 2013 to December 2014, Mr Bishop is alleged to have created false records to raise 38 Garnduwa cheques totalling \$237,305.48 which he used for his own personal benefit.

Thirty-eight charges have been brought against Mr Bishop under section 265-25(3)(a) of the CATSI Act. The section carries a maximum penalty of \$340,000 or imprisonment for five years, or both, for each charge.

*Trevor Close—former director of Githabul Nation Aboriginal Corporation RNTBC (GNAC)*

On 30 June 2016 charges were brought against the former director of the Githabul Nation Aboriginal Corporation RNTBC (GNAC) for dishonestly misusing his position to gain a personal advantage.

It is alleged that Mr Trevor John Close used the proceeds of a sale from a GNAC native title property to cover the rent for his private home in Sydney. It is alleged that two rental payments were made by Mr Close from corporation funds in July 2013 and one in August 2013.

The charges against Mr Close have been laid under section 265-25(3)(a) of the CATSI Act. The section carries a maximum penalty of \$340,000 or imprisonment for five years, or both, for each charge relating to the July 2013 payments and \$360,000 or imprisonment for five years, or both, for the August 2013 payment. (The value of a penalty unit changed on 31 July 2015 from \$170 to \$180.)

#### Prosecutions for failing to lodge corporation reports—various corporations

During 2015–16 prosecution action was finalised against 16 corporations which failed to lodge one or more of their annual reports with the Registrar by the required time.

Eleven of these corporations were ordered to pay fines totalling \$31,100. A number of them were also ordered to pay court costs which totalled \$727.20. The other five corporations were all found guilty, but were discharged under section 19B of the *Crimes Act 1914*—four with various good behaviour bond conditions.

**Table 12: Prosecution outcomes during 2015–16 for failing to lodge corporation reports**

DATE OF OUTCOME	DEFENDANT/RESPONDENT	COURT	OUTCOME
4 August 2015	Women Beyond Today Aboriginal Corporation (ICN 7410)	Canberra, ACT	Charge proven but dismissed without penalty under s. 20(1)(a) <i>Crimes Act 1914</i> upon recognizance to be of good behaviour for 12 months and a surety of \$500.
8 January 2016	Walbunja Aboriginal Corporation (ICN 7241)	Moruya, NSW	Fined \$5000. Ordered to pay costs of \$89.00.
25 January 2016	Banjyma Aboriginal Corporation (ICN 3825)	South Hedland, WA	Fined \$2500. Ordered to pay court costs of \$169.10.
4 February 2016	Nguurruumungu Indigenous Corporation (ICN 7592)	Cooktown, QLD	Fined \$500. Ordered to pay court costs of \$89.00.
12 February 2016	Ngarigu Currawong Clan Aboriginal Corporation (ICN 7380)	Canberra, ACT	Fined \$100. Ordered to pay court costs of \$79.00.
9 March 2016	Bundaghan Aboriginal Corporation (ICN 7451)	Gladstone, QLD	Charge proven but dismissed without penalty under s. 19B <i>Crimes Act 1914</i> upon recognizance to be of good behaviour for 12 months and a surety of \$500.
9 March 2016	Bailai Aboriginal Corporation for Land and Culture (ICN 2732)	Gladstone, QLD	Charge proven but dismissed without penalty under s. 19B <i>Crimes Act 1914</i> upon recognizance to be of good behaviour for 12 months and a surety of \$500. Ordered to pay court costs \$89.90.
16 March 2016	Burringurrah Community Aboriginal Corporation (ICN 593)	Meekatharra, WA	Fined \$6000 (\$3000 + \$3000). Ordered to pay court costs of \$105.60.
16 March 2016	Winjamanu Store Aboriginal Corporation (ICN 7265)	Meekatharra, WA	Fined \$3000. Ordered to pay court costs of \$105.60.
30 March 2016	Kullila Housing & Cultural Heritage Aboriginal Corporation (ICN 2173)	Port Kembla, NSW	Charge proven but dismissed without penalty under s. 19B <i>Crimes Act 1914</i> upon recognizance to be of good behaviour for 12 months and a surety of \$1000.
10 May 2016	Ferdy's Haven Alcohol Rehabilitation Aboriginal Corporation (ICN 84)	Palm Island, QLD	Fined \$2000. Ordered to pay court costs of \$89.80.
10 May 2016	Graphic Arts and Design Training & Employment Aboriginal and Torres Strait Islander Corporation (ICN 7984)	Parramatta, NSW	Fined \$1000
10 May 2016	New South Wales Aboriginal Golf Association (Aboriginal Corporation) (ICN 4057)	Parramatta, NSW	Charge proven but dismissed without penalty under s. 19B <i>Crimes Act 1914</i> .
8 June 2016	Winangali Community Development Aboriginal Corporation (ICN 4218)	Boggabilla, NSW	Fined \$5000
8 June 2016	Djardwajarli Enterprises Aboriginal and Torres Strait Islander Corporation (ICN 7502)	Boggabilla, NSW	Fined \$5000
22 June 2016	Widjagudgeegudjee Aboriginal Corporation (ICN 7887)	Doomadgee, QLD	Fined \$1000

## Civil matters

### Matters in progress

*Registrar v Fred Monaghan & Others—  
ACD22/2015*

On 30 March 2015 civil penalty proceedings were commenced in the Federal Court in Canberra against three former directors of the Southside Housing Aboriginal Corporation.

The Canberra-based not-for-profit corporation was established to provide affordable housing for Aboriginal and Torres Strait Islander people in the ACT.

It is alleged that three former directors, Mr Fred Monaghan, Ms Teresa Monaghan and Ms Kim Peters controlled the corporation and ran it for their own benefit. The directors lived in properties owned by the corporation, did not pay all of their rent, failed to repair the properties and had the corporation pay part of their excess water charges.

The trial was set down to be heard in the Federal Court in Canberra from 27 to 29 July 2016.

### Finalised

*Registrar v Ashley James Taylor & Anor—  
WAD315/2015*

On 25 June 2015 the Registrar applied for freezing orders in the Federal Court in Perth against two former senior officers of the Murchison Region Aboriginal Corporation, Mr Ashley Taylor and Mr Abul Shahid.

It is alleged the former executive officer and finance officer made unapproved loans to themselves that amounted to a combined value of almost \$1.7 million.

On 3 July 2015 the Federal Court made interim orders to freeze the assets and restrict overseas travel for the two former officers.

On 27 October 2015 the Federal Court made orders by consent to extend the freezing orders until 2 February 2016.

On 2 February 2016 the Registrar agreed to vacate the freezing orders.

The Registrar maintains a publicly available register of people disqualified under the CATSI Act from managing Aboriginal and Torres Strait Islander corporations. See the Register of Disqualified Officers at [www.oric.gov.au](http://www.oric.gov.au).

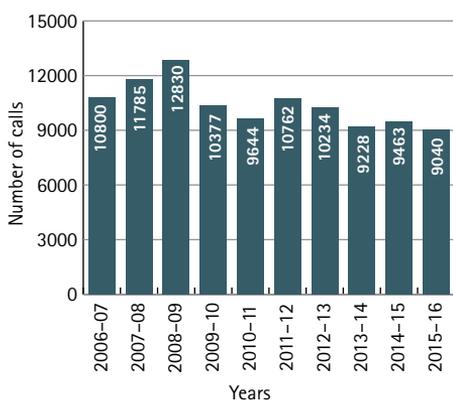
# Support services

## Call centre

In 2015–16 ORIC received 9040 telephone calls seeking information and advice.

ORIC's freecall telephone service is usually the first point of contact for corporations and other clients wishing to contact the Registrar's office.

**FIGURE 8:** Number of calls to ORIC's freecall number from 2006–07 to 2015–16



## Dispute management

In 2015–16 ORIC helped to resolve 34 disputes compared to 28 in the previous year which represents an increase of 21.4 per cent.

The Registrar is aware that if a dispute is caught early enough and managed in the right way it can prevent a corporation from damage or, in a worse-case scenario, corporate governance failure. For this reason the Registrar's office gives priority to preventing disputes getting out of hand.

As well as consulting with all parties involved and taking care to tailor responses to suit a corporation's particular needs, ORIC helps corporations build capacity to guard against future disputes flaring up.

Circumstances in which ORIC provides dispute management assistance are when:

- essential community services are at risk
- the corporation has stopped functioning
- the corporation receives Australian Government funding
- an Australian Government agency has requested help
- the corporation holds land or native title
- the corporation has a large number of members
- there is a public interest in resolving the dispute.

Some ways the Registrar supports corporations are by providing:

- an advisory opinion—a formal letter from the Registrar giving an opinion about how the CATSI Act and the corporation's rule book applies to a matter that's in dispute
- dispute management workshops
- advice—by telephone, face-to-face or email
- conferencing and facilitating small group problem-solving sessions
- representatives to call, attend and chair general meetings
- recommendations for rule book amendments to ensure that a good dispute resolution process is put in place.

A well-managed dispute can improve a corporation's resilience.

The Registrar treats all disputes with sensitivity and takes into consideration the culture and traditions of Aboriginal and Torres Strait Islander people.

ORIC has a fact sheet, *Dispute resolution*, and a policy statement, *PS-22: Disputes involving corporations*, available on its website.

## CASE STUDY: Code of conduct helps members regain control

Darug Tribal Aboriginal Corporation (DTAC) based in Seven Hills, New South Wales, maintains the cultural heritage of the Darug people. In early 2015 the DTAC directors requested ORIC's assistance to help resolve a dispute that was disrupting the governance of the corporation. Factionalism and the breakdown of good order had resulted in the exclusion of some directors in decision-making processes and the management of the corporation. There were also claims of bullying and intimidation of both directors and of members.

In July 2015 the Registrar's office took action. ORIC convened and chaired a meeting of interested parties which included all of the DTAC directors. Although it was difficult working through contentious matters, the meeting proceeded in a controlled fashion and achieved the following outcomes:

- the opportunity for each director to put forward their position
- an open and respectful discussion about the running of the corporation
- identification of the behaviours that caused the underlining issues and escalated the dispute
- development by the directors of a strong code of conduct called 'Helpful and harmful behaviours'
- dissolution of the factions within the board and a strong commitment from each of the members to work together in the corporation's best interests in the future.

At the next annual general meeting (AGM) the directors introduced the new code of conduct to members and made a point of modelling 'expected behaviours'. Their demonstration of fair and courteous conduct helped members at the AGM to feel safe and encouraged to participate.

The chairperson was also confident in referring to the code of conduct and linking it to the corporation's rule book and members' responsibilities. Poor conduct was not tolerated. In fact, when a particular member began to behave badly, the chairperson had no hesitation in calling for the member to be removed.

With respectful conduct and good order restored, the AGM moved through its business in an orderly and efficient manner.

For the members it was an indication that the corporation had returned to sound management.

### ADVICE TO CORPORATION DIRECTORS

- Conduct a members' meeting to develop a set of behaviours which will help to create a safe meeting.
- Consider how this code of conduct might be linked to the rule book.
- Set a good example by modelling desired positive behaviours.
- Ensure that the code of conduct is closely followed in general meetings.

## Complaints assistance

In 2015–16 ORIC finalised 748 complaints compared to 834 last year.

Under the CATSI Act one of the functions of the Registrar is to deal with complaints involving Aboriginal and Torres Strait Islander corporations.

On average, 'straightforward complaints' were answered within three working days, 'detailed complaints' were finalised in an average of eight days, while the most 'complex complaints', which often required considerable background research and follow up with third parties, were resolved in an average of 70 days.

For complaints received during 2015–16, the top categories were:

- complaints about the conduct of directors or breaches of directors, officers or employees' duties
- complaints about corporation meetings
- complaints about matters outside the Registrar's jurisdiction, such as compliance with funding agreements, corporation business decisions and staffing.

**TABLE 13:** Complaints involving corporations from 2008–09 to 2015–16

YEAR	NUMBER OF COMPLAINTS RECEIVED	PERCENTAGE INCREASE/DECREASE IN COMPLAINTS RECEIVED OVER PREVIOUS YEAR	NUMBER OF COMPLAINTS FINALISED*
2008–09	362	51%	358
2009–10	341	-6%	340
2010–11	622	82%	597
2011–12	541	-13%	544
2012–13	657	21%	652
2013–14	741	13%	750
2014–15	833	12%	834
2015–16	751	-9.8%	748

\*Note: May include unfinalised complaints carried over from the previous year.

Since 2008–09 when the Registrar first started to record data on complaints and disputes separately, the number of complaints received has more than doubled. In 2008–09 the number received was 362 compared to 751 received in 2015–16.

Table 13 shows three notable spikes in complaints received. The first, in 2008–09, is attributed to the rise in corporation's knowledge of the CATSI Act, awareness of ORIC's role, and assistance available. The second and third spikes, in 2010–11 and 2014–15, are thought to be the result of particular complaint campaigns involving one or two corporations.

While the long-term trend shows an increase in complaints over time, it appears that the rate of increase has slowed (perhaps as knowledge about governance spreads and corporations grow in confidence in handling matters themselves).

Where possible and appropriate, ORIC as part of its complaints-handling process also assists those who are complained about (that is, the subjects of complaints) by providing:

- information about good corporate governance
- guidance on what constitutes a breach of the CATSI Act or a corporation's rule book, and how to rectify the breach
- options that may help to resolve concerns raised in a complaint
- information to corporation members and directors on rights and responsibilities under a corporation's rule book.

The Registrar's fact sheet, *Complaints involving corporations*, and a policy statement, *PS-02: Complaints involving corporations*, are also helpful documents (both are available on the ORIC website).

Sometimes complainants allege fraud or misappropriation of funds at a corporation. Such allegations are taken very seriously but ORIC will always ask for evidence to support the claims. This is crucial—no case can be built or action taken if there is insufficient supporting evidence. Hearsay and suspicion is not good enough.

Complaints can serve a very useful and important purpose. They are often the first indication of disharmony at a corporation and therefore the first sign that something may be starting to go wrong.

The Registrar publishes a statistical overview of complaints involving corporations every six months. These are available on the ORIC website.

**FACT SHEET**

Australian Government  
Office of the Registrar of Indigenous Corporations

## Complaints involving corporations

Running a corporation that delivers a service to the community is not always easy. People have different opinions and sometimes things can go wrong.

**What to do first**  
Check the corporation's rule book. Often the answer of the advice given often is in the rule book.

**Contact the corporation.**  
Talk to the directors or the chief executive officer as soon as possible to discuss your concerns. Sometimes you may find that it's a misunderstanding that has caused the problem.

**When the matter is serious**  
If your concerns remain serious, it is a good idea to put it in writing. Serious issues are, for example, when:  
• corporations do not follow their rule books or the Corporations Act (external and Torres Strait Islander Act 2008 (CISITA)) and  
• directors do not act honestly or manage the corporation properly.  
• corporations run activities they cannot pay  
• corporations activities are illegal or seem to favour particular members  
• notices for meetings are not given in the proper way or in reasonable time.

**How to complain**  
When you talk or write to the corporation:  
• be clear about what the problem is  
• explain what you want the corporation to do  
• ask for a response within a reasonable time, for example, within two weeks.  
• be polite—focus on the outcome you want instead of how long it's an amount.  
• keep a record—once you have spoken to someone write down what happened, the date, and the name of the person you spoke to. Also keep copies of any letters you send or receive.

**There is a problem, what do I do?**  
**CONTACT ORIC**  
You can make a complaint over the phone, by fax, email or post

Freecall 1800 632 431  
(not free from mobiles)  
Fax 02 6133 8888  
Email info@oric.gov.au  
Post PO Box 26,  
Woden ACT 2606

Australian Government  
Office of the Registrar of Indigenous Corporations

## POLICY STATEMENT 02

### Complaints involving corporations

**Policy** PS-02: Complaints involving corporations

**Relevant legislative provisions** CATSI Act sections 438-8 through to 439-20, 483-1, 483-6, 490-1, 528-15, 575-25, 624-25, 668-17 (all 698-10) CATSI Act Part 10-1

**Last updated** 4 March 2014

**Other relevant policies** PS-01: Providing information and advice  
PS-05: Exercise of Registrar's powers to intervene  
PS-12: Registers and use and disclosure of information held by the Registrar  
PS-15: Privacy  
PS-22: Complaints involving corporations  
PS-25: Examinations

**Changes in the number of complaints over recent years**  
The number of complaints received has continued to decline over the past 38 months (Table 1) and appears to be returning to the level of complaints lodged in 2013-14.

**Table 1: Comparison of complaints received and finalised, six monthly periods**

Reporting period	Received	Finalised
1 January to 31 June 2014	467	432
1 July to 31 December 2014	462	438
1 January to 30 June 2015	346	381
1 July to 30 December 2015	343	349

**Table 2: Number of complaints received and finalised, 2013-14 to 2015-16 (Snapshot)**

Year	Number received	Number finalised	Number pending (end of year)
2013-14	341	276	23
2014-15	343	324	22
2015-16	343 (2015)	344 (2015)*	—

**Figure 1: Number of complaints received and finalised, 2013-14 to 2015-16 (Snapshot)**

\* Data for 2015-16 is a snapshot based on the number of complaints received to the first half of the financial year. The numbers are likely to increase.

The number pending are for the first year for 2015-16 as not yet calculated.

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**CHRISTIAN LUGNAN,**  
Regional manager,  
Coffs Harbour  
**GUMBAYNGGIRR MAN**



**BLANCHE SAUNDERS,**  
Regional officer,  
Coffs Harbour  
**GOMEROI WOMAN**



## Locally based support

### Coffs Harbour regional office, New South Wales

In ORIC's oldest regional office, Christian Lugnan and Blanche Saunders had another busy year attending general meetings, supporting directors' meetings, and delivering corporate governance training workshops. They also assisted new groups that wanted to register under the CATSI Act and helped other organisations transfer to the CATSI Act from alternative legislation.

'The work is varied and we meet with all sorts of energetic and motivated people,' said Christian. 'It's very rewarding when we can see our practical, on-the-spot assistance making a difference to the running of corporations in our region or we can help to get others started.'

A recent example of the latter was helping Kamilaroi woman, Carley Jerrard, register under the CATSI Act as a 'sole member/sole director' corporation. 'It was a fairly unusual request in that we don't have many single person entities but we were more than happy to help Carley set up the Kamilaroi Age and Community Care Aboriginal Corporation.'

Based in Inverell, New South Wales, the corporation runs an Aboriginal aged and community care service for Aboriginal and Torres Strait Islander elders in the local area.

'We advised Carley on the structure of her corporation's rule book and stepped her through a number of important business considerations,' said Christian. 'And naturally we will keep in contact so we can continue to offer support.'



### Brisbane regional office, Queensland

Viaella Aldridge joined ORIC in January 2016, just as ORIC was opening its new regional office in Brisbane. Having an officer based in the Queensland state capital has given corporations in the Rockhampton, Roma and Mount Isa regions, as well as of course Brisbane, easier direct access to ORIC services. Viaella has provided corporate governance training, helped with holding corporation meetings, and assisted with reporting obligations.

It's not unusual for ORIC staff from different regional offices to assist each other. Such was the case when Coffs Harbour regional manager, Christian Lugnan, joined Viaella in presenting some corporation-specific governance training to the Mithaka Aboriginal Corporation RNTBC in Chinchilla on the Darling Downs.

Although it's well known that ORIC staff are adaptable and open to new experiences, it was a bit of a surprise to find that the workshop was to be held in a shearing shed!

'It was a slightly unusual venue,' said Viaella, 'but we had a great turnout so we needed a large space, and everything went very well.'

The majority of the participants were members of the corporation (as opposed to staff) and many were learning about governance for the first time.



**VIAELLA ALDRIDGE,**  
Regional officer, Brisbane  
**NORTHERN KANJUN WOMAN**

