



## COSTS DECISION IN DUNGHUTTI ELDERS CASE

The Registrar of Indigenous Corporations, Mr Anthony Beven, has today noted the decision of the Full Federal Court to dismiss his application for costs against the former directors of Dunghutti Elders Council (Aboriginal Corporation) RNTBC.

The application was heard by Chief Justice Keane and Justices Lander and Foster.

On 21 July 2011 the Full Federal Court dismissed an appeal by the corporation to prevent the Registrar from placing the corporation under special administration. The Registrar sought costs against the former directors for the unsuccessful appeal. The application was to protect the native title compensation money held on trust by the corporation for the Dunghutti people.

### **Background**

The Dunghutti Elders Council (Aboriginal Corporation) RNTBC was incorporated on 11 November 1996 and is registered under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*. It is a registered native title body corporate that manages native title claims and deals with compensation funds from native title claims on behalf of the Dunghutti people in the Kempsey region of New South Wales.

In 1997 and 2010 the corporation was paid \$738 000 and \$6.1 million respectively by the New South Wales Government as compensation for the extinguishment of Dunghutti native title at Crescent Head in New South Wales.

On 2 September 2011 the Registrar placed the corporation under special administration for a period of six months to protect the corporation's assets, review the membership of the corporation and put in place stronger governance and financial processes.

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