



Australian Government  
Office of the Registrar of  
Indigenous Corporations



# Regulatory posture

Regulatory posture of the  
Registrar of Aboriginal and Torres Strait Islander Corporations

February 2026

## INTRODUCTION

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Aboriginal and Torres Strait Islander corporations registered under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act) are uniquely Indigenous member owned and controlled. They carry an important mandate to deliver social, cultural and economic benefits to their members and communities, and to protect Indigenous rights and interests. A mandate that is granted and entrusted to them by their membership.

The approach taken by the Registrar of Aboriginal and Torres Strait Islander Corporations (the Registrar) to regulating and supporting corporations is informed by this context. The exercise of the Registrar's powers and functions are guided by a commitment to the integrity of a self-determining member controlled Indigenous corporate sector.

Supported by the Office of the Registrar of Indigenous Corporations (ORIC), the Registrar aims to build a culture of self-regulation and commitment to continuous improvement, where low risk corporations are supported to undertake self-assessments and implement remedial action when necessary.

A culture of self-regulation would also see corporations having greater responsibility and autonomy to resolve internal concerns and disputes.

Where regulatory action is required, the Registrar's powers will be applied taking in account the unique circumstances of the corporation, and with proportionality. ORIC will work with corporations to assist them to overcome challenges but where the need arises, the Registrar may act swiftly to implement more direct regulatory responses.

## PURPOSE

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This document sets out the regulatory posture of the Registrar. It outlines the Registrar's posture for key responsibilities of corporations and outlines some of the areas of focus for the coming year.



## Focus areas for regulatory action in 2026

The Registrar has identified the following areas as a regulatory focus for 2026:

Roles and responsibilities of CEOs and directors

Related party benefits

Winding up

Member rights and harmony

Sector focus

**Roles and responsibilities of Chief Executive Officers (CEOs) and directors** – reminding boards of their rights and expectations from CEOs.

CEOs play a critical role in the success of a corporation. CEOs oversee the day-to-day running of the corporation in line with the strategy set by the directors. Directors are responsible for appointing CEOs and managing their performance. Directors can expect to receive reports from the CEO but should not expect to make operational decisions or interfere in the day-to-day activities of a corporation. Directors have a responsibility to provide a safe workplace for CEOs that is free from bullying, harassment and psychosocial hazards.

ORIC's focus in this area will be on providing resources for boards and reminding them of both their rights and expectations from CEOs and also their obligations as an employer.

**Related party benefits** – highlighting an important accountability mechanism to maintain transparency .

the CATSI Act includes requirements for corporations to seek approval from members to give related party benefits. This is an important accountability mechanism to ensure there is transparency around any benefits given by the corporation to a related party. These requirements also aim to protect the corporation from real or perceived risks of nepotism or corruption. ORIC's focus in this area will be building awareness among corporations of their related party benefit obligations under the CATSI Act as well as improving the understanding of members, directors and other stakeholders as to what constitutes a related party benefit. Where we become aware that a corporation has failed to meet its obligations in relation to third party benefit member approval, we may take regulatory action to make sure members have been informed of previous decisions.

**Winding up** – corporations no longer serving the interests of their members or community.

The CATSI Act includes provisions to wind up a corporation. The Registrar may apply to the Court for orders to wind up a corporation. This is a different process to deregistering a corporation. Generally winding up a corporation is more appropriate if it holds assets as the winding up process includes the liquidation of assets. ORIC's focus will be on winding up a small group of corporations that fail to comply with a compliance notice and/or whose officers are misbehaving, are habitually non-compliant and are no longer serving the interests of their members or community. These are corporations that hold assets and, as a result, are not considered suitable for deregistration.



**Member rights and harmony** – a focus on boards unwilling or unable to meet their responsibilities under the CATSI Act, to be accountable to members and to act in the interests of the corporation.

Aboriginal and Torres Strait Islander corporations are member-controlled. To this end, the CATSI Act includes requirements which support transparency to members on the operations of a corporation, its key personnel and its finances, requirements such as the lodgement of reports with the Registrar, and the conduct of annual general meetings that provide the opportunity for members to ask questions of their directors.

It also includes members' rights that enable members to express concerns regarding the governance of their corporations and hold directors to account, and provisions such as enabling members to request directors to call a general meeting or put a resolution to the next general meeting. Other rights include the power to remove directors and to enact a dispute resolution process as set out in a corporation's rule book.

ORIC will maintain a focus in this area during 2026. This focus will be on boards who demonstrate they are unwilling or unable to meet their responsibilities under the CATSI Act, to be accountable to members and act in the interests of the corporation and members as a whole.

**Sector focus** – corporations delivering municipal services.

Corporations that deliver municipal services play an important role in their communities. Their continuation and longevity is critical to communities where there are no alternative service providers. ORIC's focus on corporations delivering municipal services will be primarily through examinations to check their financial and governance health. This will provide assurance these corporations are well placed to continue delivering for their communities.



## Standing areas of regulatory focus

The Registrar expects CATSI Act corporations to meet all their legislative obligations and will focus on those that underpin accountability and transparency to members. These are fundamental to the governance integrity of self-determining member-controlled Indigenous corporations:

Annual general meetings (AGMs)	<p><b>AGMs are held before the end of November each year unless an exemption has been granted.</b></p> <p>AGMs afford members their right to learn about the corporation's health and performance, to ask questions of the board, and to appoint or remove directors.</p>
Director duties	<p><b>Director duties are carried out in a manner consistent with the CATSI Act.</b></p> <p>Directors are appointed by the membership to govern their corporation responsibly and with care, diligence, and in good faith.</p>
Rule books	<p><b>Rule books are modern, transparent, and workable for members.</b></p> <p>Rule books where members and directors understand their responsibilities and their rights better support effective governance and support corporations to resolve internal issues in a timely manner.</p>
Corporation reports	<p><b>Corporation reports are complete and accurate, and lodged on time unless an exemption has been granted.</b></p> <p>Annual reporting is a fundamental form of accountability to members, community, and other stakeholders.</p>
Timely updating of corporation details	<p><b>Corporations keep their details up to date, including advising ORIC of changes to officers within 28 days.</b></p> <p>Accurate and timely details on the Register of Aboriginal and Torres Strait Islander Corporations assists members, community, funders and other stakeholders such as banks to have confidence when dealing with duly authorised representatives of the corporation.</p>

ORIC will focus on education and engagement to raise corporations' understanding and awareness of their obligations under the CATSI Act.

Where ORIC receives complaints against a corporation its focus will be on assessing evidence that a corporation is potentially breaching its obligations under the CATSI Act and its rule book. The Registrar does not take regulatory action or investigate all complaints made about a corporation.

The Registrar's preference is that, where it is appropriate, corporations are given opportunity to resolve lower-risk compliance matters themselves. The Registrar in these instances may work with a corporation to take necessary actions to resolve non-compliance without the need for regulatory action. The range of regulatory powers available to the Registrar and ORIC's approach to non compliance are outlined in the *ORIC Regulatory Compliance Framework*.

Where a corporation does not meet its regulatory obligations the Registrar may take proportionate regulatory action to minimise the risk of harm to the corporation, members or stakeholders. The Registrar will take into account, among other things, whether the corporation has the capacity to resolve the issues, or when other avenues of support, guidance, and direction from ORIC have not been successful.

It is not the role of the Registrar to regulate service delivery or to investigate suspected fraud and non-compliance with Commonwealth and/or state grant funding agreements by Aboriginal and Torres Strait Islander corporations. ORIC's role is to regulate the CATSI Act and to hold officers of corporations to account. Similarly, it is not ORIC's role to resolve internal disputes where a corporation is complying with its obligations under the CATSI Act and is operating in a manner consistent with its rule book.