



CONVICTIONS FOR NON-COMPLIANT CORPORATIONS

Five Aboriginal and Torres Strait Islander corporations have been convicted in prosecutions initiated by the Registrar of Indigenous Corporations, Anthony Beven. The corporations, based in Western Australia and Queensland, were convicted of failing to lodge documents with the Registrar.

Each year medium and large corporations registered under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act) are required to submit a general report, a financial report and an audit report to the Registrar of Indigenous Corporations; unless they receive an exemption. Reports must be lodged with the Registrar by 31 December each year.

The vast majority of well over 2000 Aboriginal and Torres Strait Islander corporations fulfil their reporting obligations under the CATSI Act. In 2010, 96 per cent of corporations were compliant.

‘I have worked with non-compliant corporations for a number of years, but it is now time for enforcement action,’ Mr Beven said. ‘My message to all corporations is clear—if you don’t lodge your reports by the due date, there may be consequences.’

In each of the five convictions the courts handed down significant fines. The courts also ordered the corporations to bear court and professional costs.

Corporations convicted	Location	Fines excluding costs
Yuibera Aboriginal and Torres Strait Islanders Corporation (ICN 1475)	QLD	\$4,500
Mackay Aboriginal and Torres Strait Islanders Corporation for Alternative Care and Foster Care Services (ICN 2261)	QLD	\$4,500
Western Desert Puntukurnuparna Aboriginal Corporation (ICN 319)	WA	\$6,000
Yaruman Art and Culture Aboriginal Corporation (ICN 4415)	WA	\$1,500
K’Gari Education and Culture Centre Aboriginal Corporation (ICN 3062)	QLD	\$3,500

This is the first of a series of prosecutions launched by the Registrar in 2011 against non-compliant medium and large corporations. More corporations will face charges in coming months.

‘It is important for the community to have confidence in Aboriginal and Torres Strait Islander corporations. Compliance is an indicator of the governance standards within a corporation and it also ensures that the public register is accurate and up to date,’ Mr Beven said.

The matters were prosecuted by the Commonwealth Director of Public Prosecutions.

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