

Registrar *of* Aboriginal Corporations

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ISSN 1036-2142
Registrar of Aboriginal Corporations
Annual Report 1999 - 2000

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Senator the Hon. John Herron
Minister for Aboriginal and Torres Strait Affairs
Parliament House
Canberra ACT 2600

Dear Minister

I am pleased to present to you a report on my administration of the *Aboriginal Councils and Associations Act 1976* for the year ended 30 June 2000.

Although the Act does not require that I present an annual report, I consider it appropriate and desirable to do so, in line with my practice since 1992.

A most significant feature of the reporting period was your decision earlier this year to remove the Office of the Registrar from the administrative umbrella of ATSIC, and establish it as a separate agency under the *Financial Management and Accountability Act 1997*, with its own budget appropriation and full operational autonomy.

When implemented, this decision will provide future Registrars with the capacity to fulfil the rich potential of the Act as a pre-eminent means not only for enforcing proper accountability standards in indigenous organisations but also for improving the quality of their management and, in this sense, advance the interests of indigenous communities.

During the reporting period, applications to the courts to wind up Aboriginal corporations in chronic breach of their statutory obligations attracted predictable criticisms from certain vested interests, as well as, sadly, some uninformed media comment. Nevertheless, the strategy of following up corporations in chronic breach of the Act has produced good results. Towards the end of the reporting year, it became evident that there was emerging amongst Aboriginal corporations in northern Australia in particular *and* some statutory agencies, a new-found respect for the Act. A new keenness to co-operate with my office appears to have replaced the indifference of old and, it seems to me, a genuine desire to comply with the requirements of the Act may now have taken root.

This is my fourth annual report to you and my ninth as Registrar. It is perhaps an opportune time to reflect upon some of the achievements recorded during

my term of office. As I recounted in one of my earlier reports, until just over six months prior to my appointment, the Registrar was a part-time officer supported by six staff. The office was barely known to its clients. The level of compliance with the Act was negligible. There was no program of statutory examinations, no meaningful support or assistance to organisations. In those cases where Aboriginal corporations actually lodged financial returns, these were simply filed away. There were no qualified staff with the requisite financial or investigative skills.

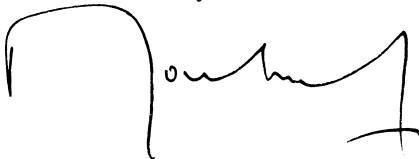
Much has been accomplished since. A national audit and compliance program has been established. A fraud investigation function began to be performed. Accountants and other professionals were engaged. A client assistance program focussing on dispute resolution has been established and is now, probably, the best known aspect of the activities of my office. A major effort has been made, and continues to be made, in the area that I long identified as representing the greatest need in Aboriginal corporations, that of training for office bearers and staff. Indeed, a highlight of the year was the launch by yourself at Borrooloola of a training video commissioned by my office and produced by the Australian Broadcasting Corporation.

A further initiative is the increasing use my office makes of the Broadcasting for Remote Aboriginal Communities Scheme (BRACS) stations. In this way, information relevant to Aboriginal corporations was broadcast in 24 Aboriginal languages across over 100 such stations.

The result of such sustained efforts is that the Office of the Registrar of Aboriginal Corporations now enjoys an unprecedented level of recognition in indigenous communities. It is also very gratifying to see the extent of the credibility and esteem which the same indigenous communities accord to my office.

Finally, I want to take this opportunity to express my deep appreciation to you for your continued support. Without your steadfast and kind support, I would have found it exceedingly difficult, if not impossible, to sustain the drive to improve the public accountability of Aboriginal corporations. A very sincere thank you.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Noureddine Bouhafis'. The signature is fluid and cursive, with a large initial 'N' and a long horizontal stroke.

Noureddine Bouhafis

Registrar

7 August 2000

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vision our vision is:

that indigenous Australians seeking to incorporate associations will use the *Aboriginal Councils and Associations Act 1976* (the Act), in preference to other regimes;

that Aboriginal organisations incorporated under other legislation will recognise and accept the benefits available to them under the Act, and transfer their incorporation accordingly;

that Aboriginal and Torres Strait Islander associations currently incorporated under the Act will continue to benefit from legislation directed at meeting their particular needs and aspirations; and

that indigenous Australians wishing to establish a representative or umbrella type organisation, for a designated area, will incorporate under the Act as an Aboriginal council.

(From Office of the Registrar, Corporate Plan 1 July 1998 – 30 June 2001)

objectives our objectives are:

to administer the Act in an efficient and effective manner;

to promote understanding of, and compliance with, the Act and the regulations, and the rules governing the affairs of Aboriginal councils and Aboriginal corporations; and

to assist indigenous Australians to manage their own affairs as incorporated Aboriginal councils or Aboriginal corporations under the Act.

(From Office of the Registrar, Corporate Plan 1 July 1998 – 30 June 2001)

principle our guiding principle is:

In recognition of the traditional and cultural diversity of Aboriginal and Torres Strait Islanders, we strive to make the work of the Office of the Registrar of Aboriginal Corporations culturally appropriate and as far as possible, we aim to do business in a simple and flexible way.

(From Registrar of Aboriginal Corporations Service Charter 1 July 1999 – 30 June 2001)

