



CORPORATION DIRECTORS CONVICTED FOR FAILING TO PRODUCE DOCUMENTS

Coonamble, NSW: Five directors of the Ellimatta Housing Aboriginal Corporation (Ellimatta) have been convicted and fined for failing to comply with a notice to produce corporation documents. The proceedings were taken after an investigation by the Registrar of Indigenous Corporations, Anthony Beven.

In 2015 the Registrar commenced an investigation into the activities of Ellimatta and issued a number of notices to the directors to produce documents required for the investigation. The directors failed to produce the documents and after exhausting all other ways to obtain the documents the Registrar decided that prosecution was warranted.

On 18 October 2017 the corporation's directors, Sharon Anderson, Rae Fernando, Siffia Fernando, Wayne Fernando and Colin Turnbull, all pleaded guilty in the Coonamble District Court to charges under section 453-5(5) of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act).

They were each convicted and ordered to pay a fine of \$600.

'Prosecution is only taken as a last resort,' Mr Beven said. 'This is the first and only time that action has had to be taken against any person for failing to comply with a notice to produce. In most cases people and corporations are willing assist us with our investigations.'

The Registrar will again be approaching the directors to secure the documents needed to finalise the investigation.

The Commonwealth Director of Public Prosecutions prosecuted the matter.

Media contact

Lisa Hugg
(02) 6146 4738
ORIC MR1718-07
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