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ABOUT ORIC

Our objective

To support the delivery of registration, regulation and related services to Aboriginal and Torres Strait Islander corporations under the CATSI Act.

We aim to deliver our services in a way that takes account of the special needs, requirements and risks of Aboriginal and Torres Strait Islander corporations within the context of Australian and international best practice on sound corporate governance.

Powers of the Registrar

The CATSI Act gives the Registrar powers to intervene in a corporation's affairs, similar to those exercised by the Australian Securities and Investments Commission.

As a statutory officer, the Registrar is not under direction for decisions made under the CATSI Act. The Registrar exercises his powers and functions according to the CATSI Act, responding to the special needs, requirements and risks of Aboriginal and Torres Strait Islander corporations. Ultimately, the aim is to build the independence and capacity of Aboriginal and Torres Strait Islander individuals, groups and corporations.

Our guiding principles

The following principles guide ORIC's work and are set out in the ORIC publication, *Our client service charter*.

Building sustainability—encouraging corporations to adopt good practices in management and governance that maximise the use of resources and help them to achieve their purpose.

Supporting Indigenous economic development—recognising that economic development is a foundation for closing the gap.

Promoting accountability—raising awareness that it is good corporate governance and business practice to be answerable to members, the community and anyone else benefiting from corporations' services. Corporations should meet their legal requirements and other expectations of funding agencies, members and the communities they serve.

Managing conflict and disputes—helping corporations to resolve conflicts and develop effective conflict resolution processes to deal with future challenges. These processes should acknowledge different interests and fit within cultural and community contexts.

Fitting with culture—making sure incorporation models and processes—for example, rule books—fit with the specific culture of the community and locality, and that any dealings with corporations are relevant within that context.

Being responsive and accessible—tailoring our information and services to the needs of our clients and making sure they are easy to access and use.

Building capability and social assets—equipping corporations with the necessary knowledge and social assets to help build the sustainability of corporations.

business plan

2009-10



Australian Government
Office of the Registrar of
Indigenous Corporations

WHAT WE WANT TO ACHIEVE



greater
regulatory
impact

HOW WE ARE GOING TO ACHIEVE IT

Increase the corporate governance knowledge and skills within corporations.

Increase the efficiency and accountability of corporations.

Reduce dispute related corporate failure.

Start a review of the CATSI Act.

Lead policy development on organisational governance as part of closing the gap.

Develop a recruitment and retention strategy to assist corporations.



improved
internal
efficiency

Enhance ORIC's reputation as an employer of choice.

Increase development opportunities for staff.

Improve how ORIC measures its performance.

Improve corporate performance against key departmental indicators.

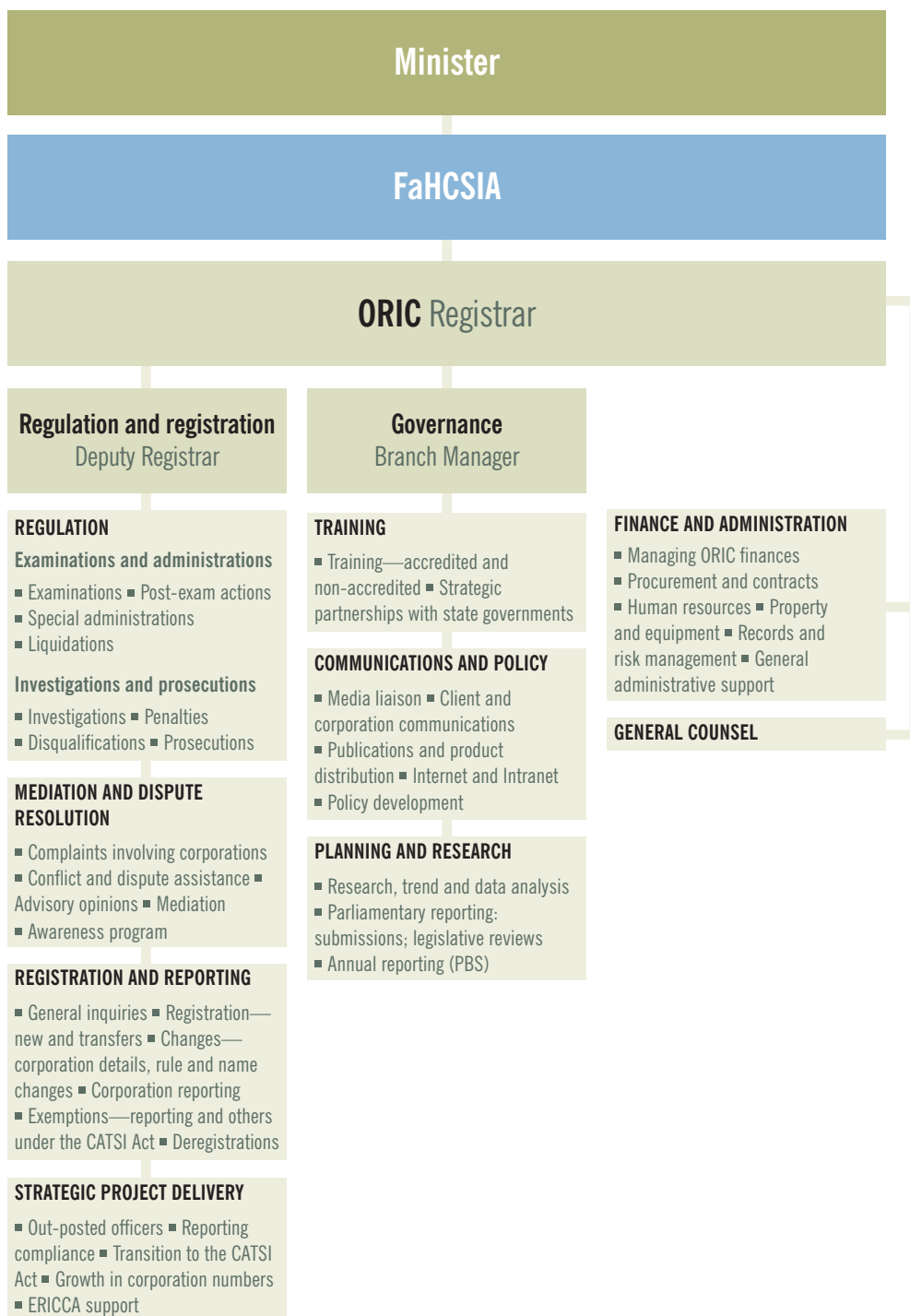
Improve relationships with key Commonwealth agencies.

Reduce compliance costs for corporations and increase online lodgment.

Develop and implement a stakeholder engagement plan.

Establish an ORIC advisory group.

ORGANISATION CHART 2008–09



OUR LEGISLATION

The CATSI Act sets out how to register Aboriginal and Torres Strait Islander corporations and how they should be run. It also sets out the services the Registrar provides, the powers the Registrar has to enforce the law and the Registrar's functions.

The CATSI Act was passed by the Australian Parliament in October 2006. It came into effect on 1 July 2007, replacing the *Aboriginal Councils and Associations Act 1976* (ACA Act). Under the CATSI Act, laws governing Aboriginal and Torres Strait Islander corporations have been modernised while still retaining the special measures to meet the specific needs of Aboriginal and Torres Strait Islander people. Corporations had two years to transition to the CATSI Act. The transition period ended on 30 June 2009.

Registration under the CATSI Act is mostly voluntary. However, some corporations—for example, registered native title bodies corporate determined by the Federal Court under the *Native Title Act 1993* and royalty associations under the *Aboriginal Land Rights (Northern Territory) Act 1976*—are required to register under the CATSI Act.

Unique features of the CATSI Act

Some factors unique to the CATSI Act include:

- Indigeneity—a majority of members and directors must be Aboriginal or Torres Strait Islander.
- Internal governance rule requirements—a corporation's rule book must meet minimum standards of governance and must be approved by the Registrar.
- Purpose—some types of organisations are inappropriate for registration under the CATSI Act (for example, trade unions or corporations providing financial services).
- Corporate membership—bodies corporate or peak bodies can become members of CATSI corporations.
- Specialised assistance—in contrast to other regulators, the Registrar can provide assistance to CATSI corporations.
- Specialised regulatory powers—the Registrar has the power to appoint examiners and special administrators.
- Transfers—the CATSI Act contains transfer provisions which allow organisations to transfer to the CATSI Act provided they meet the minimum requirements (for example, the Indigeneity requirement).

An application for registration under the CATSI Act can be made at <https://online.oric.gov.au>. Registration is free and the website contains further information about the steps and documentation required to register under the Act.

Benefits of registering under the CATSI Act

The main benefits of registering under the CATSI Act are that:

- the rule book that governs how the corporation is run can take into account Aboriginal or Torres Strait Islander customs and traditions
- Aboriginal and Torres Strait Islander corporations can operate nationally—they are not limited to the state or territory where they are registered
- registering as an Aboriginal and Torres Strait Islander corporation is free—unlike other regimes that may charge a fee
- sometimes a CATSI corporation may be eligible for an exemption from lodging reports*
- profits of the corporation can be distributed to members if the rule book allows for this
- the members can choose, when they register the corporation, not to be liable for the debts of the corporation
- Aboriginal and Torres Strait Islander corporations can access mediation services, client assistance, support and information and training programs offered by ORIC.

* Two current exemption determinations were issued by the Registrar in June 2009. For more information about these see p. 34.

The Registrar recommends incorporation under Commonwealth legislation, such as the CATSI Act or the *Corporations Act 2001*, for those Aboriginal and Torres Strait Islander organisations that:

- have trusteeship of significant or important public funding
- deliver essential services
- represent Aboriginal and Torres Strait Islander people and communities
- hold significant assets, income or expenditure.

