



APPEAL BY FORMER CHAIR OF MOUNT ISA ABORIGINAL HOUSING CORPORATION DISMISSED

The Registrar of Indigenous Corporations, Mr Anthony Beven, has noted a decision of the Full Federal Court of Australia today to dismiss an appeal by Ms Leigh Kerkhoffs against orders made against her on 18 November 2013.

Ms Kerkhoffs was the former chair of the Aboriginal and Torres Strait Islander Corporation for Welfare Services (ATSIC Welfare Services), which is registered under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act).

ATSIC Welfare Services is a not-for-profit corporation based in Mount Isa, Queensland, that provides affordable rental accommodation for Aboriginal and Torres Strait Islander people in the local area. The corporation owns and manages about 30 residential properties.

The Registrar commenced civil penalty proceedings in the Federal Court against Ms Kerkhoffs in June 2013. On 18 November 2013 Justice Logan in the Federal Court made four declarations of contravention and disqualified Ms Kerkhoffs from managing an Aboriginal and Torres Strait Islander corporation for a period of five years. Ms Kerkhoffs was also ordered to pay compensation of \$31,414 to ATSIC Welfare Services and a pecuniary penalty of \$50,000 to the Commonwealth of Australia.

On 13 December 2013 Ms Kerkhoffs filed an appeal against the disqualification order and pecuniary penalty made by Justice Logan.

Today in Brisbane the Full Federal Court of Justices Rares, Collier and Barker heard the appeal and dismissed it with costs awarded against Ms Kerkhoffs.

Background

For more information on this matter see the Registrar's media releases of 4 July 2013 (ORIC MR1314-03) and 19 November 2013 (ORIC MR1314-15). For more information about disqualification see the Registrar's fact sheet: *Disqualifications from managing corporations under the CATSI Act* available at www.oric.gov.au.

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