



Australian Government

Office of the Registrar of Indigenous Corporations

Director
Regulation Section

KATUNGUL ABORIGINAL CORPORATION COMMUNITY AND MEDICAL SERVICES (ICN: 1816) - BRIEF FOR S453-1 EXAMINATION

BACKGROUND

The Katungul Aboriginal Corporation Community and Medical Services (ICN: 1816) was incorporated on 17 June 1993 and is registered under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (the Act).

The corporation is located in Narooma, NSW and it is an Aboriginal Community controlled Health organisation that delivers services to more than 8000 Aboriginal people in 44 Aboriginal communities on the Far South Coast of NSW between Ulladulla and the Victorian border.

It has been identified for an examination as a result of matters being referred to ORIC by the Office of Aboriginal and Torres Strait Islander Health (OATSIH).

The draft terms of reference for the proposed examination are attached for your consideration.

RECOMMENDATION

Your approval is sought to:

- (1) carry out an internal Section 453-1 examination of the corporation.

APPROVED

A handwritten signature in black ink, appearing to read 'Caterina Mangeruca'.

Caterina Mangeruca
Regulation Section
31 October 2011

A handwritten signature in black ink, appearing to read 'Peter Armstrong'.

Peter Armstrong
Director
31 October 2011



Australian Government

Office of the Registrar of Indigenous Corporations

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31 October 2011

The directors
Katungul Aboriginal Corporation Community and Medical Services
PO Box 296
NAROOMA NSW 2546

Dear directors

EXAMINATION OF THE BOOKS OF YOUR CORPORATION UNDER SECTION 453-1 OF THE *CORPORATIONS (ABORIGINAL AND TORRES STRAIT ISLANDER) ACT 2006*

I am writing to confirm that the Registrar has authorised an examination of the books of your corporation under section 453-1 of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (the Act).

An examination is a review of the corporate governance and financial management of the corporation. It checks if the corporation is being governed in accordance with its rule book and the Act and whether the directors are complying with their obligations under the rule book and the Act. It also checks that proper financial records are kept and that good proper procedures are in place to manage your financial affairs. The examination will also report on the current financial position of the corporation.

I have authorised Ms Caterina Mangeruca, Mr Greg Jepsen and Mr Jon Rogers from the Office of the Registrar of Indigenous Corporations to carry out the examination. I enclose a copy of the relevant authorisation for the examination.

They will report to the Registrar about:

- any breach of the Act or your corporation's constitution
- any alleged or suspected breach of a law (Commonwealth, state or territory law), concerning the management or examinable affairs of your corporation or a related body corporate or involves fraud or dishonesty, and relates to your corporation or a related body corporate
- any irregularity in the operations of your corporation
- any circumstances that exist that are, or might be, grounds for a special administrator to be appointed for your corporation
- any circumstances that are likely to occur or develop that would be grounds for a special administrator to be appointed for your corporation.

For information, I have listed below the main records that you will be required to produce to the examiners:

- your register of members and register of former members, and application forms for membership from 1 July 2009 to the date of the examination
- the minutes of all directors (Committee) meetings, annual general meetings, and special general meetings from 1 July 2009 to the date of the examination
- financial records and reports including (but not limited to):
 - the general ledger and current trial balance
 - bank statements and bank reconciliations
 - the assets register
 - the latest audited financial statements and Auditors management letter
 - your policy and procedures manual for processing financial transactions
 - funding agreements and relevant acquittance documents.
- all insurance policies
- personnel and payroll records including:
 - a sample of any employment contracts you have in place, in particular for the CEO (and other senior management staff)
 - the payroll process (we will also look at a sample of your payroll records).
- notification of the corporation's taxation status from Australian Taxation Office
- any other documents relevant to the functions of your corporation (eg. contracts, trust documents etc).

You are legally required to give these or any other relevant documents to them (under section 453-1(2) and (4) of the Act). If required you must also allow a copy to be taken of these documents (under section 453-1(3) of the Act).

If you want to speak to anyone at our office about this, please ring Ms Caterina Mangeruca using the free number 1800 622 431 (not free for mobile phones) or you can send an email to caterina.mangeruca@oric.gov.au.

Yours sincerely



Peter Armstrong
Director
Regulation Section



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**Office of the Registrar of Aboriginal
and Torres Strait Islander Corporations**

TO WHOM IT MAY CONCERN:

***AUTHORISATIONS UNDER THE CORPORATIONS (ABORIGINAL AND
TORRES STRAIT ISLANDER) ACT 2006***

TAKE NOTICE that:

1. Under Section 453-1 of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (the Act) I have caused authorised officers to examine the books of the Katungul Aboriginal Corporation Community and Medical Services (ICN 1816) and report on the results of that examination to me.
2. Under Section 447-1 of the Act I have authorised Ms Caterina Mangeruca, Mr Greg Jepsen and Mr Jon Rogers from the Office of the Registrar of Aboriginal and Torres Strait Islander Corporations to undertake the examination.

The authorised officers are entitled, at all reasonable times, to full and free access to the books of the Corporation and any related body corporate. They may also make copies of, or take extracts from, any document related to the examination.

The authorised officers are also entitled to seek explanations on any matter about the compilation of any of the Corporation's books, or to which any of the books relate.

Dated this 31st day of October 2011

A handwritten signature in black ink, appearing to read 'Peter Armstrong'.

Peter Armstrong

Delegate of the Registrar of Aboriginal and
Torres Strait Islander Corporations



BEVEN, Anthony

From: MANGERUCA, Caterina
Sent: Monday, 31 October 2011 2:58 PM
To: jane@katungul.org.au
Cc: JEPSEN, Greg
Subject: Review of corporation
Attachments: Letter to the directors.pdf; Authority.pdf

Good Afternoon Jane

As discussed with Greg Jepsen from this Office, ORIC is conducting a review of the corporation's corporate governance. Fieldwork will commence on Wednesday 2 November 2011.

Please find attached a copy of the letter to the directors outlining the review, and our authority under the Act. Can you please provide these attached documents to the directors.

If you have any questions please do not hesitate to contact me on 02 6219 7705 or Greg Jepsen 02 6219 7704.

Regards

Caterina

FOI decision – names and qualifications of examiners and cost

In relation to your FOI request No. 46 of 2015 regarding ... *the names of the ORIC Officer's and their qualifications of who undertook the "Examination" including any and all information around all cost's associated with this*, I have determined that your request refers to the examination of Katungul under section 453-1 of the CATSI Act that was authorised by the Registrar in October 2011.

I provide you with the following information.

The authorised officers that conducted the examination of Katungul in November 2011 are listed below and their professional accounting body membership, if applicable, is included in brackets after their names:

Mr Greg Jepsen, Mr Jon Rogers (CPA) and Ms Caterina Mangeruca (CA).

The direct cost of the examination was \$1,721.87 (travel and accommodation), excluding wage costs.