



## FAILURE TO REPORT LEADS TO FINES OF \$8,600

The Registrar of Indigenous Corporations, Anthony Beven, has finalised prosecutions against eight Aboriginal and Torres Strait Islander corporations for failing to lodge annual reports for the 2014–15 year. The prosecutions were for various reporting offences under the *Corporations (Aboriginal and Torres Strait Islander Act) 2006*.

Four of the corporations were ordered to pay fines ranging from \$500 to \$5000—collectively amounting to \$8,600. Offences were proven against a further three corporations and they were dismissed without penalty. The eighth case was withdrawn from court on the condition that the corporation apply to the Registrar for deregistration.

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

The CATSI Act emphasises the importance of compliance and reporting as a mechanism to improve transparency and accountability. There are no filing fees to lodge documents with the Registrar and in recent years the Registrar has significantly reduced the reporting obligations for corporations.

For the past seven years, over 95 per cent of Aboriginal and Torres Strait Islander corporations have been compliant with their reporting obligations. Each year, the Registrar refers non-compliant corporations to the Commonwealth Director of Public Prosecutions.

‘Failing to lodge annual reports jeopardises the corporation,’ said Mr Beven. ‘The effects of such failures can extend well beyond the corporation and its own reputation.’

Annual reports indicate to the Registrar as well as members and other stakeholders that the corporation is functioning as it should be. Each report also contributes to the authority and integrity of the public Register of Aboriginal and Torres Strait Islander corporations.

### **Background**

A list of the latest convictions for failing to lodge reports is attached. A complete list of all the Registrar’s prosecution outcomes is available at [oric.gov.au/prosecution-outcomes](http://oric.gov.au/prosecution-outcomes).

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**Prosecution outcomes for failing to lodge 2014–15 reports—February to September 2017**

| <b>Corporation</b>   | <b>State</b> | <b>Court</b>                       | <b>Date of conviction</b> | <b>Outcome</b>  |
|--|--------------|------------------------------------|---------------------------|---|
| Koorana Aboriginal Corporation (ICN 4663)                            | NSW          | Toronto Local Court                | 17/02/2017                | Fined \$2500  |
| Southern Regional Indigenous Corporation (ICN 8098)                  | NSW          | Downing Centre Local Court, Sydney | 4/4/2017                  | Fined \$5000  |
| Aputula Homelands Aboriginal Corporation (ICN 1724)                  | NT           | Alice Springs                      | 24/4/2017                 | Charge withdrawn on condition the corporation file an application for deregistration with ORIC  |
| Euraba Paper Aboriginal Corporation (ICN 3791)                       | NSW          | Boggabilla                         | 6/6/2017                  | Charge proven but discharged without conviction under s. 19B <i>Crimes Act 1914</i>   |
| Meenah Mienne Aboriginal Corporation (ICN 7417)                      | TAS          | Launceston                         | 13/6/2017                 | Convicted and released without sentence under s. 20(1)(a) <i>Crimes Act 1914</i> .<br><br>Ordered to file the general report and complete deregistration within three months. |
| West Coast Aboriginal Corporation (ICN 1984)                         | TAS          | Burnie                             | 14/6/2017                 | Fined \$500   |
| Bidwell-Maap Aboriginal Corporation (ICN 7470)                       | VIC          | Bairnsdale                         | 21/6/2017                 | Charge proven but discharged without conviction under s. 19B <i>Crimes Act 1914</i>   |
| Jukanyula Aboriginal Corporation For Childrens Enrichment (ICN 1073) | QLD          | Bundaberg                          | 21/9/2017                 | Fined \$600   |