



Australian Government

Office of the Registrar of Indigenous Corporations



2013–14
YEARBOOK

© Commonwealth of Australia 2014

ISSN 2204-2393

ISBN 978-1-925054-24-8 (Print)

ISSN 2204-2415

ISBN 978-1-925237-16-0 (Online)

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Please be aware that this publication may contain the names and images of deceased people. The Registrar strives to treat Aboriginal and Torres Strait Islander culture and beliefs with respect. We acknowledge that to some communities, it is distressing to show images of people who have passed away.

Produced by ORIC, November 2014

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ORIC VISION

STRONG CORPORATIONS, STRONG PEOPLE, STRONG COMMUNITIES

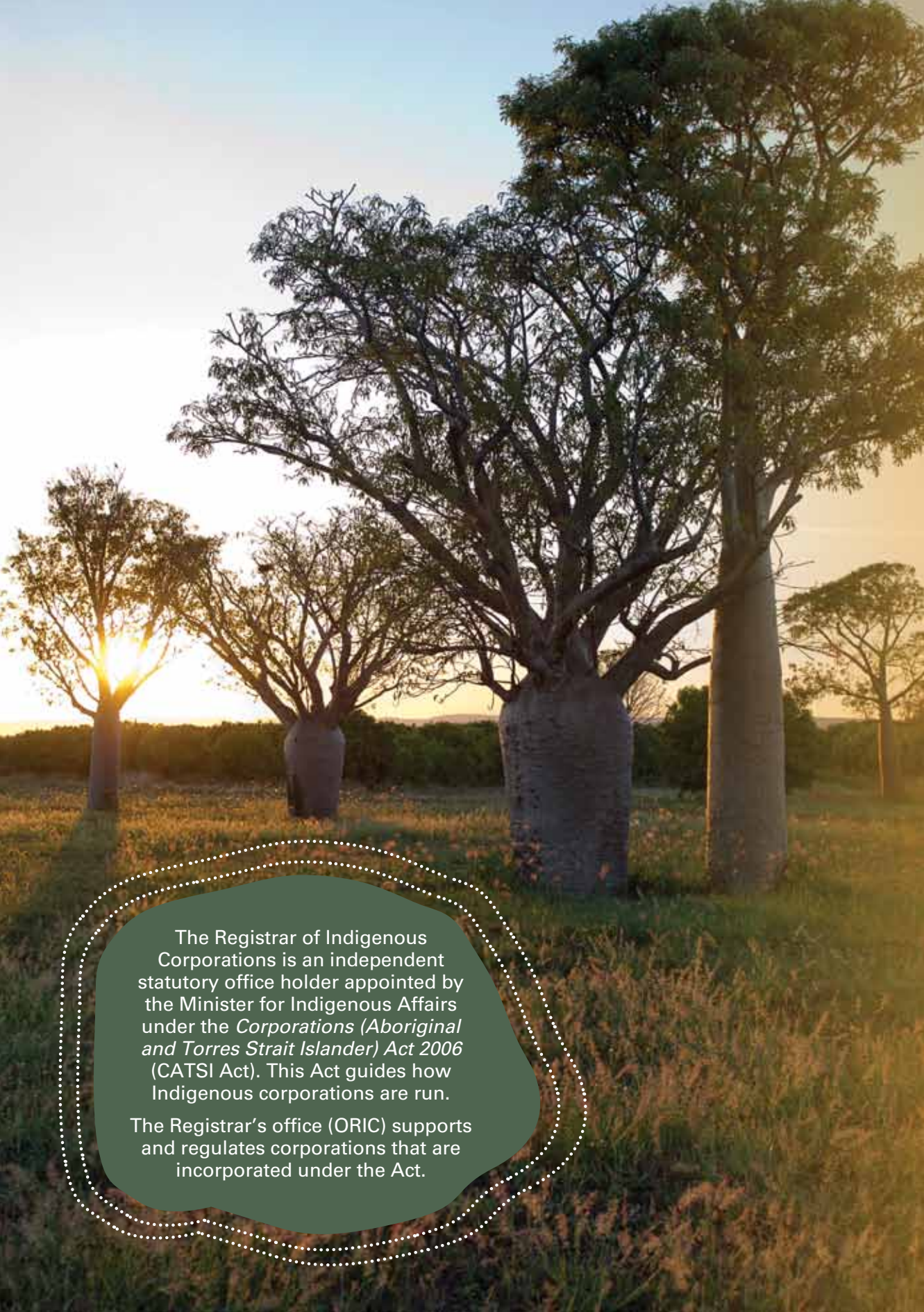
Aboriginal and Torres Strait Islander corporations are important in communities and Australian society. In recognition of this, the Office of the Registrar of Indigenous Corporations (ORIC) will continue to increase public confidence in the standards of corporate governance and viability of Aboriginal and Torres Strait Islander corporations.

ABOUT THE YEARBOOK

Although not required by legislation to produce an annual report the Registrar of Indigenous Corporations (the Registrar) believes it is helpful to publish a yearbook to inform and update all clients and stakeholders about ORIC's work.

The content of this yearbook aligns with the *ORIC strategic plan 2011–14* and ORIC's operational areas.





The Registrar of Indigenous Corporations is an independent statutory office holder appointed by the Minister for Indigenous Affairs under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act). This Act guides how Indigenous corporations are run.

The Registrar's office (ORIC) supports and regulates corporations that are incorporated under the Act.

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OVERVIEW

HIGHLIGHTS 2013–14

Regulation and registration

- 2,227 (95.7 per cent) corporations met their statutory reporting obligations—compared to 2,122 (95.50 per cent) in 2012–13
- 52 per cent of corporations lodged their annual returns electronically, up from 46 per cent in the previous year
- 38 disputes resolved, down from 52 in the previous year, possibly reflecting an increase in corporate governance standards
- 163 new corporations registered
- 46 formal examinations completed
- 11 special administrations started and 10 ended
- 32 corporations were prosecuted for failing to lodge their annual reports
- landmark decision by the Federal Court with significant orders secured in *Registrar v Damien Matcham*
- other significant achievements in investigation and prosecution matters (both ongoing and finalised)

ORIC services

- 18 applications through ORIC's recruitment assistance service (ORA) and 11 senior corporation management positions filled (up from 17 and 10 respectively from last year)
- 58 corporation jobs advertised free of charge on the ORIC website through 'corporation jobs'
- 9,228 telephone calls seeking information and advice received through ORIC's call centre
- 19 LawHelp applications received of which 13 approved and referred to some of Australia's top law firms (acting pro bono)

Governance support

- training delivered to 1,015 participants from 194 corporations across Australia with a satisfaction rating of 91.1 per cent
- Certificate IV in Business (Governance) in Canberra over four one-week blocks. Seventeen students started and all 17 successfully completed
- helped facilitate the Stronger Futures in the Northern Territory—Enhancing Communities program
- redeveloped the ORIC website for improved accessibility and capability
- fifth top 500 report (for the financial year 2011–12) released
- 37 media releases issued
- strong staff participation in ORIC's volunteer program



REGISTRAR'S SUMMARY

Looking back at 2013–14

After the federal election in September 2013 ORIC, for the first time in six years, had a new minister. I would like to thank the Hon Jenny Macklin MP, the former Minister for Families, Housing, Community Services and Indigenous Affairs, for her strong support for ORIC over many years. That support was important as ORIC transformed itself into a modern corporate regulator after the commencement of the CATSI Act in 2007. It was again important in 2012–13 during the debate over the regulation of not for profits.

I also want to thank Senator the Hon Nigel Scullion, the current Minister for Indigenous Affairs, for his support. Minister Scullion officially launched the CATSI Act in July 2007 and has always backed the role of ORIC. Announcements by the Minister since his appointment have raised the profile of ORIC and will ensure that ORIC has a greater impact on improving the effectiveness and accountability of the Aboriginal and Torres Strait Islander corporate sector.



(Above) The Hon Jenny Macklin MP at the launch of LawHelp. (Right) Senator the Hon Nigel Scullion visits ORIC's Canberra office



Operational

In operational terms, it has been another busy year and there have been important achievements in both regulation and service delivery.

The two-year proceedings against Mr Damien Matcham in the Federal Court were concluded in February 2014 when significant penalties and orders were made against the former CEO. The case was notable not only because Mr Matcham was held to account for his wrongful actions but because an important precedent was set. In future, errant directors and CEOs will be left in no doubt about what they can expect if they breach their duties. I was pleased to see that the case was widely covered in the media.

For the fourth year in a row reporting compliance by Aboriginal and Torres Strait Islander corporations exceeded 95 per cent. In addition, the highest number of corporations in ORIC's history lodged their reports—2,227 corporations. Not only is reporting compliance now embedded above 95 per cent, corporations are also reporting earlier and, more than ever, they are choosing to lodge online. Something that started as a key business priority for ORIC in 2007 is now regarded simply as 'business as usual'.

But it is not all about regulation. About 50 per cent of ORIC's resources are dedicated to providing support services to Aboriginal and Torres Strait Islander corporations. An obvious example is ORIC's highly regarded corporate governance training.

In 2013–14 my office delivered training to more participants and more corporations than in any other year of its 36 years of operation. This is a significant achievement and one that I and the staff of ORIC's Training Section are rightly proud.

Significant progress was made in 2013–14 towards establishing a broader presence for ORIC in regional areas. Easier access to services and more face-to-face contact with ORIC officers have been for some time high priorities for Aboriginal and Torres Strait Islander corporations. A move in this direction also emerged as a strong recommendation from ORIC's 2012 independent organisational review. My intention, as staff numbers in ORIC's Canberra office reduce through natural attrition, is to increase ORIC's regional presence. By 30 June 2014 ORIC had successfully established a further three offices outside of Canberra (making six altogether, as well as a temporary office in Adelaide).

Staff

ORIC's staff have always been passionate about the work they do and I would like to thank them for their contribution in meeting ORIC's key performance indicators (KPIs) and objectives.

As at 30 June 2014, 39.6 per cent of ORIC's staff identified as Aboriginal or Torres Strait Islander. I would like to see this percentage continue to increase as these staff members play an important role in framing the services that ORIC delivers and in maintaining connections with communities.

Corporations, people and communities are ORIC's main focus. In view of this a staff occasion that stands out for me over the year was one that brought all three elements together. In February 2014 my staff and I had the great privilege of meeting and hearing from some of the directors of the Kinchela Boys Home Aboriginal Corporation and the Coota Girls Aboriginal Corporation, the latter just newly registered under the CATSI Act. The directors spoke movingly of their treatment in institutional care.

Kinchela Boys Home Aboriginal Corporation (ICN 4223)

Coota Girls Aboriginal Corporation (ICN 7993)

A highlight of the year was ORIC's February 2014 staff meeting at the National Museum of Australia (NMA) that featured special guest speakers, former residents of the Kinchela Boys Home for Aboriginal Boys (1924–1970) and the Cootamundra Domestic Training Home for Aboriginal Girls (1912–1986). They shared with ORIC staff their experiences of growing up in two of Australia's harshest institutions.

Kinchela Boys Home, which was located near Kempsey on the mid-north coast of New South Wales, was a state-run 'training farm' for Aboriginal boys removed from their families between 1924 and 1970.

The forcible removal of Aboriginal children from their families is one of the bleakest and saddest parts of our recent history, and it has had profound consequences through the generations.

The Cootamundra Girls Home opened in 1912 in the former Cootamundra Hospital, New South Wales. Aboriginal girls, who had been forcibly removed from their parents, were placed at the home until they were old enough to be sent out to work as domestic servants.

With quiet dignity the 'Kinchela boys' and 'Coota girls' told their stories. For ORIC staff it was a powerful and affecting experience. The former



Together outside the National Museum of Australia. The 'Kinchela boys' and the 'Coota girls' were in Canberra at the Registrar's invitation to talk to ORIC staff about their experiences growing up in institutions

residents, now in their 60s, 70s and 80s, carry permanent emotional scars as a result of their brutal and shameful treatment—but it is important that people know what they went through so 'it can never happen again'.

Following the presentation ORIC staff and special guests explored the NMA together, taking particular interest in the original front gates from the boys home which, in 2012, the Kinchela Boys Home Aboriginal Corporation donated to the NMA. The museum also holds *Areyonga Paddock* by Albert Namatjira which the artist presented to the 'Coota girls' in 1957. For many years it hung in the main dormitory.

NOTE: The Kinchela Boys Home Aboriginal Corporation helps members of the Stolen Generations to take control of their futures.

The Coota Girls Aboriginal Corporation was registered under the CATSI Act in December 2013. Its aim is to lend practical and emotional support to former residents of the Cootamundra Domestic Training Home for Aboriginal Girls (1912–1968) and to members of their families.

For more information about these corporations see ORIC's spotlight on story at: www.oric.gov.au/publications



Some of the 'Coota girls' showing with their hands 'from little things big things grow'.
Left to right: Aunties Doreen Webster, Rose Atkinson, Isabel Reid, Lorraine Peeters, Shirley McGee, Katey Bryant, Wilma Moran and (*seated*) Faye Moseley



'Kinchela boys' addressing the ORIC staff
(left to right) Uncles Cecil Bowden, Manuel Ebsworth and Richard Campbell

Litigation

In 2013–14 ORIC continued to pursue criminal and civil matters through the courts. Below is a list of significant outcomes that also includes details of the proceedings against Mr Damien Matcham:

- The former CEO of Katungul Aboriginal Corporation Community and Medical Services, Mr Damien Matcham, was ordered to pay compensation and fines of \$1.2 million plus court costs, and was disqualified from managing Aboriginal and Torres Strait Islander corporations and companies registered with the Australian Securities & Investments Commission (ASIC) for 15 years. The Federal Court proceedings against Mr Matcham began in January 2012.
- The former directors of Dunghutti Elders Council Aboriginal Corporation withdrew their application to the Administrative Appeals Tribunal (AAT) to review the 2011 decision to appoint a special administrator to the corporation. The legal battle with the former directors began in March 2011 and went to the Federal Court, the Full Federal Court on three separate issues, the High Court and the AAT.
- Ms Sandra Gail Newman, the former manager of Orana Aboriginal Corporation, was sentenced to 15 months imprisonment, to be released on a two-year good behaviour bond after serving five months in jail.
- Mr Tony Gray, the former chairperson of Durri Aboriginal Corporation Medical Service, was sentenced to 12 months imprisonment, wholly suspended upon his entering a good behaviour bond for 12 months. Mr Gray was also ordered to pay \$4,406.55 in compensation to Durri Aboriginal Corporation Medical Service.
- Ms Leigh Kerkhoffs, the former chairperson of the Aboriginal and Torres Strait Islander Corporation for Welfare Services (known as ATSIC Welfare Services) was banned for five years from managing Aboriginal and Torres Strait Islander corporations and companies registered with the Australian Securities & Investments Commission (ASIC), ordered to pay compensation of \$31,414.17 to ATSIC Welfare Services and fined \$50,000.
- Mr John Berto, the former CEO of Thamarrurr Regional Authority Aboriginal Corporation, was disqualified from managing companies or Aboriginal and Torres Strait Islander corporations for two years.
- Annual reporting prosecutions: a total of 32 corporations were prosecuted for failing to lodge their annual reports with fines imposed amounting to \$75,450.

Examinations and special administrations

ORIC conducted 46 formal examinations and completed 10 special administrations, with the special administration at Bawinanga Aboriginal Corporation (which ended on 30 June 2014) by far the biggest and most challenging. The examinations and special administrations proactively addressed governance and financial issues within corporations and are an important part of ORIC's work.

Website

In April 2014 ORIC launched an upgraded, new look website, www.oric.gov.au. Accessibility standards have been improved and the website now has an enhanced capacity to host a high standard information service. It goes without saying that a good 'user friendly' website is vital to an agency such as ORIC as a source of accurate reliable information and governance support tools.

Staff achievements

In November 2013 ORIC staff member Casey Lee (Registration Section) and George Donaldson (Alice Springs Regional Office) achieved a Certificate IV in Training and Assessment. They are now qualified Cultural Appreciation Program (CAP) facilitators. CAP is an initiative under the 2013–15 Aboriginal and Torres Strait Islander Workforce Strategy that focuses on building individual skills, knowledge and appreciation of Aboriginal and Torres Strait Islander history, cultures and issues.



The Registrar with George Donaldson showing the Certificate IV in Training and Assessment. (Right) Graduates Casey Lee and George Donaldson



In early December 2013 three ORIC staff members graduated from their respective development programs—Luke Styche (Investigations and Prosecutions Section) and Isabel Carpinter (Complaints Section) (*centre and right*) graduated from the Indigenous Australian Government Development Program while Nattie Bong (also Complaints Section) graduated from the Australian Public Service Commission Indigenous Pathways Program

The year ahead 2014–15

ORIC is committed to taking a strong regulatory approach combined with quality support and capacity building services. This will remain a priority in 2014–15.

For a number of years ORIC has assisted Aboriginal and Torres Strait Islander organisations to transfer their registration to the CATSI Act. This will take on a greater focus in the coming year following Minister Scullion's announcement of 7 August 2014. In this the Minister stated that all Aboriginal and Torres Strait Islander organisations that receive grants from his department in excess of \$500,000 must be incorporated under the CATSI Act.

Complaints to ORIC about corporations have consistently increased over the past five years as awareness of ORIC's regulatory functions has expanded. Maintaining adequate resources within ORIC to properly address these complaints will be another priority. It is essential that ORIC is able to continue to manage any rise in complaints to meet the expectations of those raising concerns with ORIC.



The Prime Minister, Tony Abbott, with ORIC staff (*from left to right*: Ruth Jones, Joe Mastrolembo and Lea McEachern). Mr Abbott visited the Department of the Prime Minister and Cabinet at Centraplaza, Canberra, in September 2013

Overall ORIC's key priorities for 2014–15 are to:

- **reduce red tape** in annual reporting and meeting requirements, particularly for corporations whose sole activity is holding land. This process has already begun. Streamlining the process for transferring to the CATSI Act will also be prioritised.
- work with government to implement **stronger organisational governance within corporations receiving significant government funding**.
- continue to **strengthen the working relationships with Aboriginal and Torres Strait Islander communities** by providing more resources in regional locations.
- **enforce the law** through early identification of wrongdoing and taking appropriate action.
- encourage **regulation and compliance** under the CATSI Act through close monitoring and examinations.
- continue **capacity development** by supporting corporations through high quality education and training programs.
- contribute to sector knowledge through **publications and analysis**.
- continue to invest in **people** to improve ORIC's ability to deliver.

If ORIC addresses these priorities in the next year I believe my office will go a long way to achieving the goal of strong corporations, strong people, and strong communities.



Anthony Beven

November 2014



SENIOR MANAGEMENT

The Registrar and senior management as at 30 June 2014



Anthony Beven
REGISTRAR



Joe Mastrolembo
DEPUTY REGISTRAR



Michael Cullen
GENERAL COUNSEL



Gerrit Wanganeen
A/g SECTION MANAGER
Registration, Complaints and
Dispute Management Section



Peter Armstrong
SECTION MANAGER
Regulation Section



Lisa Hugg
SECTION MANAGER
Communications and
Research Section



Graeme Pert
SECTION MANAGER
Investigations and
Prosecutions Section



Catherine Turtle
SECTION MANAGER
Training Section



ORIC staff, November 2013

ORIC STAFF

The Registrar's work was carried out by 48.76 full-time equivalent staff as at 30 June 2014. There were 29 female and 24 male staff members. ORIC had seven part-time staff and two staff on long-term leave. Twenty-one staff (39.6 per cent) identified as Aboriginal or Torres Strait Islander—an increase of 1.9 per cent from 30 June 2013.



Several ORIC staff attended the National Sorry Day Bridge Walk in Canberra, 23 May 2014

BUSINESS PLAN 2013–14

The Registrar identified six key priority areas in the ORIC business plan 2013–14 to align with the *ORIC strategic plan 2011–14*. These priorities concerned improving public confidence in the standards of corporate governance and viability of Aboriginal and Torres Strait Islander corporations registered under the CATSI Act.

In line with the business plan and the Registrar's core functions, ORIC has continued to regulate corporations effectively and monitor compliance under the legislation. It has also demonstrated a strong commitment to delivering high-quality services to its prime audience (corporations) and other stakeholders (government, funding bodies and the general public) consistent with ORIC's vision, aims and values.



1. Education and training

ORIC supported corporations through its active, well-targeted and high-quality corporate governance training program across Australia.

2. Stronger organisational governance for organisations receiving funding

ORIC worked with funding bodies to strengthen the governance of organisations receiving significant funds for the delivery of Aboriginal and Torres Strait Islander services and programs.

3. Regulation and compliance

Effective regulation and ensuring compliance with the CATSI Act remained a central focus.



4. Investigations and prosecutions

Strong activity in the area of investigations concentrated on the early identification of wrong doing and was followed up with appropriate action by the Registrar.

5. Organisational review recommendations

Seven of the 13 recommendations outlined in an independent organisational review of ORIC's efficiency and effectiveness have been implemented. The main recommendation—to reshape ORIC to allow a greater presence in the regions and a smaller central office in Canberra—has largely been achieved.



6. Improving the ability to deliver

ORIC regional offices have been set up in Darwin and Broome (and temporarily in Adelaide), complementing those already established in Alice Springs, Perth, Cairns and Coffs Harbour.

Where possible, Canberra-based jobs that became vacant over the year were reassigned to the regions.

'I have always believed that getting ourselves out into the regions is the best way to serve our corporations. Face-to-face contact is key.'

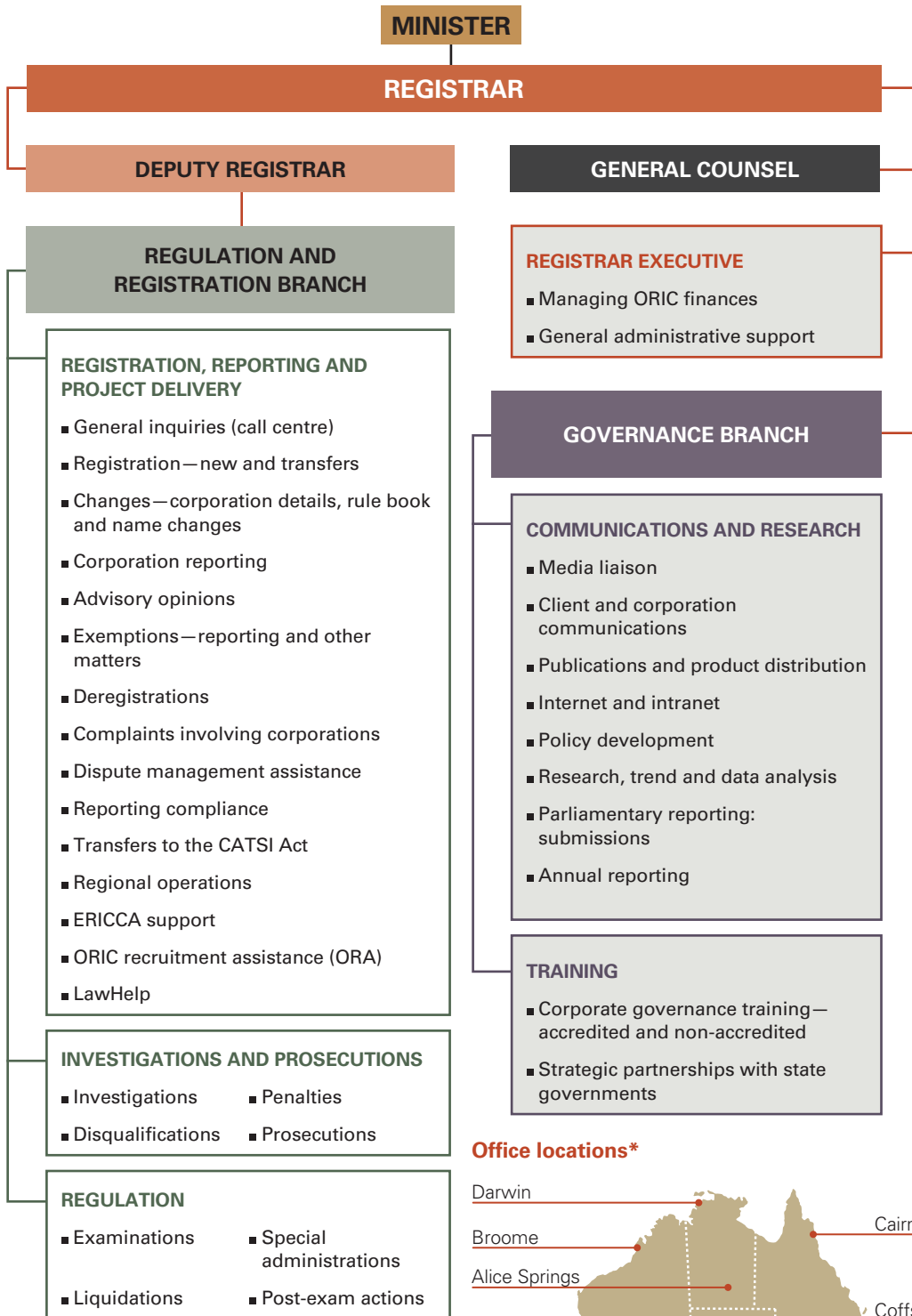
Anthony Beven, Registrar

Activities were also undertaken to develop and support ORIC staff to help them deliver high-quality services, including:

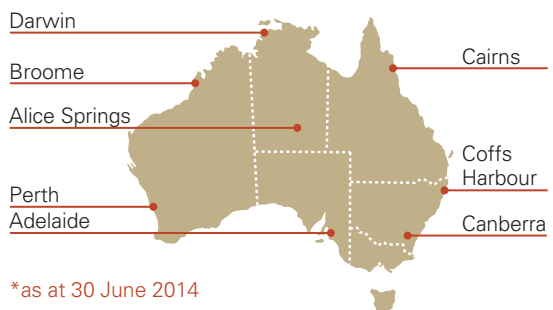
- fostering awareness of Aboriginal and Torres Strait Islander culture
- building understanding of the day-to-day difficulties that corporations may face through, for example, hands-on experience (volunteering at corporations)
- investing in targeted training to further develop knowledge and skills to perform ORIC functions
- redeveloping the ORIC website to make it easier to use.

Strong corporations, strong people, strong communities

THE ORGANISATIONAL STRUCTURE



Office locations*



*as at 30 June 2014

REGULATION & REGISTRATION



CORPORATION REPORTING COMPLIANCE

Reporting compliance by corporations reached 95.7 per cent in 2013–14 with 52 per cent of all annual returns lodged electronically.

Corporations registered under the CATSI Act must submit their annual returns (reports) to ORIC at the end of each year. Reporting requirements vary according to registered size—large, medium or small—and income.

Size and income of corporation	Report required
Small corporations with a consolidated gross operating income of less than \$100,000.	1. General report only
Small corporations with a consolidated gross operating income of \$100,000 or more and less than \$5 million.	1. General report
Medium corporations with a consolidated gross operating income of less than \$5 million.	2. Financial report and audit report or financial report based on reports to government funders
Large corporations or any corporation with a consolidated gross operating income of \$5 million or more.	1. General report 2. Financial report 3. Audit report 4. Directors' report

Reports for the 2012–13 financial year had to be lodged by most corporations by 31 December 2013.

This year (which in reporting terms means the 2012–13 financial year) the highest number of corporations in ORIC's history lodged their reports. From a total of 2,326 corporations required to submit reports, 2,227 complied with their obligations under the CATSI Act. In percentage terms, reporting compliance rose from 95.5 per cent last year to 95.7 per cent this year.

ORIC pursues high compliance rates so that members, communities, creditors and government agencies can have confidence in the public information maintained by the Registrar on the public Register of Aboriginal and Torres Strait Islander Corporations.



In 2013–14 ORIC conducted a number of activities designed to maintain high reporting compliance rates:

- A communication strategy to remind corporations of their reporting obligations and to offer guidance included:
 - several advertisements in the *National Indigenous Times* and the *Koori Mail* newspapers
 - notices and messages placed on the ORIC website
 - reminders in ORIC publications (such as the *ORIC Oracle* newsletter)
 - direct communication by email, letter and telephone.
- Follow-up of key groups and specific sectors, such as registered native title bodies corporate (RNTBCs) and corporations helped by large corporations operating in remote regions.
- Face-to-face visits by ORIC officers, particularly to corporations in remote locations and outside metropolitan areas. They offered personal assistance in completing reports as well as helped to develop capacity for the future. These visits were generally undertaken by ORIC’s regional officers.
- Telephone ‘follow-ups’ to corporations in breach—ORIC staff made calls to corporations that failed to submit their annual reports by the due date and, where appropriate, offered assistance in completing them.
- Telephone reminders to newly registered corporations. Where corporations were required to report for the first time ORIC staff called to remind them of their reporting obligations. They also made ‘reminder’ calls to corporations that were late to lodge in the previous year.
- Formal warning notices were sent to corporations which failed to respond to reminders and which were in breach.



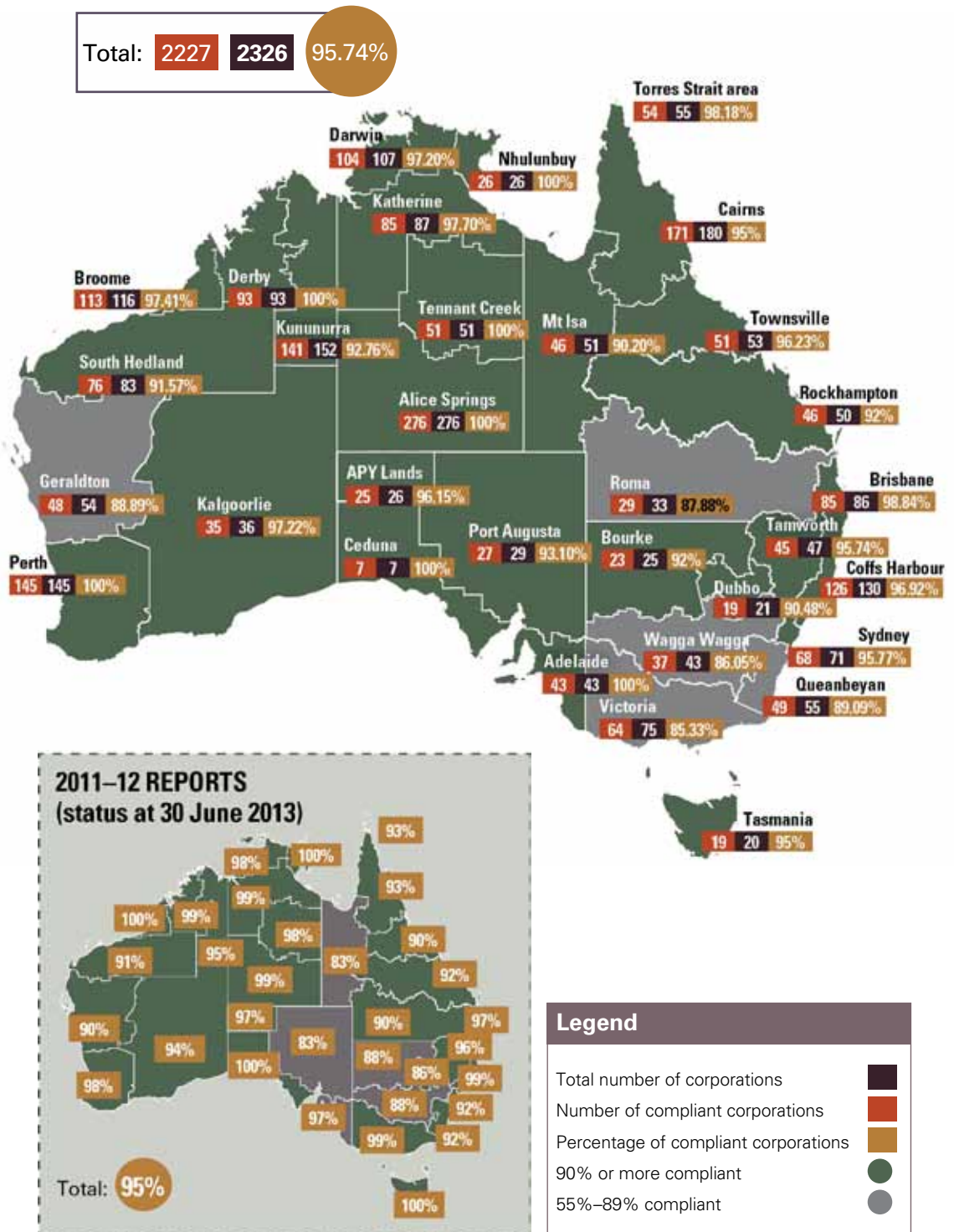
Consequences of not reporting

Corporations that did not lodge reports by 31 December 2013 were targeted for prosecution. During 2013–14, a total of 32 corporations were prosecuted for failing to lodge their reports. The prosecutions program focused on corporations in New South Wales and Victoria that ignored their reporting obligations and did not lodge their reports.

Table 1: Reporting compliance status by region as at 30 June 2014

Region	Number compliant	Number required to report	% compliant
Adelaide	43	43	100.00%
Alice Springs	276	276	100.00%
Bourke	23	25	92.00%
Brisbane	85	86	98.84%
Broome	113	116	97.41%
Cairns	171	180	95.00%
Ceduna	7	7	100.00%
Coffs Harbour	126	130	96.92%
Darwin	104	107	97.20%
Derby	93	93	100.00%
Dubbo	19	21	90.48%
Geraldton	48	54	88.89%
Kalgoorlie	35	36	97.22%
Katherine	85	87	97.70%
Kununurra	141	152	92.76%
Mount Isa	46	51	90.20%
Nhulunbuy	26	26	100.00%
Perth	145	145	100.00%
Port Augusta	27	29	93.10%
Queanbeyan	49	55	89.09%
Rockhampton	46	50	92.00%
Roma	29	33	87.88%
South Hedland	76	83	91.57%
Sydney	68	71	95.77%
Tamworth	45	47	95.74%
Tasmania	19	20	95.00%
Tennant Creek	51	51	100.00%
Townsville	51	53	96.23%
Torres Strait Islands	54	55	98.18%
APY Lands	25	26	96.15%
Victoria	64	75	85.33%
Wagga Wagga	37	43	86.05%
Total	2227	2326	95.74%

Figure 2: 2012–13 reporting compliance status by region as at 30 June 2014

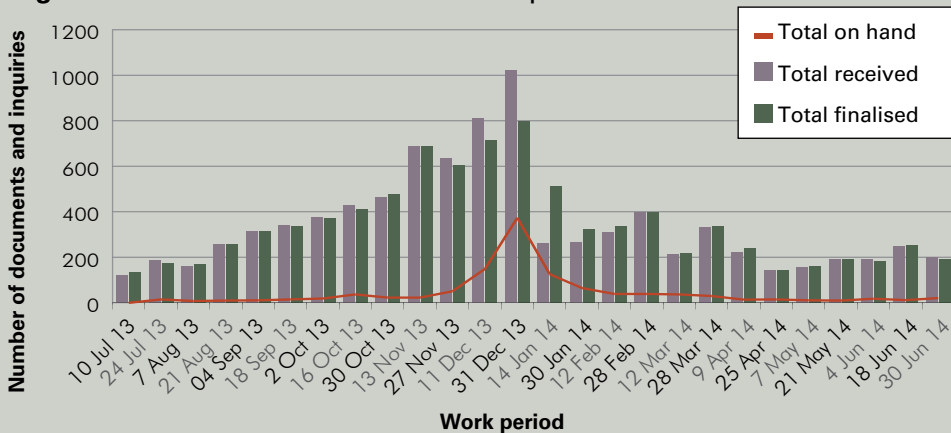


REGISTRATION AND SUPPORT SERVICES

ORIC provides a range of registration services to Aboriginal and Torres Strait Islander groups and corporations.

In 2013–14 ORIC received 8,947 documents (including written inquiries) from corporations and the public—up from 8,306 documents in the previous year, which represents a 7.72 per cent increase. During 2013–14 the processing of documents or responses to inquiries were completed in an average time of 2.61 business days.

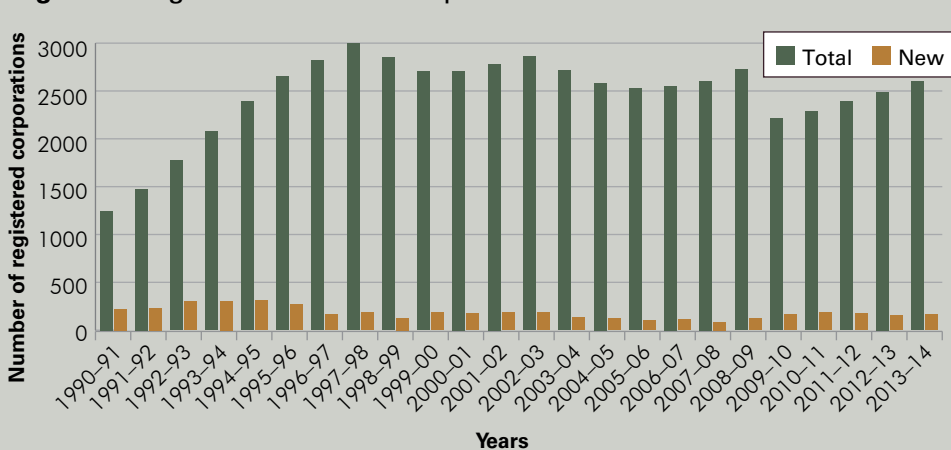
Figure 3: Number of documents and inquiries 2013–14



Profile of corporations registered with ORIC

As at 30 June 2014, there were 2,596 corporations registered under the CATSI Act.

Figure 4: Registered and new corporations from 1990–91 to 2013–14



NOTE: The number of registered corporations is the total number of corporations registered less the total number deregistered.

Table 2: Registered and new corporations from 1990–91 to 2013–14

Year	Number of total registered corporations	Number of new registrations
1990–91	1244	220
1991–92	1474	230
1992–93	1772	298
1993–94	2076	304
1994–95	2389	313
1995–96	2654	265
1996–97	2816	162
1997–98	2999	183
1998–99	2853	128
1999–00	2703	183
2000–01	2709	171
2001–02	2783	187
2002–03	2861	183
2003–04	2713	134
2004–05	2585	120
2005–06	2529	102
2006–07	2552	111
2007–08	2605	84
2008–09	2723	125
2009–10	2210	163
2010–11	2286	187
2011–12	2391	173
2012–13	2488	155
2013–14	2596	163

Table 3: Location of registered corporations by region as at 30 June 2014

Region	Number of corporations
Adelaide	48
Alice Springs	296
Bourke	27
Brisbane	101
Broome	120
Cairns	210
Ceduna	8
Coffs Harbour	148
Darwin	123
Derby	95
Dubbo	25
Geraldton	55
Kalgoorlie	40
Katherine	87
Kununurra	162
Mount Isa	61
Nhulunbuy	33
Perth	166
Port Augusta (includes APY Lands)	58
Queanbeyan (includes ACT)	59
Rockhampton	60
Roma	38
South Hedland	92
Sydney	86
Tamworth	54
Tasmania	22
Tennant Creek	60
Townsville	63
Torres Strait Islands	61
Victoria	87
Wagga Wagga	51
Total	2596

The following table outlines ORIC’s registration and support services from 2002–03 to 2013–14.

Table 4: Registration and support services 2002–03 to 2013–14

	02–03	03–04	04–05	05–06	06–07	07–08
REGISTRATION AND SUPPORT SERVICES						
Incorporations						
Applications received	211	160	120	110	107	116
Applications actioned**	205	143	134	123	143	108
approved	183	134	120	102	111	84
refused	—	—	—	1	2	5
lapsed/withdrawn	22	9	14	17	30	19
Rule book change requests						
Requests received	138	122	116	92	126	97
Requests actioned**	127	114	131	127	160	85
approved	94	106	112	92	124	55
refused	22	4	4	9	5	30
lapsed/withdrawn	11	4	15	20	31	—
Corporation name change requests						
Requests received	20	26	27	11	5	12
Requests actioned**	16	18	25	15	27	9
approved	8	14	18	9	16	6
refused	2	—	2	0	1	3
lapsed/withdrawn	6	4	5	6	10	—
Change of corporation contact and officer details						
Change requests received	n/a	n/a	n/a	n/a	n/a	345
Change requests applied to the public register**	n/a	n/a	n/a	n/a	n/a	284
Annual general meeting extensions and other exemptions						
Matters finalised**	—	104	137	197	162	97
Written inquiries received						
Inquiries finalised**	622	634	682	882	897	919

	08–09	09–10	10–11	11–12	12–13	13–14
REGISTRATION AND SUPPORT SERVICES						
Incorporations						
Applications received	148	172	176	164	162	166*
Applications actioned**	133	188	197	183	163	175
approved	125	163	187	173	155	163
refused	0	6	7	7	5	10
lapsed/withdrawn	8	17	3	3	3	2
Rule book change requests						
Requests received	411	187	166	159	163	213
Requests actioned**	400	220	174	163	163	226
approved	376	204	164	158	153	216
refused	24	14	10	5	10	10
lapsed/withdrawn	0	0	0	0	0	0
Name change requests						
Requests received	48	24	29	17	17	22
Requests actioned**	45	25	30	18	19	23
approved	38	23	28	18	17	23
refused	7	2	2	0	2	0
lapsed/withdrawn	0	0	0	0	0	0
Change of corporation contact and officer details						
Change requests received	853	640	738	811	821	852
Change requests applied to the public register**	803	636	721	797	812	852
Annual general meeting extensions and other exemptions						
Matters finalised**	236	312	348	448	431	379
Written inquiries received						
Inquiries finalised**	1080	3427	2919	3014	2337	2319

NOTES: *Of these 166 applications eight were for organisations transferring their registration from other jurisdictions.

**Some services finalised during the financial year were initiated in the previous year.

Quick summing up

In 2013–14:

163 new corporations registered under the CATSI Act, representing a slight increase from the 155 corporations that registered last year. This included eight transfers of incorporation to the CATSI Act from other incorporation legislation.

216 requests for rule book changes were approved, representing a 41 per cent increase from the number of rule book changes approved last year.

852 forms of 'notification of a change to corporation officers' details' and 'notification of a change to corporation address and/or contact details' were entered on the public Register of Aboriginal and Torres Strait Islander Corporations, compared to 812 last year.

379 annual general meeting (AGM) extensions and exemptions were granted by the Registrar. Under the CATSI Act the Registrar can take into account the special circumstances and needs of Aboriginal and Torres Strait Islander corporations.

2,319 written inquiries from corporations were finalised. These included inquiries about registration assistance, requests for information, support and referrals.

DISPUTE MANAGEMENT

During 2013–14 ORIC helped to resolve 38 disputes.

One of the Registrar’s statutory functions is to assist with disputes involving Aboriginal and Torres Strait Islander corporations and to help them find a resolution.


ORIC’s dispute management service can support corporations by providing:

- an advisory opinion—this is a formal letter from the Registrar giving an opinion about how the CATSI Act and the corporation’s rule book applies to a matter or set of circumstances
- dispute management workshops
- advice—by telephone, face-to-face or email
- conferencing and small group problem-solving facilitation
- representatives to call, attend and chair general meetings
- recommendations for rule book amendments to ensure that a good dispute resolution process is in place.

If a dispute within a corporation is managed with care and in the right way it can serve as a mechanism against corporate governance failure. ORIC works with all parties involved and tailors its responses to suit a corporation’s individual needs. ORIC also helps to build capacity within corporations so that they are better able to manage disputes in the future, should they occur.

The Registrar treats all disputes with sensitivity and takes into consideration the culture and traditions of Aboriginal and Torres Strait Islander people.

ORIC has a fact sheet, *Dispute resolution*, and a policy statement, *PS-22: Disputes involving corporations*, available on its website.



It is often the case that when a corporation comes through a well-managed dispute management process it is stronger and healthier for it.



CASE STUDY: Joining of ORIC services (special administration and dispute management)—Muluridji Tribal Aboriginal Corporation RNTBC (ICN 7580)

The Muluridji Tribal Aboriginal Corporation RNTBC, based in Far North Queensland, was incorporated on 5 July 2011. The corporation holds native title on behalf of the Muluridji people.

The Federal Court made two consent determinations recognising the Muluridji people's native title rights and interests to 12,030 hectares of land and waters in and around Mareeba and to its north-west. The area includes the Hann Tableland National Park, Mareeba Tropical Savannah, Wetland Reserve and unallocated state land, pastoral leases and other reserve lands.

Between April 2012 and June 2013 the corporation faced serious governance issues and, with ongoing conflicts between family groups, was in a state of disarray.

In August 2013 the Registrar ordered an examination of the corporation's books and records (under section 453-1 of the CATSI Act) which subsequently identified a number of serious deficiencies in corporate governance and financial management.

On 26 September 2013 a 'show cause notice' was issued to the corporation and on 9 December 2013 (under section 490-1 of the CATSI Act), the Registrar appointed a special administrator.

Over the ensuing months, with the assistance of the special administrator, ORIC held family group dispute resolution workshops designed to help the two clashing groups within the corporation to negotiate a workable agreement.

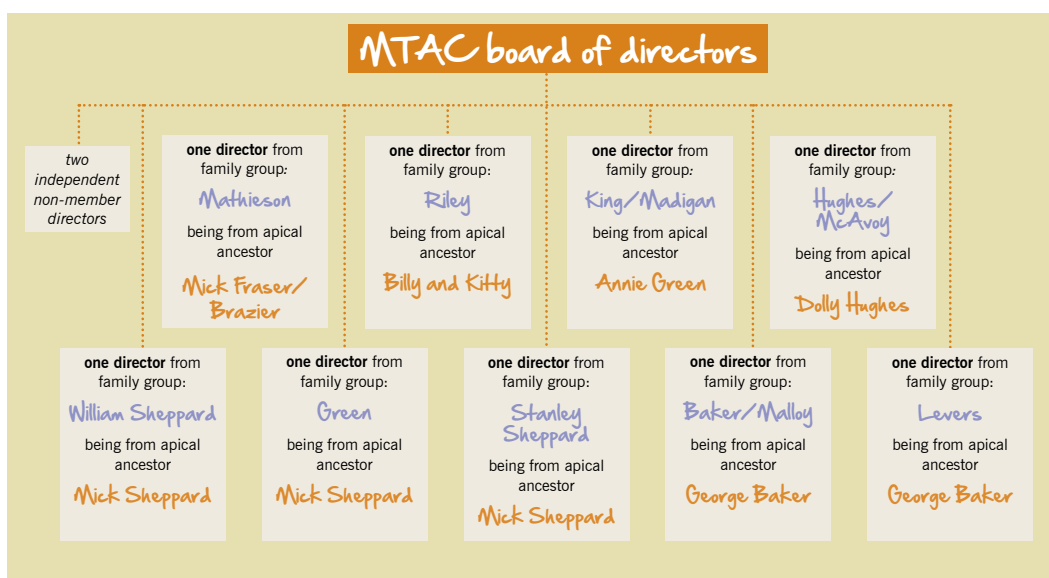
During the workshops, the traditional owners unpicked the issues that were interfering with the proper governance of the corporation, including:

- membership
- ongoing conflict between family groups
- governance
- the rule book. Many members thought that the rule book should be much clearer about membership eligibility, the role of the directors and how they were appointed. Equally, everyone wanted to make sure that the traditional owners' native title rights and interests were properly protected.

By the end of the sessions the family groups agreed that:

- the seven apical ancestors identified in the consent determination were to remain as the cornerstone for determining the eligibility of new members
- a committee of elders was to be established to be part of consultations and to be supported by the directors
- there were nine family groups
- representatives from the family groups would be the member directors of the corporation
- the directors were to consult with their family group members
- two independent non-member directors were to be appointed
- good governance practices must be built into the rule book.

On 16 May 2014 the special administration ended and the corporation was set to move forward as the native title representative body for the Muluridji people.





CASE STUDY: Successful dispute management process—Koongie Elvira Aboriginal Corporation (ICN 72)

Koongie Elvira Aboriginal Corporation in Halls Creek, Western Australia, was registered on 2 June 1980. Until 2015 it holds two pastoral leases for the Koongie Park Station and Elvira Station and a 99-year freehold land lease for the community land.

The Koongie Elvira Aboriginal Corporation provides a strong economic base for the Halls Creek community.

On 23 October 2013 the directors of the corporation wrote to the Registrar requesting the appointment of a special administrator because of ‘significant financial and governance difficulties’. However, rather than placing the corporation under special administration the Registrar was of the view that the corporation would be better served by going through a dispute management process.

First ORIC identified three key issues affecting the corporation’s governance:

- risks associated with the corporation losing its two pastoral leases and future financial viability
- two previous members engaging legal representation and issuing the corporation with a letter of demand in relation to changes to the corporation’s membership base
- rule book amendments in June 2009 which disadvantaged a number of the eligible family groups.

Second ORIC invited the corporation’s directors and the two ex-member disputants to participate in a two-day dispute resolution workshop at Halls Creek in April 2014.

The workshop was a facilitated process designed to:

- identify and define the disputes
- understand the disputes
- analyse the causes and consequences of the disputes
- negotiate solutions and options so the corporation could move forward in a positive direction
- promote communication between directors and members
- provide information and guidance on the corporate governance matters affected by the disputes.



The key outcomes verbalised and agreed to by the directors and disputants included:

- development of an action plan to address key financial, operational and governance issues
- more effective communication between family groups and a commitment to work amicably towards achieving positive results
- implementation of rule book amendments to resolve critical issues, such as those disadvantaging certain family groups.

ORIC assisted by:

- finalising the action plan in conjunction with the parties participating in the workshop
- preparing a draft of a letter sent to the legal firm engaged by the former members outlining the outcomes of the workshop
- preparing a draft rule book with amendments for further consideration by the directors and members.

As a final step ORIC set up a monitoring process to make sure that the agreed outcomes (as set out in the action plan) were implemented to secure for the corporation a sustainable future.



COMPLAINTS ASSISTANCE

One of the functions of the Registrar under the CATSI Act is to assist with complaints involving Aboriginal and Torres Strait Islander corporations.

ORIC finalised 750 complaints during 2013–14, which represents a 13 per cent increase from the previous year.

On average, ‘straightforward complaints’ were answered within two working days, ‘detailed complaints’ were finalised in an average of 10 days, while the most ‘complex complaints’, which often required considerable background research and follow up with third parties, were resolved in an average of 48 days.

Possible reasons for the slight increase in the number of complaints include:

- increased awareness within communities and corporations that ORIC offers a complaints service
- increased exposure in the general media about the Registrar’s activities, particularly the reporting of successful prosecutions
- improved understanding of corporate governance among corporation members, directors and staff (due to ORIC’s training programs in corporate governance).

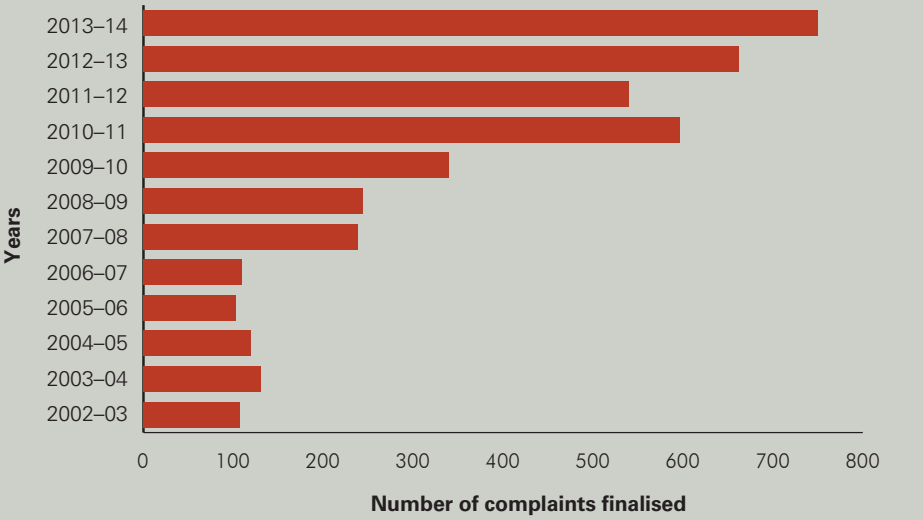
As part of its complaints handling process, ORIC also assists those who are complained about (that is, the subjects of complaints) by providing:

- governance information and advice
- information on what constitutes a breach of the CATSI Act or a corporation’s rule book, and how to rectify the breach
- options that may help to resolve the concerns raised in a complaint
- information to members on rights and responsibilities under a corporation’s rule book.

Over 2013–14, ORIC received most complaints about ‘the actions taken by directors and other officers (including senior staff)’. The second most common area of complaint in 2013–14 was a ‘failure of directors to call general meetings’ and the third was ‘lack of financial information available to members’.

ORIC has produced a fact sheet, *Complaints involving corporations*, and a policy statement, *PS-02: Complaints involving corporations*, which are available on its website.

Figure 5: Number of complaints finalised by the Registrar 2002–03 to 2013–14



When complainants allege fraud or misappropriation of funds at a corporation ORIC first of all asks for evidence to support the allegations. ORIC can only take action if there is sufficient evidence.

Cases are reported on the ORIC website where the Registrar has secured a successful outcome of a prosecution for fraud or 'misuse of position'.

Complaints can serve a useful purpose. They can be a barometer for the issues affecting corporations.

NOTE: An overview of complaints involving corporations submitted to the Registrar is published every six months and is available on the ORIC website under 'News and reports/statistics'.

Sometimes ORIC can't assist

One of ORIC's most important roles is assisting members and other stakeholders to understand the requirements of the CATSI Act and what's in a corporation's rule book.

An area however that can sometimes prove difficult is when people question the actions of directors and other officers of a corporation.

Membership applications. ORIC often receives complaints about the CATSI Act requirement that the directors of the corporation decide upon applications for membership (Division 144). Applicants who have been denied membership by the directors sometimes believe ORIC can, and should, instruct a corporation's directors to make them a member. This is not the case. ORIC can neither prescribe who are members nor assist individuals who have been denied membership, except in limited circumstances.

Where membership applications are not processed within a reasonable period ORIC may write to the directors to urge their completion. Yet it should be noted that where eligibility needs to be verified the process can sometimes take considerable time.

In other cases where directors fail to respond to applicants or the applications have stalled, ORIC will consider if the directors are in breach of their directors' duties.

Giving direction to corporation staff. Although ORIC is often asked by corporation members and directors to give direction to corporation senior staff, it cannot do this.

Under the CATSI Act, the directors are appointed by the members to manage a corporation's business (section 274-1). They, in turn, appoint the CEO or manager who is responsible for the corporation's day-to-day operations, including meeting legislative requirements, complying with funding agreements, and managing junior staff.

If there is an issue with the CEO/manager it is the responsibility of the directors to deal with it. Members who have concerns about the CEO/manager should raise their concerns with the directors.

Clients who have concerns or complaints about the corporation's services should use the corporation's client feedback mechanisms (which are often governed by funding agreements).

Members concerned about the directors' method or style in managing senior staff can consider removing the directors and replacing them with others whose approach may be more in keeping with their own. A general meeting needs to be specially called for the purpose.

ORIC's fact sheets *Members' rights* and *What's in the corporation's rule book* deal with members' requests for meetings and the removal of directors. Both are available at www.oric.gov.au/resources.

NOTE: Corporation directors should not take action against any employee without first obtaining advice from their legal advisers or, at the very least, from the Fair Work Commission. If directors don't comply with the terms in employment contracts or with industrial relations laws they could risk exposing the corporation to legal action.

CASE STUDY: Directors take on a tough job


In October 2012, the chairperson of a corporation based in North Queensland informed ORIC that its CEO was taking corporation money for personal use. The directors discovered the fraud when the CEO failed to provide them with accurate financial reports. When confronted the CEO stood down but the directors viewed the matter too serious to be left there and reported it to the police.

In September 2013, the CEO received a three-year sentence for stealing a total of \$63,953 from the corporation over a three-year period.

The Registrar commends the action of this corporation which is a shining example of directors knowing their roles and responsibilities and taking them very seriously. As soon as they were aware that their CEO was giving them misleading financial information they took the hard decision of reporting the matter to the police.

The case clearly exemplifies corporation directors carrying out their duties conscientiously and, by taking action, ensuring that their corporation was not exposed to further risk.

ORIC's complaints team helped the corporation by providing information on how to manage governance issues—for example, managing conflicts of interest, how to change the corporation's rule book and how delegations work.



Without reliable information and honest and transparent processes the directors' job of maintaining good governance standards becomes impossible.

REGIONAL OPERATIONS

During 2013–14 ORIC expanded its regional operations by opening three new offices—one in Broome, Western Australia, one in Darwin, Northern Territory, and a third in Adelaide, South Australia.

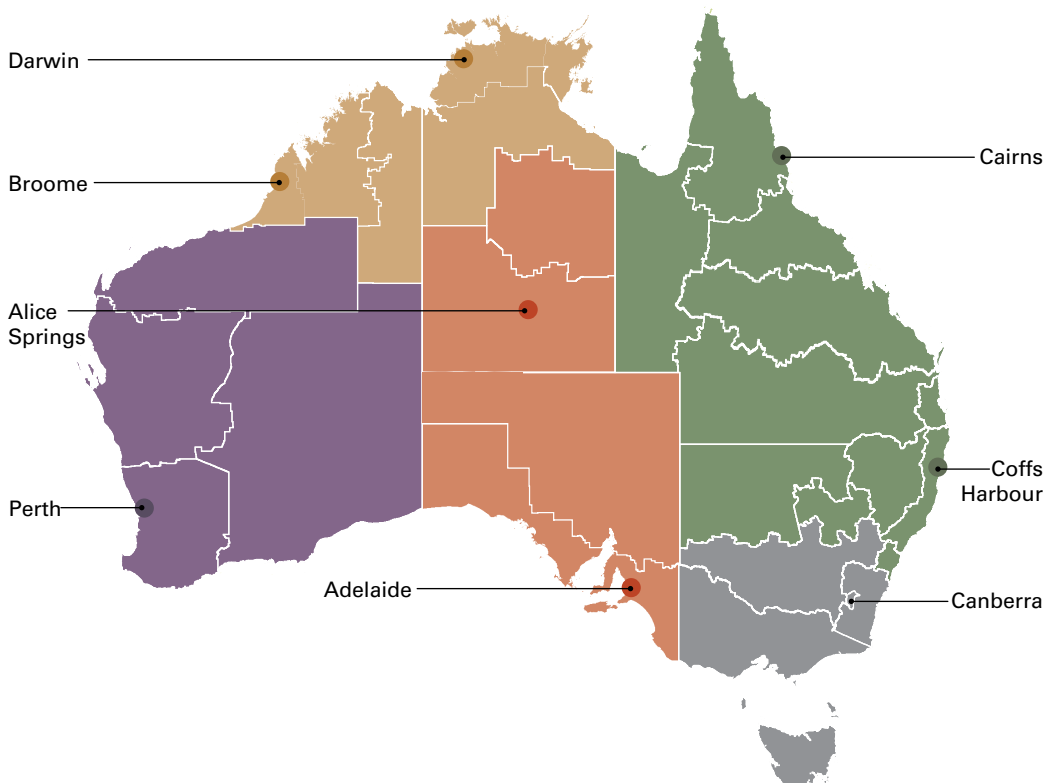
ORIC now has offices in Coffs Harbour, New South Wales; Cairns, Queensland; Alice Springs and Darwin in the Northern Territory; Perth and Broome in Western Australia, and, on a short-term basis, Adelaide in South Australia.

These offices support the following regional network:

ORIC offices	Regions supported
Coffs Harbour and Cairns offices	Coffs Harbour, Dubbo, Bourke, Sydney, Tamworth, Brisbane, Rockhampton, Roma, Cairns, Townsville, Mount Isa, and Torres Strait
Alice Springs and Adelaide offices	Alice Springs, Tennant Creek, Adelaide, Ceduna, Port Augusta (including APY Lands)
Darwin and Broome offices	Darwin, Katherine, Nhulunbuy, Broome, Derby, Kununurra
Perth	Perth, Geraldton, Kalgoorlie, South Hedland

The national office supports the entire regional network as well as covers:

Canberra (national office)	Queanbeyan, Wagga Wagga, Victoria and Tasmania
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COFFS HARBOUR regional office, New South Wales

After five years, the office in Coffs Harbour is ORIC's longest running regional office and is a well-established presence in the local area. Over the past year the regional manager has interacted with a large number of corporations across New South Wales and as far north as Rockhampton, Queensland. Some typical activities include providing reporting assistance, training, and guiding the registration of new groups under the CATSI Act.

There is no doubt that face-to-face contact makes a difference. Directors and members of corporations in New South Wales appreciate the fact that they can gain easy access to ORIC's support services and are encouraged to ask questions and seek governance advice.



Christian Lugnan,
regional manager,
Coffs Harbour

CASE STUDY: Corporation specific training (CST)— Ngurrala Aboriginal Corporation (ICN 2365)

Every couple of years Ngurrala Aboriginal Corporation, which is nestled in the green hills near Bowraville, New South Wales, requests governance training from ORIC. The corporation recognises the benefit of refreshing its corporate governance knowledge and sharing a training opportunity with its newer directors.

In March 2014 the Coffs Harbour regional manager went to Bowraville to present some 'corporation specific training'—often referred to as a 'CST'. On this occasion the training's focus was on 'roles and responsibilities of directors' and the 'separation of roles' between the board of directors and the operational arm of the corporation.

'I found that the directors had an excellent, respectful working relationship with the CEO,' said Christian Lugnan, ORIC's Coffs Harbour regional manager. 'It had developed through maintaining strong communication lines and an independence from each other's roles. I was able to emphasise the importance of keeping to these clear boundaries.'



Directors of Ngurrala Aboriginal Corporation with Christian Lugnan

As the workshop went on, it emerged that the two arms of the corporation thought that they needed to engage more with their younger members. They discussed establishing a youth sub-committee and also considered offering the younger members experience in governance meetings. As a result, ORIC's regional manager explained the steps to allow for a youth sub-committee in the corporation's rule book.

CAIRNS regional office, Queensland

The Cairns regional office has been operating since 2012 and covers a diverse area extending as far north as the Torres Strait and as far south as Sarina. Over 2013–14, there has been a noticeable increase in the demand for ORIC's support services among local corporations.

Easy and direct access to ORIC staff has allowed locally-based corporations to obtain quick responses to their queries. More corporations have gained a wider understanding of corporate governance, the importance of their rule books and how to make rule book changes.



Jennifer Reuben and Mavis Napatali
regional officers, Cairns

CASE STUDY: Training workshop with the Batavia Traditional Owners Aboriginal Corporation (ICN 7538)

In November 2013, at the invitation of the Queensland Government, Cairns regional officers Jennifer Reuben and Mavis Napatali travelled to Bamaga, a small town about 40 kilometres from the northern tip of Cape York. They were there to give a presentation at a two-day governance training workshop.

Eight directors from the Batavia Traditional Owners Aboriginal Corporation attended the workshop as well as three staff members from the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs, and one from the Department of National Parks, Recreation, Sport and Racing. The corporation has three clan groups: Kaanju, Yinwum and Atambaya and nine directors—three from each of the clan groups—and covers an area that includes Injinoo, Bamaga, Lockhart, Coen and Mapoon.

The regional officers went through the roles and responsibilities of directors and answered questions. 'I think the directors got a lot out of it and we received some very positive feedback,' said regional officer Jennifer Reuben. 'It was a worthwhile experience.'



The workshop was hosted by the Queensland Government's Department of Aboriginal and Torres Strait Islander and Multicultural Affairs

ALICE SPRINGS regional office, Northern Territory **ADELAIDE regional office, South Australia**

The Alice Springs regional office was established in 2011 and now is an integral part of ORIC's growing regional network. It serves the lower area of the Northern Territory and, in conjunction with ORIC's Adelaide office, the whole of South Australia.

The offices in Alice Springs and Adelaide deliver a wide range of services, including training to individual corporations, assistance with rule book changes, complaints handling, transfers of registration to the CATSI Act and the registering of new corporations.



**Bob Turner, regional manager,
Alice Springs and Adelaide.**



**George Donaldson, regional officer,
Alice Springs**

CASE STUDY: Getting started—Far West Coast Aboriginal Corporation RNTBC (ICN 7985)

The Far West Coast Traditional Lands Association Incorporated transferred its registration from South Australia's *Associations Incorporation Act 1985* to the CATSI Act in December 2013 under the name of Far West Coast Aboriginal Corporation. The Alice Springs regional officers met with the corporation in January 2014, which was about the time that the CEO and chairperson were preparing for the corporation's first general meeting.

The regional officers held discussions with the corporation on a variety of matters, including correct meeting procedures—for example, drafting a 'meeting notice', chairing the meeting, and deciding on appropriate travelling expenses for the members.

In February 2014 the corporation applied to ORIC to add RNTBC to its name after the Federal Court made a native title determination in December 2013 in favour of the Kokatha, Mirning and Wirangu people in South Australia. The initials stand for registered native title body corporate.

In providing assistance, the regional officers stressed the importance of referring to the corporation's rule book and becoming familiar with its contents—and they have since followed up by providing advice and information on corporate governance requirements.

'Getting this corporation started under the CATSI Act was very rewarding,' said Bob Turner, ORIC's Alice Springs regional manager. 'This was new legislation for the members. We were pleased we could help the corporation transition smoothly and become familiar with its new reporting obligations. We also emphasised the importance of knowing the corporation's rule book.'



Hannah Roe, regional manager, Darwin

DARWIN regional office, Northern Territory

The opening of ORIC’s Darwin regional office in October 2013 was highly anticipated and it has quickly established a firm presence in the Top End. The demand for ORIC locally-based services in the region has been strong for some time.

From the outset the regional office has concentrated on providing hands-on support to local corporations, ranging from helping with governance difficulties to assisting with reporting obligations. A particular focus has been working with the ORIC recruitment assistance (ORA) service to help recruit skilled senior managers and independent directors to corporations.

Improvisation is the name of the game. Using a car bonnet as a makeshift whiteboard in a training session at Nganambala community (Emu Point) for the Mulyung Aboriginal Corporation, May 2014



CASE STUDY: Recruiting independent directors—Miwatj Health Aboriginal Corporation (ICN 1409)

Miwatj Health Aboriginal Corporation is a large corporation based in Nhulunbuy in the Northern Territory. It provides primary health services to Aboriginal people living in communities throughout East Arnhem Land. In January 2014 Miwatj Health Aboriginal Corporation sought assistance through ORIC’s recruitment assistance (ORA) service to recruit two independent directors to its board.

Once the corporation specified the specialist skills it was seeking, ORIC stepped in to help with the recruitment process. Expressions of interest for the two independent directors’ positions were advertised in local newspapers, on ORIC’s website under ‘corporation jobs’, on the Australian Institute of Company Directors (AICD) website, and in FIDIO (Forum for Independent Directors and Officers of Indigenous Organisations). In May 2014 Darwin’s regional manager travelled to Nhulunbuy to support the members of the selection panel as they conducted interviews.

‘I spent a most interesting two days with the corporation’s directors and selection panellists making sure we were following the recruitment process properly and were getting the most out of it,’ said ORIC’s Darwin regional manager, Hannah Roe. ‘A great deal hung on making sure we got it right.’

Two applicants were successfully appointed to the independent director positions for a two-year period.



Sid Michels,
regional officer, Broome

BROOME regional office, Western Australia

The Broome regional office, which also opened its doors for the first time in October 2013, provides services to the Kimberley (including around Broome, Derby, and Kununurra). As more people have become aware of ORIC's presence in northern Western Australia demand for ORIC's services has steadily grown.

The Broome regional officer has delivered training to a number of corporations and has assisted many more with their reporting obligations.



Regional officers have to be ready for anything, including breakdowns on the Cape Leveque Road, Kimberley, February 2014

CASE STUDY: New registration—Beagle Bay Futures Indigenous Corporation (ICN 8048)

Beagle Bay Futures Indigenous Corporation is a newly registered corporation based in Beagle Bay on the Dampier Peninsula, Western Australia. The corporation was established to offer a central point of contact for the delivery of services to the community. The need was identified by the local area coordinator (from the Remote Service Delivery Local Operations Centre) while conducting governance activities.

ORIC's Broome regional officer provided information and support about registering the new corporation under the CATSI Act and developing its rule book. He also attended several meetings in both Broome and Beagle Bay, and made himself available to the local area coordinator as the registration drew close.

'As well as helping to draft the rule book I proposed a possible structure for the corporation's board of directors that could be put to the members,' said ORIC's Broome regional officer, Sid Michels. 'It was important to make sure that the structure was a fair representation of the community.'

ORIC's Broome regional officer will continue to support the corporation with CST training and on-the-ground governance support.



Arthur Hyde, regional manager, Perth

PERTH regional office, Western Australia

The Perth regional office has been in operation for over two years and is now a well-known and welcome presence in the region. It is used not only by local corporations but also by stakeholders, such as government agencies, non-government organisations and the business community.



Training in the Tjuntjuntjara community, March 2014



CASE STUDY: Revitalisation project—Katanning Aboriginal Corporation (ICN 805)

The Katanning Aboriginal Corporation located in the Great Southern region of Western Australia was set up some 25 years ago to improve the general welfare and standard of living of the local community. For some years however it had been inactive.

In September 2013 the Katanning Governance and Leadership Project was established to support the Katanning Aboriginal community.

Revitalising the local corporation was essential to the success of the project, which was jointly supported by the Perth Indigenous Coordination Centre (ICC) and the Shire of Katanning. ORIC was asked to provide governance support as part of the project's commitment to capacity building.

ORIC's Perth regional office helped Katanning Aboriginal Corporation by:

- attending the corporation's AGM and other meetings with the directors and the project's consultant
- assisting the new directors to understand their duties, roles and responsibilities
- conducting regular discussions with the Perth ICC to monitor progress and identify areas of 'cooperative engagement'.

At the AGM new directors were elected who wanted to move the corporation forward and who were also interested in using ORIC's support services. Further, the corporation's directors saw the value in participating in the Katanning Governance and Leadership Project.

'The improvements at the corporation are tangible,' said ORIC's Perth regional manager, Arthur Hyde. 'And it's heartening to see it is now focused on taking a leading role in the community.'

ORIC will continue to offer the corporation assistance from its Perth regional office. It will help make the corporation a role-model of strong governance and leadership within the Aboriginal community of Katanning and across the Great Southern region.

REGULATION

Examinations

An examination is a review of a corporation's standard of corporate governance and financial management. It checks that a corporation is being governed in accordance with the CATSI Act (including its regulations and applied *Corporations Act 2001* provisions) and its rule book (constitution), and that the directors are fulfilling their obligations.

An examination also checks that a corporation is properly managing its financial affairs. It looks for:

- financial records that correctly record and explain its transactions, financial position and performance, and that enable true and fair financial reports to be prepared and audited
- robust financial management policies and procedures

and it determines the financial position and financial performance of the corporation at the time of the examination.

Examining a corporation's books contributes to the intent of the CATSI Act as a special measure to advance and protect the interests of Aboriginal and Torres Strait Islander people and their respective cultures. As a mechanism, examinations are particularly useful where a corporation is publicly funded, provides essential services, community infrastructure or holds interests in native title.

It's worth noting that examinations are equally effective at revealing corporations that are running well as those that are experiencing financial or governance difficulties. Many corporations welcome the examination process because it confirms that their practices and procedures are up to standard.

For more information see ORIC's policy statement *PS-25: Examinations* available on the ORIC website.

Over 2013–14 ORIC completed 46 examinations as set out in the following table. The number was down from the previous year due to shifting budgetary priorities.

Table 5: Examinations by state/territory 2013–14

Location by state/territory	Number of corporations
Australian Capital Territory	0
New South Wales	5
Northern Territory	8
Queensland	14
South Australia	6
Tasmania	1
Victoria	4
Western Australia	8
Total	46

The 2013–14 examination program focused on the following activity areas:

Table 6: Examinations by activities 2013–14

Activities	Number of examinations
Health services	9
Registered native title bodies corporate (RNTBCs)	8
Other native title	6
Community stores	3
Community services	3
Art centres	3
Health and aged care services	2
Housing	2
Legal services—community or family violence	2
Remote Jobs and Communities Program (RJCP)	2
Business	2
Community councils	1
Employment and training	1
Land management	1
Education/schools	1
Total	46

Outcomes of examinations

The outcomes of the 46 examinations conducted over 2013–14 were as follows:

- 12 corporations (26 per cent) were found to be operating well and required no further action. They were each sent a management letter.
- 26 corporations (57 per cent) were required to rectify less serious matters which were settled through the issue of a compliance notice under section 439-20 of the CATSI Act.
- seven corporations (15 per cent) had serious findings and were issued with 'show cause notices' under section 487-10 of the CATSI Act. These corporations were required to explain (in other words, to show cause) why they should not be placed under special administration.
- one corporation was asked to seek advice about a possible insolvent position.

Table 7: Outcomes of examinations 2010–11 to 2013–14

Examination outcome	2010–11	2011–12	2012–13	2013–14
Management letters	29	19	22	12
Compliance notices	34	31	26	26
Show cause notices	7	9	1	7
Other	2	2	2	1
Total	72	61	51	46



CASE STUDY: Examination of Barengi Gadjin Land Council Aboriginal Corporation RNTBC (ICN 4395)

The Barengi Gadjin Land Council Aboriginal Corporation RNTBC is based in Horsham, Victoria, and represents traditional owners from several clans in the Wimmera, western Victoria. The Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk family groups were recognised in the Native Title Consent Determination of March 2005, the first in south-eastern Australia.

On 17 June 2013 the corporation's CEO, on behalf of the directors, asked the Registrar to conduct an examination of the operational and financial management of the corporation, and its governance standards.

The corporation was in a period of transition due to changes to its board of directors and senior staff. Consequently there was a view that an independent examination or 'review' of the governance and finances of the corporation was timely. In addition, an examination would help inform the corporation's business planning, particularly as it also had a number of subsidiary companies and trusts to consider.

On 19 July 2013, the Registrar told the corporation that an examination of its books and records would take place in September 2013.

In October 2013 when the examiners submitted their report to the Registrar it listed a number of instances where the corporation had not complied with the CATSI Act or its rule book.

The examination also revealed that the corporation's former CEO had pursued several unsuccessful business ventures through one or more of the corporation's four subsidiaries and trusts. Further, they may have been set up without the authority of the directors, and by using funding (\$794,000 plus GST) provided for another purpose.

On 14 November 2013 the Registrar notified the corporation of his intention to issue a compliance notice under section 439-20 of the CATSI Act. At the same time the Registrar provided the corporation with a draft of the compliance notice together with an invitation to respond to its content.

On 29 November 2013 the corporation replied to the draft compliance notice and a final compliance notice was issued to the corporation on 2 December 2013.



The compliance notice set out each instance of non-compliance with the CATSI Act and the corporation’s rule book, and detailed the actions that the Registrar expected to occur before the corporation could be deemed compliant.

Over the next seven months ORIC monitored the corporation closely to make sure it provided documentary evidence that each of the actions set out in the compliance notice was carried out.

On 11 July 2014 the Registrar wrote to the corporation to advise that it had met all the requirements of the compliance notice and, as such, the monitoring period was officially over.

The Registrar noted that the directors of the corporation had attended to the matters in the compliance notice in a diligent and cooperative way.



Launch of the corporation’s new office, Horsham, Victoria



Special administrations

Special administration is unique to the CATSI Act. It is a special measure that acknowledges the role and circumstances of Aboriginal and Torres Strait Islander corporations.

Special administration is a means by which the Registrar can provide a corporation with regulatory assistance before it is too late. It allows the Registrar to appoint an independent, suitably qualified person (the special administrator) to work with a corporation to fix its internal problems and restore it to good health. Once this is achieved, the special administrator returns control of the corporation to its members.



The Registrar addressing the AGM at Bawinanga Aboriginal Corporation while it was under special administration, October 2013

In all cases the special administrator works in the best interests of the corporation and its members. The aim is to help rectify such problems as short-term financial troubles, poor governance practices or fundamental weaknesses in the corporation's structure.

Special administrations are quite different to receiverships, liquidations or voluntary administrations as defined under the *Corporations Act 2001*, which are usually driven by the interests of creditors. The main aim of a special administration is to return a stronger, healthier corporation to members' control as soon as possible.

Before it is placed under special administration, a corporation is accorded a period of natural justice. Through a 'show cause' procedure it's asked why it should not be put into special administration. The time the corporation takes to respond depends on its particular circumstances but the Registrar usually allows at least 14 days.

The aim of every special administration is to achieve one or both of the following:

- **restore good operational order to the corporation**—usually after a corporation has not complied with a provision of the CATSI Act or its rule book, has experienced financial difficulties or there has been a dispute
- **restructure the corporation**—usually after the directors or members have asked the Registrar to intervene to review governance or organisational structures.

NOTE: The grounds for special administrations are broad. They are not restricted to insolvency or the inability to pay a debt. Section 487-5(1) of the CATSI Act outlines the grounds on which the Registrar can determine to place a corporation under special administration.

Number of corporations placed under special administration

During the 2013–14 year, 11 new special administrations were started and 10 were finished, only one special administration was continued from the previous year, and only two special administrations started in 2013–14 were still in progress as at 30 June 2014.

Seven of the new special administrations (or 63 per cent) in 2013–14 were started after the directors asked the Registrar for assistance.

All of the special administrations (100 per cent) that ended during 2013–14 resulted in the corporation being handed back to its members.

Table 8: Corporations placed under special administration 2013–14

Date appointed	ICN	Corporation Special administrator(s)	Date ended or due date Outcome
16 Sep 2013	16	Mitakoodi Aboriginal Corporation	25 Jun 2014
		Glen Walker	Handed back to members' control
18 Nov 2013	7530	Ngarlan Store Indigenous Corporation	30 Mar 2014
		Austin Taylor and Stuart Reid	Handed back to members' control
9 Dec 2013	7580	Muluridji Tribal Aboriginal Corporation RNTBC	16 May 2014
		Brian Woods	Handed back to members' control
9 Dec 2013	3991	Lhere Artepe Aboriginal Corporation RNTBC	30 Jun 2014
		Gerry Mier and Tony Jonsson	Handed back to members' control
9 Dec 2013	4573	Irlpme Aboriginal Corporation	30 Jun 2014
		Gerry Mier and Tony Jonsson	Handed back to members' control
9 Dec 2013	4575	Antulye Aboriginal Corporation	30 Jun 2014
		Gerry Mier and Tony Jonsson	Handed back to members' control
9 Dec 2013	4576	Mparntwe Aboriginal Corporation	30 Jun 2014
		Gerry Mier and Tony Jonsson	Handed back to members' control
16 Dec 2013	7476	Lagulalya Aboriginal Corporation	31 May 2014
		Austin Taylor and Stuart Reid	Handed back to members' control
17 Dec 2013	1956	Puntukurnu Aboriginal Medical Service Aboriginal Corporation	31 May 2014
		Jack James and Paula Cowan	Handed back to members' control
18 Dec 2013	2379	Southside Housing Aboriginal Corporation	30 Sep 2014
		Frank Lo Pilato and Tony Grieves	Assets to be transferred and corporation deregistered
28 Jan 2014	3630	Bunurong Land Council (Aboriginal Corporation)	18 Jul 2014
		Alan Eldridge	Handed back to members' control

Table 9: Corporation with a special administration continuing from 2012–13

Date appointed	ICN	Corporation Special administrator(s)	Date ended Outcome
31 Oct 2012	29	Bawinanga Aboriginal Corporation	30 Jun 2014
		Gerry Mier and Tony Jonsson	Handed back to members' control



CASE STUDY: Special administration of four traditional owner corporations (ICNs 3991, 4575, 4576, 4573)

Here Artepe Aboriginal Corporation RNTBC (LAAC) holds the native title rights of the Central Arrernte people over Alice Springs. Antulye Aboriginal Corporation, Mparntwe Aboriginal Corporation and Irlpme Aboriginal Corporation represent the three separate clans (estate groups) of the Central Arrernte people. All four corporations are based in Alice Springs.

On 21 November 2013 the Registrar received a letter signed by the directors of all four corporations requesting the Registrar to appoint a special administrator. The directors recognised that they needed external assistance to help them improve standards of corporate governance. The traditional owners were also frustrated about the complexity of the corporations' structures and the lack of transparency in how some of the businesses were being managed in their name.

On 9 December 2013 the Registrar placed the four corporations under special administration and appointed Mr Gerry Mier and Mr Tony Jonsson from the Cairns-based firm of Grant Thornton as the joint and several special administrators.

Their task was to:

- rebuild LAAC's core operations and capacity
- develop and introduce a new group corporate structure which returned ownership and control of the businesses to the traditional owners
- prepare, after full and proper consultations with the traditional owners, new internal governance rules for each of the four corporations
- review and report on the operations and financial position of each of the businesses that had been conducted in the traditional owners' names.

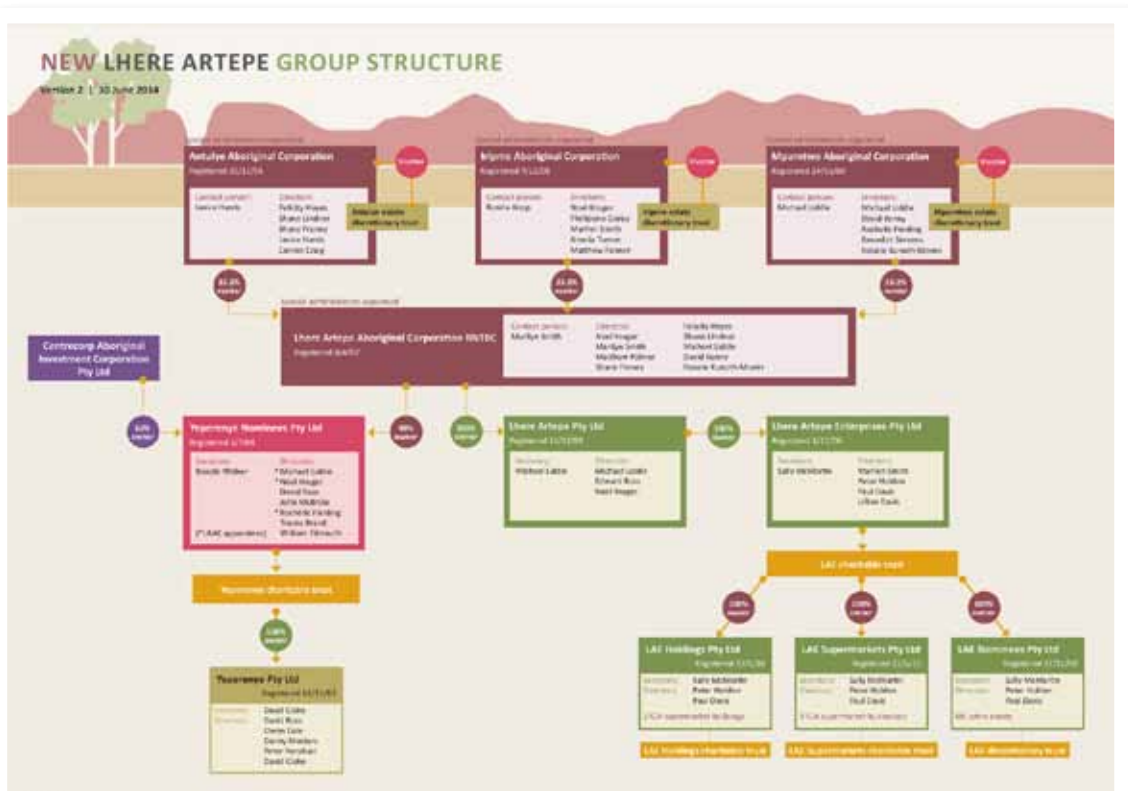
One of the special administrators' first tasks was establishing an advisory group made up of representatives from each of the clan groups. They also established a 'native title working group' to provide cultural authority in dealing with native title matters.

Throughout the special administration, Mr Mier and Mr Jonsson consulted closely with the traditional owners. They also held a number of information meetings to discuss the new group structure. On 28 June 2014, LAAC held its first AGM since 2011 and for the first time in many years the traditional owners were informed about the businesses they owned.

On 30 June 2014 the special administration of all four corporations ended and control was handed back to members, having achieved a number of important outcomes, including:

- payment of outstanding creditors
- revised rule books for LAAC, Antulye Aboriginal Corporation, Mparntwe Aboriginal Corporation, and Irlpme Aboriginal Corporation
- new boards of directors for all four corporations
- proper systems and procedures which allow LAAC to fulfil its native title duties and responsibilities, as required by the CATSI Act, its rules and the *Native Title Act 1993*.

Although not without its challenges, the special administration of LAAC and the three estate group corporations is a clear example of how corporations can benefit from external professional assistance. ORIC will continue to work with the four corporations as they settle into their respective roles in the new group structure.



INVESTIGATIONS AND PROSECUTIONS

Over 2013–14 the Registrar proceeded with a range of criminal and civil litigation to address serious cases of poor governance and breaches of duty under the CATSI Act. A summary of penalties imposed by the courts is maintained on the ORIC website.

Criminal matters

Matters in progress

Veronica Cubillo—*former CEO of North Australian Aboriginal Family Violence Legal Service Aboriginal Corporation*

On 24 October 2013, in the Darwin Court of Summary Jurisdiction, Ms Veronica Cubillo, the former CEO of the North Australian Aboriginal Family Violence Legal Service Aboriginal Corporation was charged with four offences under the CATSI Act. These included not acting in good faith in the best interests of the corporation and misusing her position. Ms Cubillo was also charged with a further eight offences under the Criminal Code of the Northern Territory of forging and uttering documents to obtain a benefit for herself.

Ms Cubillo has been committed to stand trial on 13 April 2015 in the Northern Territory Supreme Court.

Finalised

Sandra Newman—*Orana Aboriginal Corporation*

On 8 November 2013, at Dubbo Local Court in New South Wales, Ms Sandra Gail Newman, the former manager of Orana Aboriginal Corporation, was convicted of a number of offences against the CATSI Act of acting dishonestly. These related to 80 unauthorised payments (totalling \$67,776.85) made to herself from the corporation's funds, and for not acting in good faith in the best interests of the corporation or for a proper purpose. Ms Newman was sentenced to 15 months imprisonment, to be released on a two-year good behaviour bond after serving five months in jail.

Tony Gray—*Durri Aboriginal Corporation Medical Service*

On 9 December 2013, at Port Macquarie Local Court in New South Wales, Mr Tony Gray, the former chairperson of Durri Aboriginal Corporation Medical Service, was convicted of one offence of dishonestly obtaining a financial advantage. Mr Gray was sentenced to 12 months imprisonment, wholly suspended upon his entering a good behaviour bond for 12 months. Mr Gray was also ordered to pay \$4,406.55 in compensation to Durri Aboriginal Corporation Medical Service.

Annual reporting prosecutions—various

During 2013–14 a total of 32 corporations were prosecuted for failing to lodge their annual reports with the Registrar.

Corporations that ignore their regulatory obligations and do not lodge their reports by 31 December risk prosecution, along with secretaries of large corporations. The maximum penalty for each report not lodged is \$21,250 for corporations and \$850 for secretaries.

The Registrar's prosecution program over 2013–14 focused on all corporations, regardless of size, in New South Wales and Victoria that failed to lodge their reports. Fines imposed over 2013–14 amounted to \$75,450.

Civil matters

Commenced/ongoing

Registrar v Paul Pini and Katrina Lucas—QUD 204/14

On 16 May 2014 the Registrar commenced proceedings in the Federal Court, Brisbane, against Mr Paul Pini and Ms Katrina Lucas, former officers of Lagulalya Aboriginal Corporation in the Northern Territory. The Registrar is seeking disqualification orders against Mr Pini and Ms Lucas from managing corporations registered under the CATSI Act. The Registrar alleges that Mr Pini and Ms Lucas mismanaged the corporation's finances that resulted in a trading loss of \$146,560 for 2012–13 and insufficient funds for it to pay its current liabilities.



Investigations take ORIC staff far and wide. John Lukan, an elder in Nama community, about 40 kilometres from Wadeye, with ORIC's Duncan Wallace

Finalised

Registrar v Damien Matcham—*NSD 908 of 2012*

On 5 February 2014, in the Federal Court, Sydney, Mr Damien Matcham, the former CEO of Katungul Aboriginal Corporation Community and Medical Services, was disqualified from managing Aboriginal and Torres Strait Islander corporations and companies registered with the Australian Securities & Investments Commission (ASIC) for 15 years. Mr Matcham was also ordered to pay compensation of \$705,905.07 to the corporation, a pecuniary penalty of \$500,000 to the Commonwealth, and the Registrar's costs. On 25 February 2014 Mr Matcham appealed the decision but withdrew the appeal on 5 August 2014.

Registrar v Leigh Kerkhoffs—*QUD 367 of 2013*

On 18 November 2013, in the Federal Court, Brisbane, Ms Leigh Kerkhoffs, the former chairperson of the Aboriginal and Torres Strait Islander Corporation for Welfare Services (known as ATSIC Welfare Services) was found to have failed to act with due care and diligence and improperly used her position to gain a personal advantage. Ms Kerkhoffs was banned for five years from managing Aboriginal and Torres Strait Islander corporations and companies registered with the Australian Securities & Investments Commission (ASIC), ordered to pay compensation of \$31,414.17 to ATSIC Welfare Services and fined \$50,000. On 12 February 2014, Ms Kerkhoffs appealed the Federal Court's decision. On 23 May 2014 Ms Kerkhoffs's appeal was dismissed and she was ordered to pay the Registrar's costs.

Registrar v John Berto—*NTD 29/2013*

On 19 February 2014, in the Federal Court, Darwin, Mr John Berto, the former CEO of Thamarrurr Regional Authority Aboriginal Corporation, was found to have used his position to make seven unauthorised transfers of funds to another entity. Mr Berto was disqualified from managing companies or Aboriginal and Torres Strait Islander corporations for two years.



Outcomes of prosecutions initiated by
the Registrar are on the ORIC website
www.oric.gov.au/prosecutions-outcomes

NOTE: To see a list of officers disqualified by the court from managing Aboriginal and Torres Strait Islander corporations go to the Register of Disqualified Officers maintained by the Registrar and available at www.oric.gov.au.

Former indigenous medical services boss ordered to pay \$1.2m



In an historic, ground-breaking decision the Federal Court ordered Mr Damien Matcham to pay over \$1.2 million in fines and compensation.

CASE STUDY: ORIC catches big fish—former CEO of health service caught embezzling

Over 2013–14, the proceedings in the Federal Court in Sydney brought by the Registrar against Mr Damien Matcham, the former CEO of the Katungul Aboriginal Corporation Community and Medical Services (Katungul) were successfully concluded. The Registrar began the proceedings in June 2012.

In an historic, ground-breaking decision on 5 February 2014, the Federal Court ordered Mr Damien Matcham to pay over \$1.2 million in fines and compensation.

Mr Matcham was also banned from managing Aboriginal and Torres Strait Islander corporations registered under the CATSI Act or companies registered with the Australian Securities & Investments Commission for 15 years.

In an earlier judgment on 11 September 2013, Justice Jacobson found that Mr Matcham had not exercised due care and diligence, had not acted in good faith in the best interests of Katungul, and had improperly used his position while he was the CEO of Katungul.

In handing down his decision Justice Jacobson said, 'The seriousness of Mr Matcham's behaviour, the abuse of trust which it involved and the absence of any real contrition or appreciation of his wrongdoing, all point toward a lengthy period of disqualification.' Justice Jacobson went on to say, 'Katungul's funds were deliberately misused by Mr Matcham to confer benefits on himself to the detriment of Katungul's charitable objectives.'

Mr Matcham was found to have paid himself unauthorised bonuses and time in lieu payments of more than \$515,000 from 2008 to 2011. He also received unauthorised payments for excess superannuation, recreation leave and other non-salary payments. Further, he incurred personal expenses on Katungul’s credit card and signed a mortgage over a Katungul property to secure a \$200,000 bank overdraft for the corporation.

Katungul is a not-for-profit corporation that provides essential primary and secondary health services to Aboriginal people in the far south coast region of New South Wales.

The Federal Court’s significant decision coupled with the unprecedented scale of the orders in the Aboriginal and Torres Strait Islander corporate sector has sent out a very clear message. ‘Serious consequences must be expected for corporation officers who fail to meet the standards required of them,’ said the Registrar.

On 25 February 2014 Mr Matcham filed an appeal against the orders made by Justice Jacobson but later withdrew it.



ORIC SERVICES



HELPING CORPORATIONS TO RECRUIT STAFF



The Registrar started the ORIC recruitment assistance (ORA) program four years ago (in 2010) to help corporations fill senior positions. The service encourages best practice and builds capacity by supporting corporations to recruit, appoint and retain suitable senior staff.

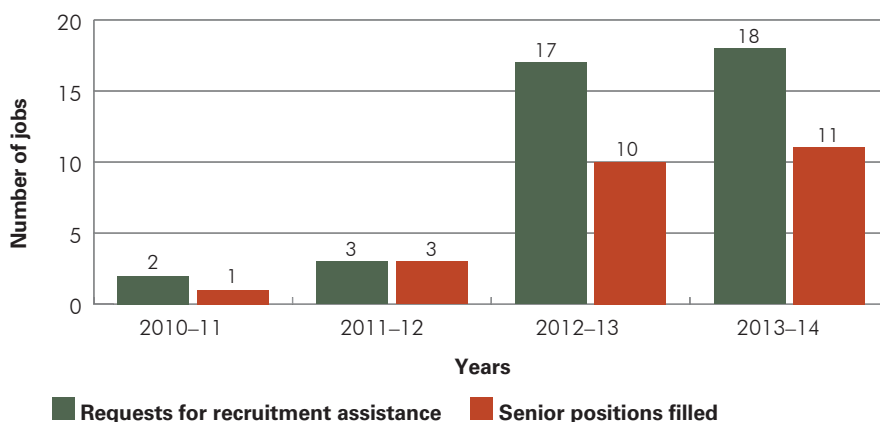
Through the ORA program corporations are supported through each step in the recruitment process, including

- developing a job description package
- advertising the position
- evaluating applicants
- setting up an interview process
- preparing the selection report.

ORIC offers ORA to eligible corporations free of charge (although it is expected that corporations will meet their own advertising costs). Corporations remain responsible for all decisions in the recruitment process, including the final selection of the successful candidate and negotiating a salary package.

In 2013–14 the demand for ORA rose slightly above last year. Eighteen job assistance requests for senior management positions were received through the program and 11 senior staff positions were filled. (Last year the numbers were 17 and 10 respectively).

Figure 6: Number of job assistance requests received through ORA and senior positions filled



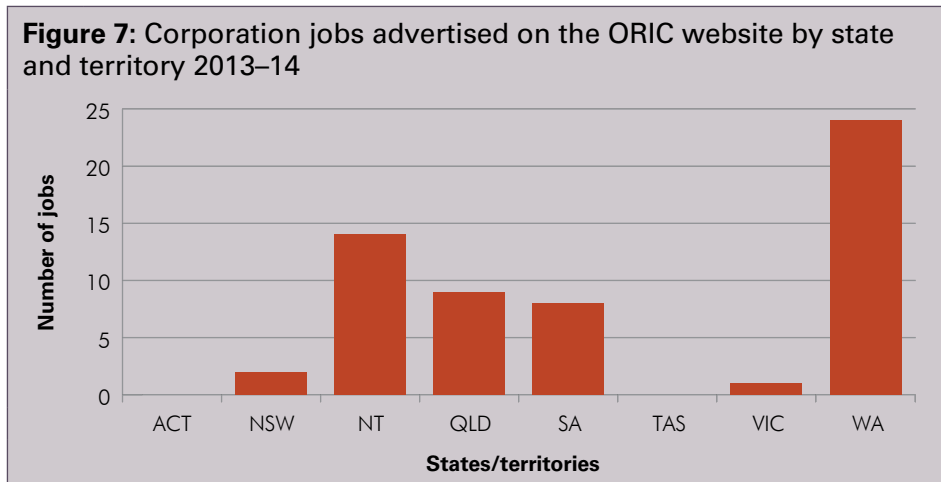
Corporation jobs on the ORIC website

Since 2009 ORIC has offered corporations the chance to advertise their employment opportunities free of charge on the ORIC website.



Over the five years since the service started, 284 jobs have been advertised under 'Corporation jobs' at www.oric.gov.au of which 58 were advertised in 2013–14.

Figure 7: Corporation jobs advertised on the ORIC website by state and territory 2013–14



Handy guides

ORIC has produced a series of short, handy guides about recruitment. Titles include:

- Recruitment process
- How to draft a successful job ad
- How to draft selection criteria
- Checklist for selecting suitable applicants
- Sample interview questions

There are also a number of employment guides:

- Managing performance
- Grievance and dispute resolution
- Termination of employment—small business employers
- Termination of employment—larger employers


Template employment contracts grouped by state and territory as well as summaries of employment conditions and information on relevant industry awards are also available. These documents were developed in 2010 in partnership with the Australian Government Solicitor and can be found on the ORIC website under 'Corporation jobs'.

ELECTRONIC SYSTEMS

ERICCA

The Electronic Register of Indigenous Corporations under the CATSI Act (ERICCA) is a database managed, maintained and updated by ORIC to help the Registrar administer the CATSI Act.

ERICCA includes two public registers which are accessible from the ORIC website—the Register of Aboriginal and Torres Strait Islander Corporations and the Register of Disqualified Officers. ERICCA also allows corporations to access the ORIC online forms lodgment system via the ORIC website.

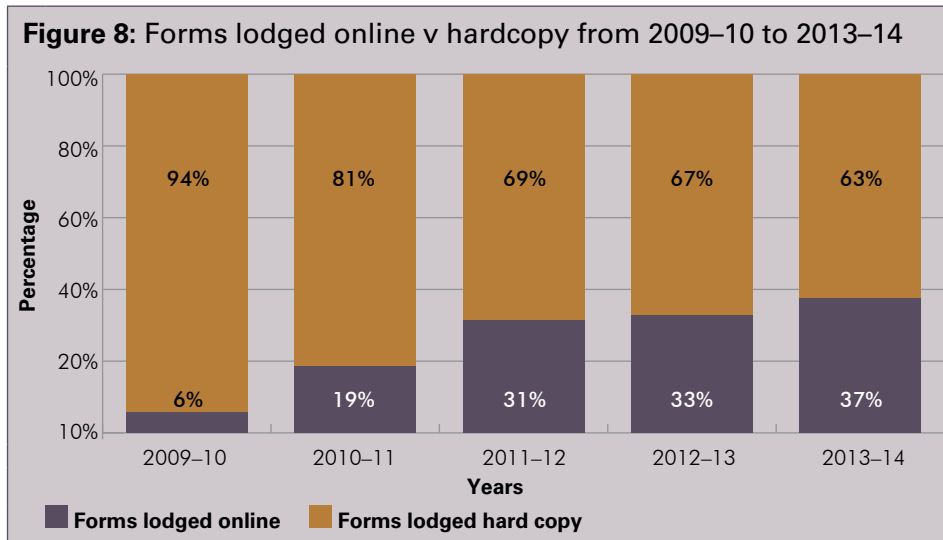


Going through the ORIC online forms lodgment system at <https://online.oric.gov.au> makes lodging forms easier and more convenient for corporations.

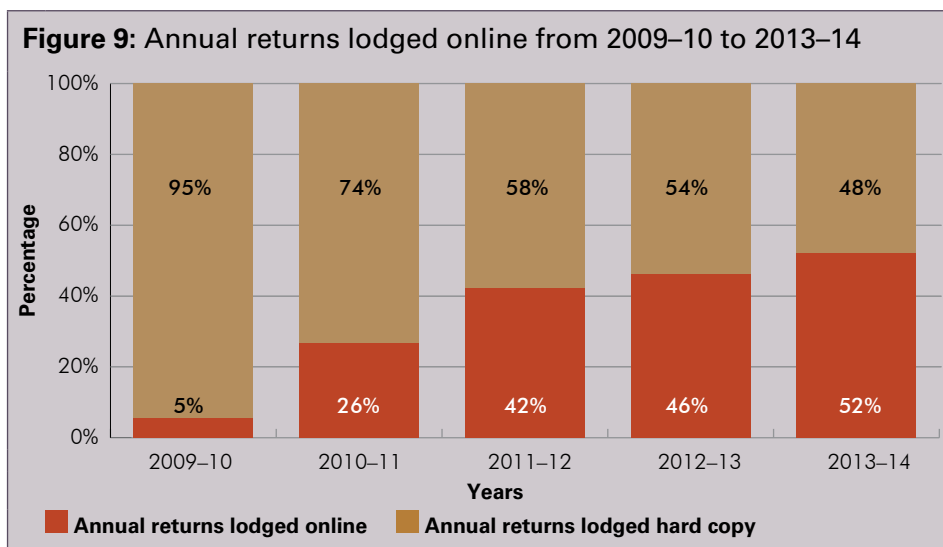
Lodging electronically

In a world of growing reliance on technological efficiencies, it's reassuring that more corporations than ever before are choosing to lodge their forms and annual returns online (rather than by hardcopy through the post or by fax).

In 2013–14, 37 per cent of all forms were lodged with ORIC electronically. This represents a four per cent increase from the previous year.



And 52 per cent of all annual returns were lodged electronically, an increase of six per cent from last year.

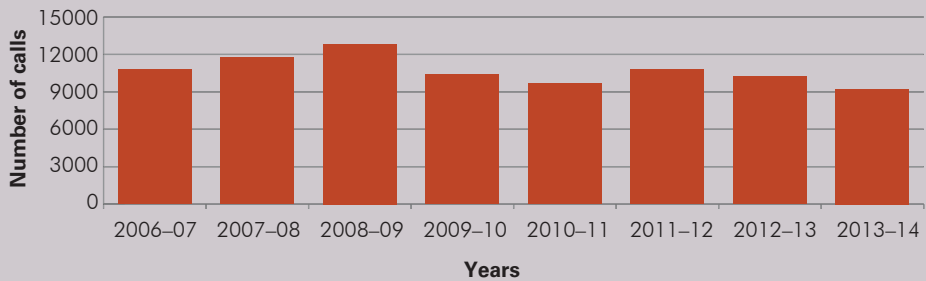


CALL CENTRE OPERATION

Many corporations use ORIC’s freecall telephone service when making initial contact with the Registrar’s office.

In 2013–14 ORIC received 9,228 telephone calls seeking information and advice.

Figure 10: Number of calls to ORIC’s freecall number from 2006–07 to 2013–14



ORIC’s Nattie Bong answers an inquiry at the call centre

LAWHELP

LawHelp was started by the Registrar and a handful of volunteer lawyers in 2010 to give not-for-profit Aboriginal and Torres Strait Islander corporations registered under the CATSI Act access to pro bono legal assistance.



The need was perceived as approximately 60 per cent of Aboriginal and Torres Strait Islander corporations, located in remote or very remote parts of Australia, do not have ready access to quality legal services.

Today the scheme provides assistance on a range of legal matters, from basic tax issues to drafting employment contracts to interpreting the law. It cannot, however, help with matters already funded by government, such as native title or legal action in any court or tribunal, or with matters that could conflict with the interests of the Australian Government.

LawHelp can only help corporations not individuals.

As at 30 June 2014 there were 12 participating lawyers and law firms on the LawHelp panel:

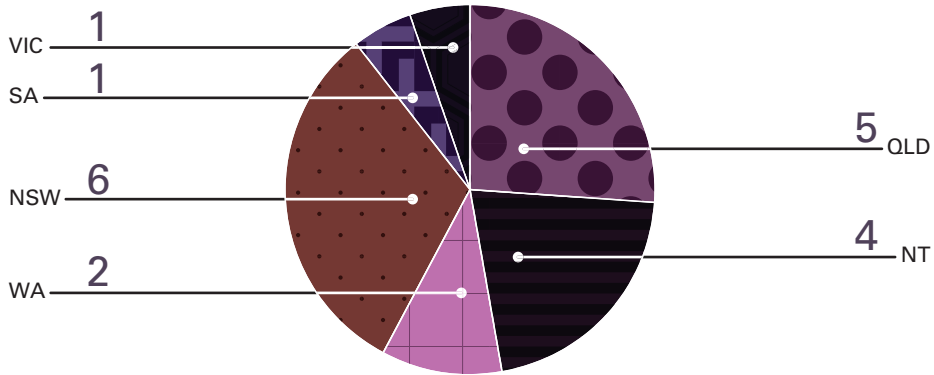
- Allens
- Ashurst
- Australian Government Solicitor's Office (AGS)
- Bradley Allen Love Lawyers
- Castledine Gregory Law & Mediation
- Clayton Utz
- DLA Piper Australia
- HWL Ebsworth Lawyers
- Jackson McDonald Lawyers
- Lipman Karas
- Minter Ellison
- Tress Cox Lawyers

Eligible corporations are encouraged to send their applications for legal assistance to ORIC's LawHelp secretariat which provides administrative support for the scheme. Applications are then forwarded to the independent LawHelp assessment panel for action.

Three independent lawyers sit on the LawHelp assessment panel—the manager of pro bono services from the Australian Government Solicitor, a Victorian lawyer from the community services sector and an Aboriginal lawyer with the Department of Health.

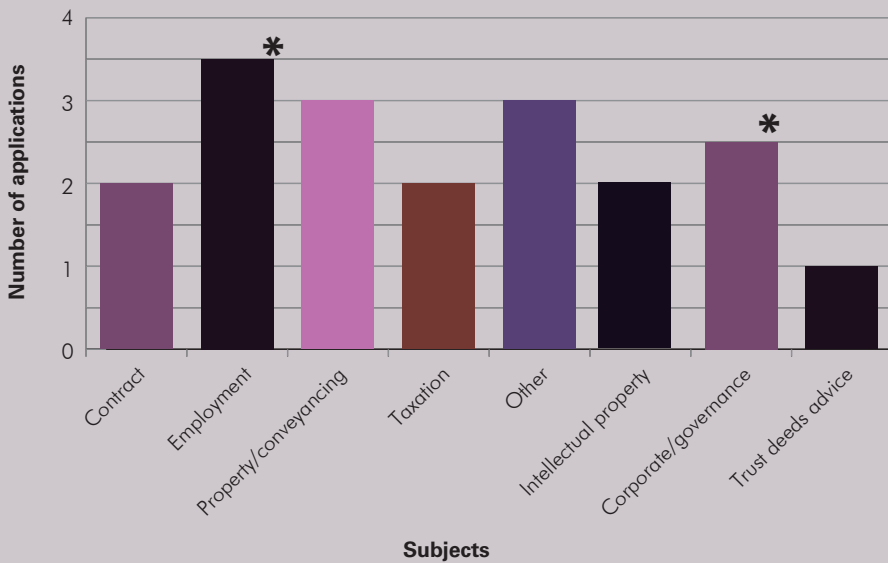
In 2013–14 ORIC received 19 LawHelp applications. Thirteen of these were approved by the LawHelp assessment panel and successfully referred to some of Australia's top law firms.

Figure 11: Number of LawHelp applications by state and territory for 2013–14



NOTE: There were no applications from Tasmania.

Figure 12: Number of LawHelp applications by subject 2013–14



NOTE: *One application was half employment law and half corporate law.

NOTE: The application forms and guidelines for LawHelp are available at www.oric.gov.au, by emailing LawHelp@oric.gov.au or by phoning freecall 1800 622 431 (not free from mobiles).

GOVERNANCE SUPPORT



TRAINING

ORIC's training programs are designed to increase corporate governance knowledge, skills, efficiency and accountability within Aboriginal and Torres Strait Islander corporations.

In its business plan 2013–14, ORIC identified 'continued support for corporations through high-quality education and training programs' as a key priority. Over the past year the agency has invested in developing and fine-tuning its range of training courses for delivery across Australia. ORIC has a strong commitment to improving corporate governance knowledge and in raising skills, efficiency and accountability within CATSI Act-registered corporations, irrespective of their size.



Aunty Wilma Moran and Aunty Lorraine Peeters from the Coota Girls Aboriginal Corporation completing a training activity with ORIC's Kerstin Styche



Training calendar

By the end of May each year ORIC develops a training calendar showing corporate governance training courses for the next 12 months, a proposed schedule and the regions which will be covered. The calendar is on the ORIC website and is regularly updated.



Training courses for 2013–14 on the ORIC website



Members of ORIC's Canberra-based training team

Types of training courses and workshops

Eligible applicants can apply to ORIC for corporate governance training through residential courses (part of ORIC’s Managing in Two Worlds program) and/or through workshops delivered in the community through ORIC’s corporation-specific programs.

The Managing in Two Worlds (MITW) program includes:

- Introduction to Corporate Governance (ICG) workshops held over three days
- Certificate IV in Business (Governance) delivered in four one-week blocks
- Diploma of Business (Governance) delivered in four one-week blocks.

Corporation-specific training (CST) is delivered to individual corporations that have requested training especially tailored to their particular needs and circumstances. CST workshops are usually held at a corporation’s premises or within the community. The training is delivered over one or two days. The range of CST workshops includes:

- **pre-incorporation doorway training (including transfers and amalgamations):** provides information on the CATSI Act requirements and processes for an organisation to become incorporated under the CATSI Act
- **rule book design and re-design:** targets helping corporations to develop a rule book under the CATSI Act
- **corporation governance training:** addresses specific governance issues—for example, post-special administration training at a corporation focuses on protecting against the same problems that led to the special administration in the first place
- **support and mentoring training:** provides support and practical information in running a corporation
- **Building Strong Stores (BSS):** is a two-day program designed specifically for corporations that manage a community store.

Overall training delivered

In 2013–14, ORIC delivered training to 1,015 participants from 194 corporations. Of those attending ORIC training 91.1 per cent reported a significant or very significant increase in corporate governance knowledge.

Table 10: Overall training delivered 2013–14

	Estimate	Actual
Number of participants	835	1015
Number of corporations	115	194
Participants that reported a significant or very significant increase in corporate governance knowledge	90%	91.1%

NOTE: Overall statistics are based on single counts of participants and corporations.

Introduction to Corporate Governance (ICG)

The Introduction to Corporate Governance (ICG) workshops present key concepts and principles of good corporate governance to members and staff of Aboriginal and Torres Strait Islander corporations. A pre-requisite for participants to gain entry to the accredited Certificate IV in Business (Governance) is to first complete an ICG workshop.

ORIC delivered 10 ICG workshops across Australia in 2013–14. A total of 265 people participated representing 96 corporations, as indicated on the following table.

Table 11: Introduction to Corporate Governance 2013–14

Date	Location	Number of participants	Number of corporations
July 2013	Warburton	24	10
August 2013	Nhulunbuy	21	6
September 2013	Adelaide	40	11
October 2013	Fitzroy Crossing	26	6
November 2013	Port Hedland	38	11
December 2013	Townsville	26	10
February 2014	Darwin	26	11
March 2014	Wollongong	16	10
May 2014	Bourke	20	9
June 2014	Atherton	28	12

Certificate IV in Business (Governance)

ORIC funded one Certificate IV in Business (Governance) course in 2013–14 which, for the first time, it held in the Australian Capital Territory. The course drew participants from the Northern Territory, Queensland, Tasmania and South Australia. Seventeen students started the course and all 17 graduated.

Table 12: Certificate IV in Business (Governance) 2013–14

Location	Number of students graduated
Canberra	
Block 1: 22–25 October 2013	
Block 2: 2–6 December 2013	17
Block 3: 17–21 February 2014	
Block 4: 31 March–4 April 2014	

Diploma of Business (Governance)

A Diploma of Business (Governance) course was not sponsored by ORIC in 2013–14.

Corporation-specific training (CST)

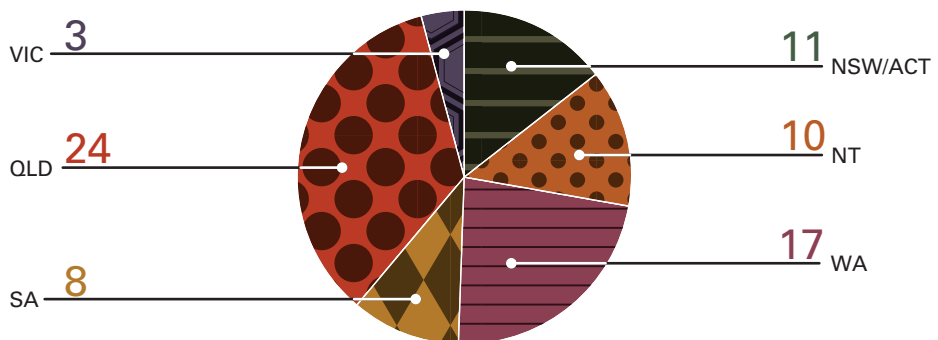
In 2013–14, ORIC delivered 73 separate corporation-specific training (CST) workshops to 572 participants from 99 different corporations. The most requested and delivered training topic was 'governance' with a focus on the 'roles and responsibilities of directors' and 'legal duties'.

Most CST workshops were conducted in Queensland where ORIC has an increased local presence through its regional office in Cairns. A high number of CST workshops were also conducted in Western Australia, New South Wales and the Northern Territory.



Open air training with Bidan Aboriginal Corporation, west Kimberley, April 2014

Figure 13: CST workshops by state and territory 2013–14



NOTE: There were no workshops in Tasmania.

Table 13: Corporation-specific training workshops delivered 2013–14

Date	Location	Number of participants	Number of corporations
July 2013	Bundaberg	4	1
July 2013	Albury	3	1
July 2013	Derby	17	1
July 2013	Derby	5	1
August 2013	Pipalyatjara	7	1
August 2013	Marla	24	3
August 2013	Amata	4	1
August 2013	Mornington Island	6	1
August 2013	Kaltjiti	6	1
August 2013	Pukatja	6	1
August 2013	Cooper Pedy	6	1
August 2013	Perth	7	1
August 2013	Perth	4	1
August 2013	Perth	3	1
August 2013	Campbelltown	32	1
September 2013	Mornington Island	6	1
September 2013	Daly River	6	1
September 2013	Alice Springs	10	1
October 2013	Alice Springs	12	1
October 2013	Beachmere	7	3
October 2013	Hervey Bay	9	1
October 2013	Maryborough	3	1
October 2013	Maryborough	4	1
October 2013	Mildura	7	1
November 2013	Hervey Bay*	12	
November 2013	Yarrabah	7	4
November 2013	Yarrabah	5	1
November 2013	Brisbane	6	
November 2013	Mount Isa	5	1
November 2013	Katherine	11	2
November 2013	Coolangatta	9	1
November 2013	Mount Isa	5	2
November 2013	Brisbane	5	1
December 2013	Atitjere	6	1
December 2013	Borrooloola	26	7
January 2014	Kempsey	2	1
January 2014	Cairns	39	17
January 2014	Boggabilla*	5	

Date	Location	Number of participants	Number of corporations
January 2014	Boggabilla*	5	
January 2014	Collarenebri	6	1
February 2014	Sydney	10	1
February 2014	Sydney	5	1
February 2014	Canberra	8	1
February 2014	Brisbane	5	1
February 2014	Brisbane*	6	
February 2014	Sale	5	1
February 2014	Roebourne	11	1
February 2014	Roebourne	6	1
February 2014	Aurukun	3	1
February 2014	Mount Gambier	6	1
February 2014	APY Lands	11	1
February 2014	Halls Creek	6	1
February 2014	Doon Doon Station, Woolah	3	1
March 2014	Cloncurry	2	1
March 2014	Port Macquarie	9	1
March 2014	Esperance	6	1
March 2014	Macksville	8	1
March 2014	Tjuntjuntjara Community	8	1
March 2014	Tjuntjuntjara Community	7	1
April 2014	Derby	12	1
April 2014	Derby	9	1
April 2014	Perth	5	1
April 2014	Broome	4	1
April 2014	Broome	5	1
April 2014	Tennant Creek	9	2
April 2014	Swan Hill	5	
May 2014	Eidsvold	2	1
May 2014	Peppimenarti	7	1
May 2014	Emu Point	7	1
May 2014	Ntaria (Hermannsburg)	7	1
May 2014	Brisbane	6	1
May 2014	Brisbane	10	1
June 2014	Laura	7	1

.....
NOTE: *Pre-incorporation workshops

Partnerships

Over the year ORIC continued to work with three state governments and the Australian Indigenous Leadership Centre (AILC).

- **Victorian partnership**

ORIC's partnership with Aboriginal Affairs Victoria and Consumer Affairs Victoria dates back to 2006. The current memorandum of understanding (MoU) was re-signed on 17 May 2013 for a further three years. ORIC continues to provide its Victorian partners with a non-exclusive licence to use its managing in two worlds program.

- **New South Wales partnership**

An MoU with the New South Wales Department of Fair Trading was signed in October 2010. The agreement allows ORIC to deliver workshops in New South Wales which are also open to associations registered in that state.

- **Western Australia partnership**

An MoU with the Department of Aboriginal Affairs Western Australia and Department of Commerce Western Australia was signed in September 2010. It allows ORIC to deliver training in Western Australia which is also open to associations registered in that state.

- **Australian Indigenous Leadership Centre (AILC)**

An MoU with the AILC was signed on 19 August 2013. It allows the AILC to deliver training using ORIC resources.



Chairman of the AILC, Dr Tom Calma, AO, with the Registrar, Anthony Beven, at the official signing of the MoU which allows the AILC to deliver the Registrar's Managing in Two Worlds corporate governance training package

Stronger Futures in the Northern Territory—Enhancing Communities program

ORIC received funding of \$152,900 under the Stronger Futures in the Northern Territory—Enhancing Communities program to provide training in corporate governance to 12 CATSI Act-registered corporations.

Through its training section, ORIC assisted each corporation to engage an accredited facilitator to deliver training modules from ORIC’s corporation specific training (CST) program. Modules were selected according to each corporation’s individual needs. All modules however assisted in building governance capacity and strengthening each corporation’s operations and procedures.



Workshop in progress with Wurli-Wurlinjang Aboriginal Corporation

Table 14: Enhancing Communities workshops delivered 2013–14

Date	Location	Corporation	Participants	Days
Aug 2013	Yuendumu	Red Centre Aboriginal Corporation	2	1
Aug 2013	Ntaria (Hermannsburg)	Western Aranda Health Aboriginal Corporation	6	1
Oct 2013	Katherine	Wurli-Wurlinjang Aboriginal Corporation	13	1
Nov 2013	Utopia	Urapuntja Health Service Aboriginal Corporation	15	1
Nov 2013	Darwin	Malabam Health Board Aboriginal Corporation	7	1
Jan 2014	Ngukurr	Ngukurr Arts Aboriginal Corporation	15	1
Feb 2014	Gunbalanya	Adjumarllarl Aboriginal Corporation	15	1
Feb 2014	Wadeye	Thamarrurr Regional Authority Aboriginal Corporation	21	4
Feb 2014	Santa Teresa	Keringke Arts Aboriginal Corporation	13	1
Feb 2014	Ntaria (Hermannsburg)	Western Aranda Health Aboriginal Corporation*	4	1
Feb 2014	Galiwinku	Yalu Marnggithinyaraw Indigenous Corporation	7	1
Mar 2014	Engawala	Ntjaminya General Store Aboriginal Corporation	7	1
Mar 2014	Darwin	Malabam Health Board Aboriginal Corporation*	9	1
Mar 2014	Lajamanu	Lajamanu Progress Aboriginal Corporation	6	1
Apr 2014	Gunbalanya	Adjumarllarl Aboriginal Corporation*	11	1
May 2014	Utopia	Urapuntja Health Service Aboriginal Corporation*	19	1
Jun 2014	Galiwinku	Yalu Marnggithinyaraw Indigenous Corporation*	7	1

NOTE: * Follow up visit

Local leaders learning good governance through course

SETTING UP FOR THE FUTURE: From left: Stuart MacLean, Daykiz Marika, Mandakiz Marika, Bakamumu Marika, Bruno Marika, Willyana Marika, Adrian Role and Djalanga Bakozepi.

By CRAIG HODGES

THE Chairman of a local Aboriginal Corporation has expressed the need to get more Yolngu to learn and understand governance.

Chairman of Rirratjingu Aboriginal Corporation Bakamumu Marika recently took part in a governance training course, and related how important it would be for others to take the same path.

"I have been the Chairman of Rirratjingu Aboriginal Corporation for 30 years and I feel the training was great for new directors."

The course, undertaken in late

August, was given by the Office of the Registrar of Indigenous Corporations (ORIC), who have made several visits to Arnhem Land in recent years.

ORIC train people in positions of responsibility in business about key governance issues.

Their trainers outline how governance impacts on the relations between family and friends, right through to relations between businesses and the community.

Bunuwal Group Chief Executive Officer Stuart MacLean also took part in the course and used the ORIC trainer, Duncy Keep, was fantastic.

"It was able to explain complex governance and compliance issues in a manner which suited the directors of our organisation and engaged well with the participants."

"The training is fundamental for directors and key staff within corporations."

The Bunuwal Group now have seven individuals who have completed the governance course.

The ORIC training team is expected to return to Nhulunbuy for further training and all directors, members and indigenous business stakeholders have been strongly advised to consider participating.



Newspaper article from the *Arafura Times*, 18 September 2013



Celebrating the end of an ICG, Nhulunbuy, August 2013



ORIC training resources in use

CASE STUDY: Local leaders learning good governance

In August 2013, ORIC held an Introduction to Corporate Governance (ICG) three-day workshop in Nhulunbuy in the Northern Territory. Despite the remote location, 21 participants from six corporations attended.

Bakamumu Marika, the chairperson of Rirratjingu Aboriginal Corporation for 30 years, said, 'I feel the training was great for new directors.'

Bunuwal Group CEO, Stuart MacLean, also took part in the course and was impressed with both the quality of the training and the ORIC-contracted facilitator. 'He was able to explain complex governance and compliance issues in a manner which suited the directors of our organisation and engaged well with the participants. The training is fundamental for directors and key staff within corporations.'

Another participant, Serena Bara, from Anindilyakwa Services Aboriginal Corporation in Angurugu community, Groote Eylandt, Northern Territory, got so much out of the course she enrolled in ORIC's Certificate IV in Business (Governance) course held in Canberra. Serena Bara's goal now is to take her experience and what she has learnt to build a stronger and more independent community—from the grassroots up.

ICG workshops provide an introduction to key elements of good corporate governance for Aboriginal and Torres Strait Islander corporations and are a pre-requisite for entry into the ORIC sponsored Certificate IV in Business (Governance).

CASE STUDY: Certificate IV in Business (Governance)

The Certificate IV in Business (Governance) is part of a national accredited training package developed specifically for Aboriginal and Torres Strait Islander people who wish to improve their corporate governance and management skills.

Starting in October 2013, 17 participants from different corporations across Australia came to Canberra for four one-week blocks to undertake the course. For many the prospect was quite challenging, especially bearing in mind that some had to travel from as far north as Groote Eylandt in the Northern Territory and as far south as Tasmania. In between class contact times the students were given assignments to complete at home around their everyday work commitments and family duties.

Yet the course ran very smoothly. Seventeen students started and all 17 finished. On 4 April 2014 a graduation ceremony was hosted by the Registrar in the Gandel Hall at the National Gallery of Australia, Canberra. 'As the Registrar presented us with our certificates one by one it was a lovely moment of recognition for all our hard work,' said one of the graduating students.



The Certificate IV in Business (Governance) graduation ceremony at the National Gallery of Australia, Canberra, in April 2014 hosted by the Registrar (*far left*). Auntie Agnes Shea (*centre in red*) performed the Welcome to Country

COMMUNICATIONS AND RESEARCH

ORIC produces a variety of publications that describe its core functions, promote its services and help to support Aboriginal and Torres Strait Islander corporations and groups. The Communications and Research Section manages ORIC's internal and external communications, including its intranet and its website. It also looks after media contact with journalists.

ORIC website

The ORIC website, www.oric.gov.au, was developed to support the regulatory framework of the CATSI Act. It includes the public Register of Aboriginal and Torres Strait Islander Corporations, the Register of Disqualified Persons and a link to a secure companion site allowing for electronic lodgment by corporations.



Given the remote location of many corporations it is imperative that the website meets Commonwealth standards for accessibility.

As part of the national transition strategy of the Australian Government Information Management Office (AGIMO), it has been a priority for ORIC to address web content accessibility.

A major project that began in April 2013 to review, upgrade and substantially redevelop the website was officially completed in April 2014.

ORIC's new look website now has:

- enhanced capacity to deliver a high standard information service online
- improved accessibility standards
- easier authoring and content management capabilities.

Publications helping with compliance

ORIC produces a range of guides, booklets and brochures to help corporations interpret the CATSI Act, comply with their reporting requirements and to understand their corporate governance obligations. For example, *Get in on the Act*, the *Corporation reporting guide* and the *Healthy corporation checklist*.



The Healthy corporation checklist is a most practical document that allows corporations to check their compliance standards with their rule book and the law. It asks all the right questions and also has links to useful templates and forms

All ORIC publications
are available at
www.oric.gov.au

Fact sheets

ORIC also produces a range of fact sheets which are updated as required. In short summary form they provide useful information on particular aspects of the CATSI Act and how to run a corporation. Topics are:

- *Special administrations: what members and directors should know*
- *Special administrations: what funding agencies, creditors and employees should know*
- *Disqualification from managing corporations under the CATSI Act*
- *The CATSI Act and the Corporations Act—some differences*
- *Amalgamation—information for existing corporations*
- *What the CATSI Act means for funding bodies*
- *Corporation size and financial reporting*
- *What's in the corporation's rule book?*
- *Duties of directors and other officers*
- *Complaints involving corporations*
- *Secretaries and contact persons*
- *Related party financial benefits*
- *Dispute resolution*
- *Members' rights*
- *Native title*
- *Meetings*



An information sheet, *Lodge online*, has also been produced to help corporations lodge their annual reports electronically. It provides easy step-by-step instructions

Native title

ORIC has a selection of publications about native title.

Information sheet for PBCs was produced in January 2014 in collaboration with the North Queensland Land Council. It explains how the CATSI Act works with the *Native Title Act 1993* and its special provisions for prescribed bodies corporate (PBCs).

Interaction between the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* and the *Native title Act 1993* (ORIC paper) explains the policy reasons for provisions of the CATSI Act that only apply to corporations that hold or manage native title.

A guide to writing good governance rules for PBCs and RNTBCs complements the *Rule book info kit* and describes issues that must be considered when writing rules for corporations which have native title responsibilities.

There are also two policy statements—*PS-10: Corporations' native title status* and *PS-23: Review of fees charged to RNTBCs for certain native title functions*.

ORIC Oracle newsletter

Four times each year ORIC produces the *ORIC Oracle* newsletter (in August, November, February and May) and distributes it free of charge to all corporations registered under the CATSI Act, stakeholders and general subscribers. Anyone can choose to subscribe.

Each edition takes a different theme. Over 2013–14 the *ORIC Oracle* looked at 'chairing meetings' (August 2013), 'holding AGMs' (November 2013), 'the value of volunteering' (February 2014), and 'preparing for your AGM' (May 2014). *ORIC Oracle's* primary purpose is to communicate practical information to corporations (its target audience) in an easy to read and pictorially attractive way.

Over 2013–14 the number of general subscribers to the *ORIC Oracle* increased and more corporations than ever before received the newsletter electronically.

Both an html version and a pdf-accessible version are available on the ORIC website under the 'News' tab.



Policy statements

ORIC offers guidance on interpreting legislation through its policy statements which are updated as required.

As at 30 June 2014 there were 26 policy statements listed on the ORIC website, of which six were updated over the year.

Policy statements inform corporations as well as the general public about:

- how the Registrar interprets the CATSI Act and associated legislation
- the principles that lie at the basis of the Registrar's approach
- how the Registrar may exercise specific powers under the CATSI Act.

Topics include: *PS-05: Exercise of Registrar's power to intervene*, *PS-15: Privacy* and *PS-25: Examinations*.



Media releases

Thirty-seven media releases were issued in 2013–14, compared to 35 in 2012–13, 44 in 2011–12 and 32 in 2010–11.

Research

ORIC produced one research report in 2013–14.

The top 500 Aboriginal and Torres Strait Islander corporations 2011–12

In September 2013, ORIC published its fifth annual report on the 500 highest earning corporations registered under the CATSI Act. The report examined the financial year 2011–12 by analysing data submitted by corporations as part of their annual reporting requirements.

While *The top 500 Aboriginal and Torres Strait Islander corporations 2011–12* ranked corporations from one to 500 according to their income it also came up with some interesting and unexpected findings. For example, the top 20 corporations received approximately the same amount of revenue from self-generated income as from government grants. However, the top five corporations achieved 83.1 per cent of income from self-generated sources compared to 16.9 per cent from government funding.

The combined income of the top 500 corporations for 2011–12 was almost \$1.61 billion (compared to \$1.43 billion in 2010–11) which represents an increase of 12.6 per cent.

The combined income of corporations in the Northern Territory and Western Australia made up 72.4 per cent of the year's overall national income. And the region with the highest average income was Nhulunbuy in the Northern Territory.

Katungul Aboriginal Corporation Community and Medical Services (ICN 1816), based in Narooma on the far south coast, New South Wales, featured as a case study.

The practice of accountability in Australian Indigenous corporations

A project investigating ways that Aboriginal and Torres Strait Islander corporations can improve their accountability officially ended in January 2014. The project began in July 2010 in partnership with the Australian National University and saw a post-doctoral fellow and a PhD student collect and analyse data gathered directly from meetings with corporations and from ORIC's databases.



Spotlight on

'Spotlight on' stories promote the activities and many achievements of corporations registered under the CATSI Act. On the first day of each month, a new 'spotlight on' article is put up on the ORIC homepage. The Registrar actively encourages corporations to share their stories.

July 2013



I SEE FAR—standing up for ASD

Indigenous Corporation for Autism Australia
(ICN 7633)

August 2013



Art and healing

Murri Girls into Art Indigenous Corporation
(ICN 7536)

September 2013



North meets south in fishy business

Aminjarrinja Enterprises Aboriginal
Corporation (ICN 4688)

October 2013



Getting dry

Umoona Tjutagku Health Service Aboriginal
Corporation (ICN 7460)

November 2013



Protecting the land, sea and animals

Gudjuda Reference Group Aboriginal
Corporation (ICN 3475)

December 2013



Getting it right

Tharawal Aboriginal Corporation
(ICN 207)

January 2014



Changing and improving lives

Mulungu Aboriginal Corporation Medical Centre (ICN 1881)

February 2014



Building pavilions

Djilpin Arts Aboriginal Corporation (ICN 4355)

March 2014



Driving community initiatives

Gundjeihmi Aboriginal Corporation (ICN 2458)

April 2014



Confronting childhood

Kinchela Boys Home Aboriginal Corporation (ICN 4223), Coota Girls Aboriginal Corporation (ICN 7993)

May 2014



Handing back the land

Bidan Aboriginal Corporation (ICN 687)

June 2014



Preserving history and culture

Wonnarua Nation Aboriginal Corporation (ICN 3411)



VOLUNTEERING

Over the years the Registrar has lent his personal support to staff wishing to volunteer their skills and time to corporations that could, from time to time, benefit from a helping hand. This has been formalised in what is now known as ORIC's 'volunteer opportunities program'.



Umpi Korumba Aboriginal and Torres Strait Islanders Corporation for Housing (ICN 981) in Brisbane helps people with crisis housing. ORIC Communications and Research manager, Lisa Hugg, spent a week in September 2013 at the corporation's office contributing her technology and design skills. She set up templates for newsletters, wrote and designed an information brochure, and created a corporation logo.



Umpi Korumba Chairman, Robert West, with ORIC's Lisa Hugg

Mai Wiru Regional Stores Council Aboriginal Corporation (ICN 7379). In August 2013 the Registrar returned to the Anangu Pitjantjatjara Yankunytjatjara (APY) Lands to help out at the Amata and Kanypi community stores which are managed by Mai Wiru. Tasks ranged from washing floors to stocking shelves to serving on the cash register.



Owen Burton, Chairman of RASAC (Regional Anangu Services Aboriginal Corporation) and the Deputy Chairman of Amata Community Council with the Registrar, Anthony Beven, at the Amata store



Traditional owner Riley Young (in red t-shirt) with some of his family and the Styche family

Lingarra-Ngaringman Aboriginal Corporation (ICN 740) in the Northern Territory was keen to set up a community store to help the community get through the wet season—but it had no funding. Members of ORIC’s training section stepped in and set about fundraising. With their own cash donations plus money raised through a NAIDOC* trivia night, they collected \$2,600 which they put towards buying supplies.

As part of their family holiday in October 2013 ORIC employees Russell, Roz and Kerstin Styche drove the provisions (which they had pre-ordered) from Katherine to Lingarra. They then stayed several days in the community to help clean out the store and stock the shelves.

NOTE: *NAIDOC stands for National Aboriginal and Islander Day Observance Committee.

NAIDOC WEEK 2014

Just as every other year, ORIC staff were willing participants in NAIDOC week events and celebrations (6–12 July 2014). The theme was ‘serving country’.

Canberra-based staff took part in a mix of activities, including:

- ORIC stall at the NAIDOC family day at Acton Peninsula, Canberra
- NAIDOC event hosted by Ngunnawal Aboriginal Corporation in Yass, New South Wales
- wreath laying ceremony at the Australian War Memorial to commemorate the contribution and sacrifice of Aboriginal and Torres Strait Islander people who served with Australia’s armed forces during times of conflict.



Left: ORIC staff at Ngunnawal Aboriginal Corporation in Yass—they helped with fixing decorations, moving tables and chairs, serving food and clearing up afterwards
Right: At ORIC’s stall, NAIDOC family day, Acton Peninsula



With this year’s theme, ‘serving country’, the wreath laying ceremony at the Australian War Memorial was especially poignant. It’s a tradition that ORIC lays its own wreath

ACCOUNTABILITY



FREEDOM OF INFORMATION

The Registrar's website implements the Office of the Australian Information Commissioner's model webpage, including a freedom of information (FOI) disclosure log and the Information Publication Scheme.

Thirteen FOI requests were made to the Registrar between 1 July 2013 and 30 June 2014, up from 11 in the previous year. Twelve requests were finalised at 30 June 2014.

COMPLAINTS ABOUT ORIC STAFF

ORIC responds to complaints about its staff and contractors in accordance with policy statement *PS-03: Complaints about the Registrar's staff and contractors*. ORIC tries to respond promptly, thoroughly and with sensitivity to complaints. During 2013–14, five complaints about staff and contractors were received. All complaints have been resolved.

COMMONWEALTH OMBUDSMAN

In 2013–14 ORIC received two section 8 letters from the Commonwealth Ombudsman under the *Ombudsman Act 1976* in which the Ombudsman requested information to help investigate complaints made to it. The Registrar responded to all issues raised in the Ombudsman's letters. The Ombudsman advised that no further investigation was warranted in each complaint.

LEGAL SERVICES EXPENDITURE

Table 15 is a statement of legal services expenditure by ORIC for 2013–14. It complies with paragraph 11.1(ba) of the Commonwealth’s *Legal Services Directions 2005*.

Table 15: ORIC’s legal services expenditure 2013–14

Internal legal services expenditure	\$ GST exclusive
Total internal legal services expenditure	\$516 009.70
External legal services expenditure	\$ GST exclusive
Professional fees:	
Australian Government Solicitor	\$95 284.72
Minter Ellison	\$121 485.80
Total professional fees paid	\$216 770.52
Counsel briefs	\$53 320.91
Other disbursements on external legal services	\$46 866.89
Total external legal services expenditure	\$316 958.32
Counsel	
Number of counsel briefed	
Number of male counsel briefed	4
Number of female counsel briefed	1
Value of counsel briefs	
Value of briefs to male counsel (GST exclusive)	\$28 935.00
Value of briefs to female counsel (GST exclusive)	\$24 385.91

NOTE: Internal legal services expenditure was derived through estimates of the percentage of time spent by legally qualified staff on legal work. Expenditure was calculated using base salaries and overheads.

