



Australian Government
**Office of the Registrar of
Indigenous Corporations**

ORIC corporate plan 2024–27



Acknowledgement of Aboriginal and Torres Strait Islander Australians

The Office of the Registrar of Indigenous Corporations (ORIC) pays respect to all Aboriginal and Torres Strait Islander peoples – Australia’s First Nations people.

ORIC acknowledges their continued custodianship of the lands and seas across and surrounding Australia.

ORIC acknowledges Aboriginal and Torres Strait Islander Australians as having the oldest continuing culture on the planet – a culture with sophisticated governance systems that have governed Aboriginal and Torres Strait Islander society, connection to land and sea, laws and customs.

We respect and support the rights of Indigenous people to self-determination.

In doing so we acknowledge the role that Indigenous member-controlled corporations play in Indigenous people having agency over programs and services that affect their lives, as too the protection of their rights and interests.

ORIC acknowledges the many Indigenous founding members of corporations whose legacy Indigenous corporations preserve and build upon, while creating a vision for future generations.



Aboriginal and Torres Strait Islander corporations

In 2007 the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act) replaced the *Aboriginal Councils and Associations Act 1976* (ACA Act), which had been in place for over 30 years. At the time, the ACA Act was the primary vehicle for the incorporation of close to 3,000 Aboriginal and Torres Strait Islander associations that played a central role in the delivery of government services at both the Commonwealth, and state and territory levels.

The CATSI Act is a special measure under the *Racial Discrimination Act 1975*. The CATSI Act includes provisions specifically aimed at supporting Aboriginal and Torres Strait Islander corporations, including:

- An Indigeneity requirement that corporations must meet for the entirety of their incorporation, and which ensures corporations are at all times Indigenous owned and controlled. Under the requirement, at least a majority of a corporation's members and directors must be Aboriginal and Torres Strait Islander people, and at least a majority of a corporation's directors must be members.
- The unique power for the Registrar of Aboriginal and Torres Strait Islander Corporations (the Registrar) to appoint a special administrator when a corporation is experiencing financial and / or governance difficulties. The aim of special administration is to return control of the corporation back to its members in better health.
- One important function of the Registrar included in the CATSI Act is conducting public education programs on the operation of the Act and on the governance of Aboriginal and Torres Strait Islander corporations. This provision is unique to the CATSI Act and supports the capacity development of Aboriginal and Torres Strait Islander corporations.

The unique provisions of the CATSI Act reflect its history and that of its predecessor, the ACA Act. Following the 1967 Referendum, it was considered Aboriginal and Torres Strait Islander people could amplify community priorities through the receipt of government grants and provide a means by which necessary and much needed services to community could be delivered by local organisations and people. The ACA Act was enacted as a vehicle to enable people to incorporate member-controlled organisations and was seen to be a step toward self-determination.

This important work continues today through corporations of varied purposes incorporated under the CATSI Act, covering registered native title bodies corporate (RNTBCs), charities, and for-profit and not-for-profit corporations. RNTBCs and Victoria's Registered Aboriginal Parties are required to be incorporated under the CATSI Act.

There are around 3,500 corporations incorporated under the CATSI Act. A large number of corporations are delivering critical services for their communities, including the oldest Aboriginal and Torres Strait Islander corporation, which was incorporated on 1 February 1979 and is still delivering health services 45 years later.

Health is the fourth largest industry sector of Aboriginal and Torres Strait Islander corporations, with 692 corporations indicating they are delivering culturally appropriate health care and health promotion services. Community services is the largest industry sector with 998 Aboriginal and Torres Strait Islander corporations, followed by land and water management (995 corporations) and education and training (811 corporations).

Message from the Registrar

As all sides of government, the broader Australian public and Indigenous people contend with the 2023 referendum outcome, we see continued public interest and debate on the self-determining rights and achievements of Indigenous people, as well as the most appropriate forms of self-determination.

It's a level of public interest we've not seen since the 1967 referendum or the birth of native title in 1993.

The spotlight on all facets of Indigenous policy, services, funding and representation has inevitably drawn in Aboriginal and Torres Strait Islander corporations. The consequence is an amplifying of self-determining governance and for ORIC, a continued focus on strengthening:

- Indigenous people's trust and confidence in their corporations and the continued protection of a self-determining right to govern, represent, deliver services and protect their inherent rights and interests
- the broader public, government and funders' trust and confidence in Indigenous corporations.

Both are equally important to the place of Indigenous corporations in any potential alternatives to a Voice to Parliament in the future, Closing the Gap endeavours and, more importantly, self-determination.

The following plan sets out ORIC's 3-year plan toward our vision of **well-governed and self-determining Aboriginal and Torres Strait Islander corporations achieving their economic, social and cultural purpose**. This plan reflects a belief that the capability and confidence of corporations, their directors and members; a proportionate regulatory approach; and informed and active engagement in the CATSI Act regulatory framework are the pathways to this vision.

Over the next 3 years ORIC will pursue an ambitious plan to re-orientate and strengthen our support and regulatory functions. We will make significant improvements to our systems, policies, procedures and client services as well as to our educational and support offerings. We believe these improvements will have positive impacts for corporations, their members and communities who they serve.

The achievement of this plan is central to a new regulatory posture where a risk-based approach supports corporations to self-govern and self-regulate, and where regulatory action is exercised proportionately. Our proportionate regulatory approach aims to strike a balance of self-determining governance with accountability, trust and confidence – key to the integrity of Indigenous member-controlled corporate governance.

While we recognise corporations as autonomous self-determining entities, we also hold firm that they have an obligation to uphold a governance standard that Indigenous community and clients expect, and one that preserves the legacy of Indigenous member-controlled corporations. One fought for so hard by those before us.



Tricia Stroud
Registrar of Aboriginal and Torres Strait Islander
Corporations



Introduction

The Registrar of Aboriginal and Torres Strait Islander Corporations is an independent statutory office holder appointed by the Minister for Indigenous Australians under the CATSI Act.

The Office of the Registrar of Indigenous Corporations (ORIC) both supports and regulates the corporations that are incorporated under the CATSI Act – supporting them to be well governed in accordance with the CATSI Act and their own rule book. ORIC does this by:

- registering corporations or transferring registrations to operate under the CATSI Act
- regulating compliance with the CATSI Act
- intervening when necessary and appropriate
- training directors, members and key staff in good governance
- supporting corporations to access services and resources.

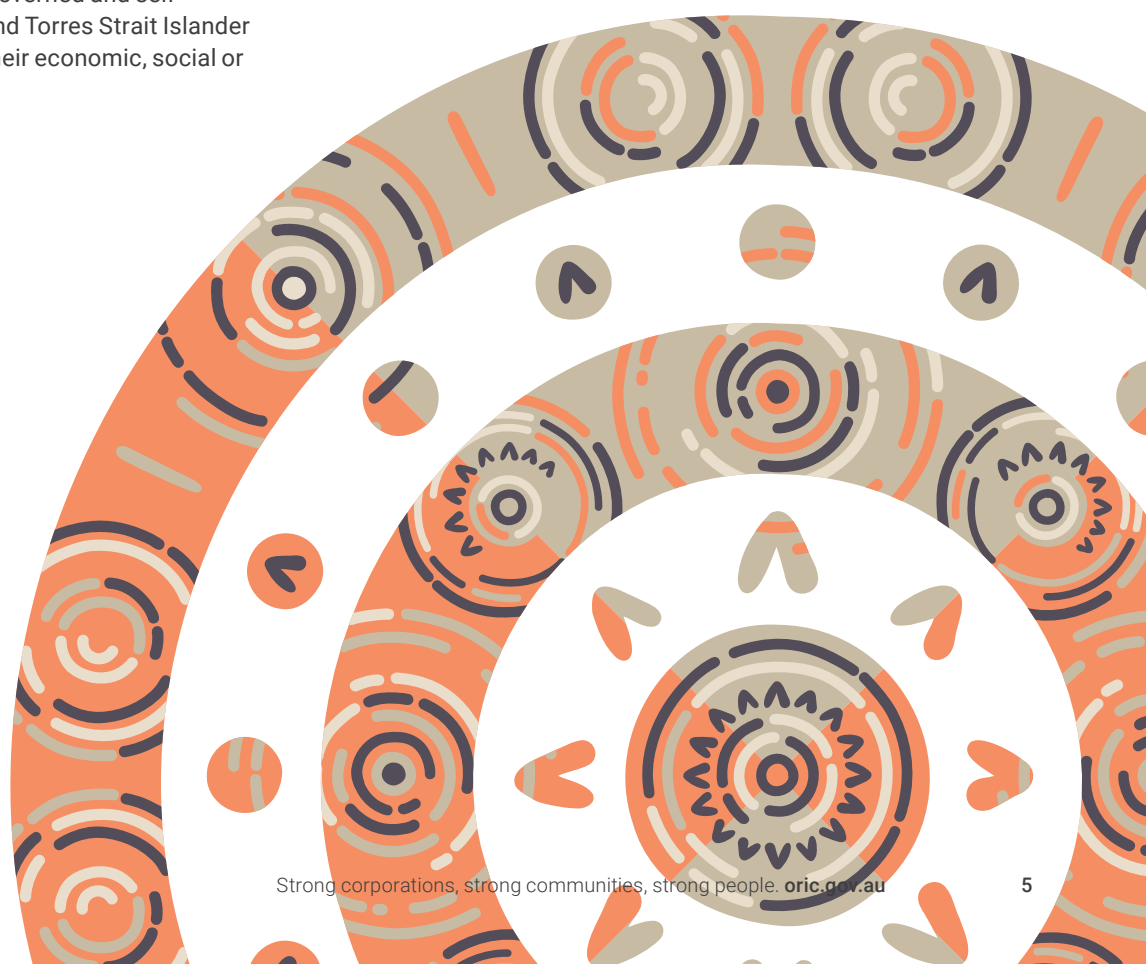
ORIC’s regulatory and support work is tailored to the unique governance environment that Aboriginal and Torres Strait Islander corporations operate within. The environment blends corporate governance and cultural governance – creating structures, processes and systems by which corporations manage their affairs and achieve their purpose.

ORIC’s vision is for well-governed and self-determining Aboriginal and Torres Strait Islander corporations achieving their economic, social or cultural purpose.

ORIC’s values are:

- **Independence** – The Registrar is independent and apolitical. We are balanced in how we exercise the Registrar’s powers and do so without influence or interference.
- **Impartiality** – We remain neutral and treat all equally. We apply our policies and processes consistently, and we listen to all perspectives to ensure decisions and actions are free from bias.
- **Respect** – We show regard for the dignity of Indigenous people, their cultures, views and self-determination. We respect the diversity and worth of Aboriginal and Torres Strait Islander corporations and are committed to high-quality products and services that support them to achieve their purpose.
- **Accountability** – We are open and transparent in our decision-making and actions, accept responsibility for them, and are responsive to scrutiny.

These values underpin ORIC’s work in supporting an Indigenous member-controlled corporate sector that has trust in its regulator, but also holds the trust and confidence of stakeholders.



Strategic framework

Consistent with our vision for well-governed and self-determining Aboriginal and Torres Strait Islander corporations achieving their economic, cultural or social purpose, ORIC is working towards 2 key achievements:

- increased trust and confidence in Aboriginal and Torres Strait Islander corporations
- becoming the regulator of choice for Aboriginal and Torres Strait Islander peoples.

What we want to achieve

Increased trust and confidence in Aboriginal and Torres Strait Islander corporations

Aboriginal and Torres Strait Islander corporations are by their nature part of the fabric of self-determination – Indigenous owned and controlled corporations delivering social, cultural and economic benefits to their members and communities, and managing Indigenous rights and interests. It’s a mandate that is granted and entrusted to them by their members, and which also relies on the trust and confidence of funders and the public where public monies are provided.


Indigenous communities – who corporations serve and represent – have much to gain from Aboriginal and Torres Strait Islander corporations enjoying the trust and confidence of all stakeholders. This can be by way of corporations that continue to enjoy the mandate of their members as well as continued funding to deliver valuable services to Indigenous people. We also recognise the role that public trust and confidence in the sector can play in the positive perception of Indigenous people more broadly, and in elevating their influence and agency over their own lives.

Members want assurance that their corporations are being governed effectively and meet their obligations under the CATSI Act and the corporation’s rule book. Transparency of operations is provided through annual reporting and the opportunity to ask questions at annual general meetings.

Stakeholders such as funding bodies, other regulators, patients, customers, vendors and others engaging with Aboriginal and Torres Strait Islander corporations, want assurance that Aboriginal and Torres Strait Islander corporations are well-governed and functioning effectively. In some instances they want assurance that they are at all times Indigenous member-controlled.

This increases their confidence in corporations’ capacity to deliver services, manage resources and fulfil commitments and obligations. In turn, increased trust and confidence will increase opportunities for Aboriginal and Torres Strait Islander corporations. ORIC will build trust and confidence by practicing a proportionate regulatory approach while also building the capability of members and directors to practice good governance and to understand and exercise their rights under the CATSI Act.

By supporting Aboriginal and Torres Strait Islander corporations to regulate and resolve matters themselves, ORIC expects to see a more mature Indigenous member-controlled corporate sector in time. ORIC supports a sector with collective presence and influence that sets governance standards beyond simple compliance, that works together to maintain increased trust and confidence and protect its reputation, including holding one another to account and maintaining governance standards beyond basic compliance.



ORIC is becoming the regulator of choice for Aboriginal and Torres Strait Islander peoples

The vast majority of Aboriginal and Torres Strait Islander corporations voluntarily incorporate under the CATSI Act, with 10% required to do so by other legislation such as the *Native Title Act 1993* or Victorian *Aboriginal Heritage Act 2006*. It is not possible to understand which of this 10% would choose to incorporate under the CATSI Act regardless. Similarly, it is not known whether those corporations that elect to be incorporated under the CATSI Act do so from a conscience and informed decision, or whether they do so out of a social norm.

Many Aboriginal and Torres Strait Islander corporations were born from a national movement for Indigenous self-determination – the right to take control of their corporate affairs to deliver services themselves and realise their own vision.

Corporations actively choosing to register under the CATSI Act as well as promoting the Act and ORIC could be viewed as a further expression of self-determination – Indigenous people actively exercising their right to a corporate governance framework that reflects their social, cultural and traditional uniqueness that in many circumstances cannot be catered to by other forms of corporate structures.

By improving support for corporations, building confidence in Aboriginal and Torres Strait Islander corporations, and enhancing awareness and understanding of the CATSI Act, ORIC is aiming to promote the CATSI Act as the incorporation statute of choice for Indigenous people.

Building Indigenous people's trust in ORIC's regulatory approach and value in our services is as equally important to us becoming a regulator of choice, but also a valued player in the agency of corporate governance for Indigenous people.

How we build trust and confidence and become a regulator of choice

As illustrated in figure 1, ORIC identified 3 pathways to achieve trust and confidence in Aboriginal and Torres Strait Islander corporations, and become a regulator of choice:

Pathway 1:

Build the capability of members and directors of Aboriginal and Torres Strait Islander corporations to practice good governance and to understand and exercise their rights.

Well-governed member-controlled corporations require members, directors and other officers to understand their rights and obligations under the CATSI Act and, more importantly, their obligations to the corporation.

ORIC will review our training products, educational materials and support services to ensure they are fit-for-purpose and meet both the foundational and maturing needs of corporation members, directors and other officers. We will also improve the tools available to our officers to support consistent, accurate and timely interactions with corporations. Internal and external stakeholders will benefit from a new online lodgement portal, customer relationship management system and Register of Aboriginal and Torres Strait Islander Corporations.

This work will complement ORIC's regulatory posture where corporations will be encouraged and, where appropriate, supported to resolve governance matters themselves utilising the provisions of their rule book – recognising them as member-controlled entities.

Pathway 2:

Practice a proportionate approach to regulation: Regulation comes with great responsibility and expectation. Aboriginal and Torres Strait Islander corporations, like any other corporate entities, expect to be treated consistently, fairly and proportionately by their regulator.

Stakeholders of corporations – funding bodies, consumers, beneficiaries, other regulators and Australian Government entities, native title holders, and peak bodies – expect that the corporate regulator is monitoring compliance, taking action when necessary and supporting governance standards.

In previous years, ORIC adopted a more empathetic approach to its regulatory approach, one mindful of pressures on corporations throughout COVID. Now that business has returned to normal, we have adjusted our regulatory approach to a more proportionate one. We will work with corporations to help them meet their obligations under the CATSI Act, and we will take swift regulatory action where the consequences of non-compliance have the potential for serious harm.

Pathway 3:

Increase understanding and awareness of the CATSI Act and the powers it confers upon the Registrar of Aboriginal and Torres Strait Islander corporations.

The CATSI Act mirrors many requirements of the *Corporations Act 2001*, while providing the flexibility and support needed to meet the unique cultural contexts of Aboriginal and Torres Strait Islander peoples. Importantly, the Registrar must have regard to Aboriginal and Torres Strait Islander tradition and circumstances in performing her functions and exercising her powers. This provision relates to the Registrar’s administration of all aspects of the CATSI Act. There are limitations to the Registrar’s powers under the CATSI Act, and people need to understand these so as to set realistic expectations regarding the action the Registrar can and cannot take in particular circumstances.

An understanding of the CATSI Act not only underpins good governance knowledge and practice, it builds active and informed engagement in regulation. Corporations understanding their obligations and rights under the CATSI Act contributes to a confident and self-determining sector.

Trust in ORIC’s regulatory function is also supported where corporations understand and exercise their rights, and are able to actively engage in and appropriately scrutinise regulatory action they are subject to.

What impact do we expect to see?

The impacts we expect to see from progressing these pathways are:

- Corporations increasingly meeting their obligations under the CATSI Act, including reporting on time, holding their AGMs and keeping their details up to date with ORIC.
- Corporations proactively using their rule books as a tool to self-govern, including resolving disputes.
- Corporations taking up training and other services as well as using the templates, guides and other resources made available by ORIC.
- ORIC providing timely support to corporations, including accurate interpretation of the legislation, rule books and guidance.
- ORIC taking proportionate regulatory action when it is appropriate to do so.
- Stakeholders having an improved understanding of ORIC’s role and the powers of the Registrar.

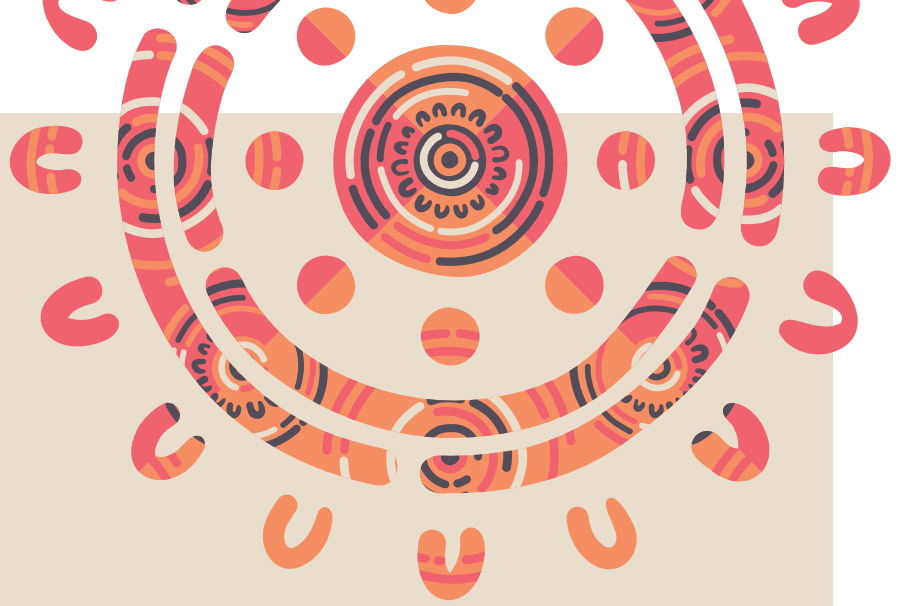
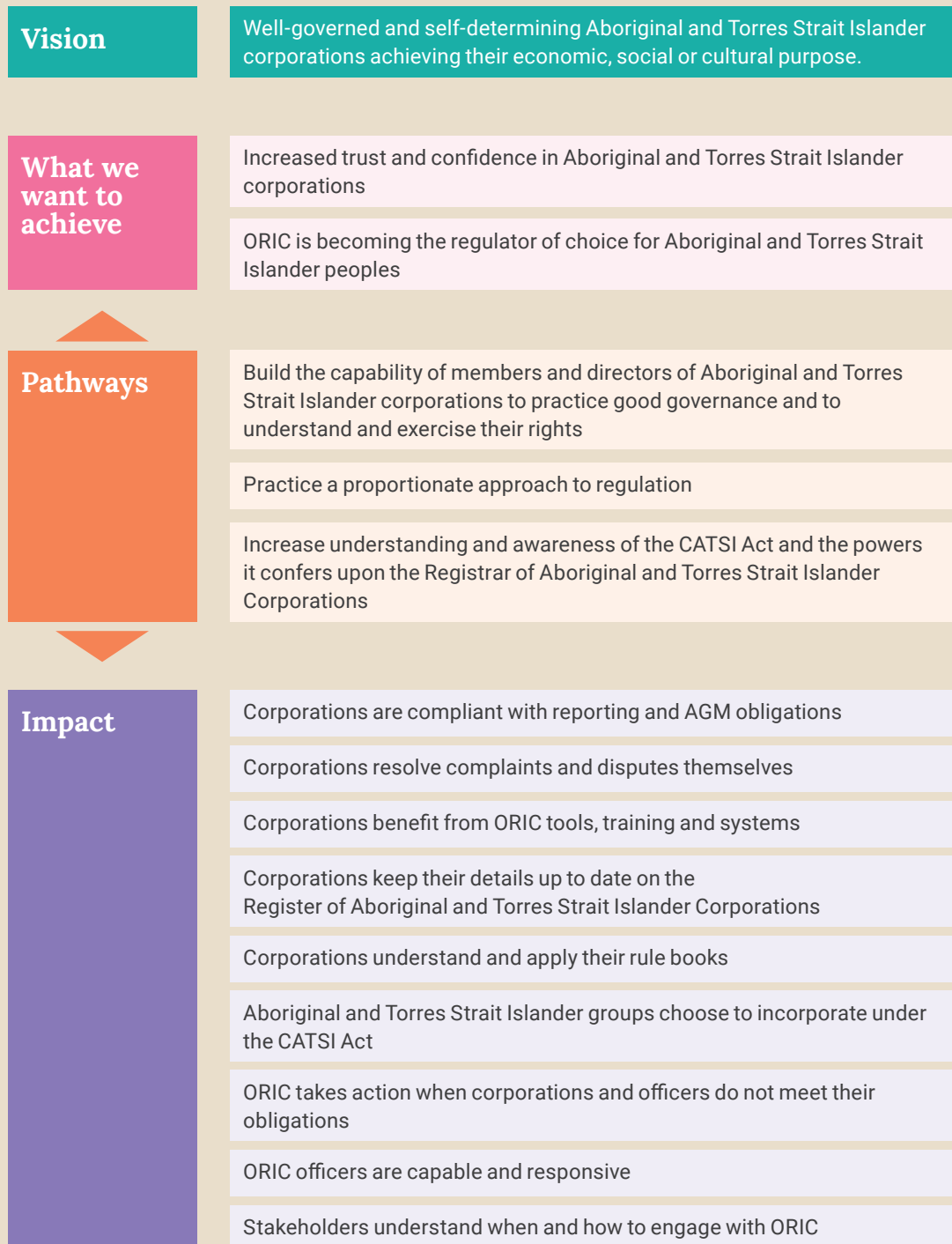


Figure 1

ORIC's strategic framework



Pathway deliverables

The following tables show strategic priorities for each pathway aimed at achieving longer-term objectives.

Pathway 1: Build the capability of members and directors of Aboriginal and Torres Strait Islander corporations to practice good governance, and to understand and exercise their rights

Priorities	Timeframe	Deliverables
Modernise and streamline digital interactions with corporations and general public		
Implement new systems and digital support	Apr 2025	New corporation portal, customer relationship management system and Register of Aboriginal and Torres Strait Islander Corporations released
Improve accessibility and visibility of key ORIC products and materials	Jul 2024	New ORIC website released meeting requirements outlined within Australian Government Digital Service Standard
Improve ORIC processes and customer service		
Provide tailored support for newly registered corporations	from Jul 2024	Products and services specifically tailored to newly registered corporations are introduced
Standardise ORIC processes, reflecting better practice approaches	Jun 2026	Standard operating procedures, task cards and other guidance material are released to ORIC staff Privacy management plan is introduced
Build ORIC staff expertise and capabilities	Ongoing	Tailored training is delivered to staff on topical matters Standardised training package for ORIC new starters is introduced, which is reviewed annually and refreshed as required Improved processing and response times for corporations
Ensure staff are supported	Ongoing	Areas of improvement identified by staff in relation to training, guidance and other materials are addressed
Review ORIC communications including templates advising of regulatory matters to ensure they are in plain English	Jun 2025	ORIC’s letter review project is finalised Other materials are reviewed to ensure they are in plain English and easy to understand
Refresh training		
Continue to expand training offerings to meet the foundational and maturing needs of corporations	from Jul 2024	Existing governance training workshops are refreshed Number of training items available is increased
Improve approach to learning through digital delivery and better management of learning products	Dec 2024	Learning management system released
Identify and tailor training opportunities for corporations	Ongoing	Training needs analysis of corporations undertaken Tailored training opportunities for individual corporation needs identified, as appropriate Targeted training supporting corporations exiting special administration delivered
Refresh guidance and education materials		
Improve information and guidance materials for key stakeholders on aspects of the CATSI Act	Jun 2025	New and revised materials are released including fact sheets, position statements, model rule books and policy statements
Grow resources that guide and support corporations to govern well	Ongoing	Materials are developed to address common queries received by ORIC, specifically in relation to member rights and director responsibilities
Refresh support services for corporations		
Review support services to ensure they are fit for purpose and meet corporation needs	Dec 2024	Independent directory, Corporation jobs, ORIC Recruitment Assistance, and LawHelp are reviewed and refreshed where appropriate

Pathway 2: Practice a proportionate approach to regulation

Priorities	Timeframe	Deliverables
Use breadth of powers under the CATSI Act		
Re-design ORIC’s complaint handling process to focus on concerns of potential breaches	from Jul 2024	Report a concern materials are released and the approach is implemented consistently across ORIC A list of frequent concerns is collated, and training and guidance is updated to address these areas
Review and refresh examinations program	Jul 2025	Revised examination terms of reference, tools and templates are introduced
Review and refresh special administration program	Jul 2025	Revised special administration terms of reference, tools and templates are introduced
Signal regulatory priorities on an annual basis	Jun each year	Regulatory posture is refreshed on an annual basis
Strengthen current reporting compliance campaign and undertake a new targeted campaign aimed at AGM and director details requirements	Jun 2025	More corporations are lodging: <ul style="list-style-type: none"> • their reports and holding their AGMs on time • change in officer and corporation details in a timely manner
Use compliance notices in expanded circumstances to provide more timely regulatory action	Jun 2025	Compliance notices are issued in circumstances other than as an examination outcome
Exercise powers enabling the Registrar to initiate a change to a corporation’s rule book and to call a meeting in expanded circumstances to provide more timely regulatory action	Jun 2025	Refreshed policy introduced and outlined in relevant guidance material
Support self-regulation		
Use self-assessment as an alternative to regulatory action for low-risk corporations as part of a shift to self-regulating and self-remedy of ‘reported concerns’	Nov 2024	Enhanced digital Healthy Corporation Checklist is introduced Information and other useful materials are released to support self-regulation
Release materials to support Aboriginal and Torres Strait Islander Corporations consider the integration of cultural and corporate governance	Jul 2024	Corporate Governance Principles for Aboriginal and Torres Strait Islander Corporations are released Existing materials are reviewed to identify opportunities for alignment with the principles and revised materials are released Assessment is undertaken of whether additional materials may be required to support the release of the principles
Strengthen ORIC’s investigation function		
Identify investigation priorities	Dec 2024	Annual investigation priorities are reflected in the 2025 Regulatory posture
Improve investigation timelines	Dec 2024	Case prioritisation methodology is refined
Ensure guidance, materials, systems and tools meet the requirements of the Australian Government Investigations Standards and reflect best practice	Jun 2025	Investigations and prosecutions policies, SOPs, tools and templates are released New investigation case management system released
Identify prosecution enforcement priorities	Dec 2024	Prosecution enforcement priorities reflected in the 2025 Regulatory posture

Pathway 3: Increase understanding and awareness of the CATSI Act and the powers it confers upon the Registrar of Aboriginal and Torres Strait Islander corporations

Priorities	Timeframe	Deliverables
Release information materials		
Share information about the CATSI Act and the role of the Registrar directly with key stakeholders and through other opportunities	Ongoing	Information about the CATSI Act and role of the Registrar is provided directly to key stakeholders Research and other materials on key topics of interest to stakeholders are released
Review and refresh policies relating to Registrar powers		
Review the Registrar’s appetite in relation to administering aspects of the CATSI Act, and update guidance materials accordingly	Ongoing	New position statements and Registrar opinions are released
Develop strategic partnerships		
Review existing relationships for opportunities to improve ways of working for mutually beneficial outcomes and to enhance ORIC’s regulatory capacity	Ongoing	Existing relationships are more productive with regular and appropriate communication
Establish new relationships with key stakeholders for mutually beneficial outcomes and to enhance ORIC’s regulatory capacity	Ongoing	ORIC established new relationships with key stakeholders to enhance its capability
Increase public reporting		
Increase scope and regularity of public reporting on ORIC performance	from Nov 2024	Regular reports on progress and delivery of priorities as well as ORIC effectiveness are released
Increase reporting on the state of Aboriginal and Torres Strait Islander corporations	from Oct 2024	Relevant information about Aboriginal and Torres Strait Islander corporations including an annual survey of corporations is published



Operating context

People

ORIC has approximately 40 officers working in 8 teams as illustrated in figure 2. ORIC officers are based in Darwin, Cairns, Broome, Alice Springs, Coffs Harbour, Sydney, Brisbane, Canberra, Adelaide and Perth.

Around half of ORIC’s officers work in the Southern and Northern Regions providing front line support for Aboriginal and Torres Strait Islander corporations, such as processing lodged forms and reports, and reviewing proposed rule books.

Figure 2:

Structure of ORIC

<p style="text-align: center;">Tricia Stroud Registrar of Aboriginal and Torres Strait Islander Corporations</p>	
<p style="text-align: center;">Andrew Huey Deputy Registrar of Aboriginal and Torres Strait Islander Corporations</p>	
<p>Southern Region and Northern Region</p>	<p>Manage ORIC’s regional service delivery and relationship with Aboriginal and Torres Strait Islander corporations, including registration, support, monitoring and case management activities.</p>
<p>Legal and Policy</p>	<p>Provide legal and policy advice to support ORIC to undertake its regulatory functions and meet other legislative obligations, and manage ORIC’s legal representation and responsibilities.</p>
<p>Education and Communications</p>	<p>Manage ORIC’s communications, media and promotional activities; develop educational activities and resources; provide resources and support for corporations recruiting directors, staff and volunteers.</p>
<p>Strategy and Accountability</p>	<p>Manage ORIC’s strategic corporate framework, including its regulatory posture, strategic and corporate planning, measurement and reporting; and coordinate ORIC’s internal governance and accountability obligations, including its statutory responsibilities and relationships.</p>
<p>Regulation</p>	<p>Manage ORIC’s regulatory functions of examinations and necessary interventions (including special administrations); monitor external administrations.</p>
<p>Compliance and Systems</p>	<p>Manage ORIC’s internal and external systems including client support and data integrity; coordinate ORIC’s annual compliance program.</p>
<p>Investigations</p>	<p>Manage investigations and prepare referrals for prosecution or other action relating to alleged or suspected contraventions of the CATSI Act, or another law of the Commonwealth, or of a state or territory, that concerns an Aboriginal or Torres Strait Islander corporation or a related body corporate.</p>

Governance and accountability

The Registrar of Aboriginal and Torres Strait Islander Corporations is an independent statutory office holder appointed by the Minister for Indigenous Australians under the CATSI Act. The legislation also sets out the independence, powers and duties of the Registrar, who cannot be directed or influenced in exercising her responsibilities.

The Registrar is supported by the Deputy Registrar of Aboriginal and Torres Strait Islander Corporations and ORIC.

ORIC has a Senior Managers' Group (SMG) that meets weekly to discuss priorities, and once a month considers strategic challenges for ORIC. Members of SMG are the Registrar, Deputy Registrar and the manager of each of ORIC's 8 teams.

ORIC also has a Regulatory Case Committee which includes the Registrar, Deputy Registrar and managers of the Regulation and Investigations teams. The managers of the Southern Region and Northern Region attend this committee as needed to discuss referrals. This committee exercises a governance role in relation to ORIC's response to matters of serious non-compliance with the CATSI Act. The committee's role is largely to oversee complex cases, ensuring a coordinated and consistent approach to ORIC's regulatory enforcement, investigations, prosecution referrals and interventions.

Budget

ORIC's ongoing base departmental and administered budget, including its staffing, is allocated by the National Indigenous Australians Agency from its budget. ORIC receives additional resourcing through budget measures.

Regulatory environment

The CATSI Act is a special measure under the *Racial Discrimination Act 1975*. Fundamental to people’s trust and confidence in Aboriginal and Torres Strait Islander corporations is regulation of the Indigeneity provisions in the CATSI Act to ensure that corporations are at all times Indigenous owned and controlled. Non-Indigenous members and directors are only permitted where a corporation has specifically allowed for them in their rule book, and the majority of a corporation’s members and directors must always be Aboriginal and Torres Strait Islander peoples. Where there is reasonable suspicion that a corporation is at risk of not meeting these provisions, ORIC will take action.

ORIC is also focused on corporations meeting their other key obligations under the CATSI Act, particularly those that facilitate transparency of corporation operations to members:

- holding annual general meetings on time
- directors carrying out their duties
- maintaining rule books that are modern, transparent and workable
- lodging complete and accurate annual reports
- keeping corporation details up to date with ORIC.

These areas of focus are outlined in ORIC’s inaugural Regulatory posture which was released in early 2024. The posture also includes priorities which will be refreshed on an annual basis.

Aboriginal and Torres Strait Islander corporations are diverse in nature, based in remote and non-remote locations, and operating at varying levels of maturity and capability. The remote location of some corporations can pose challenges by way of organising meetings, achieving quorums for meetings and managing memberships as well as accessing reliable internet connectivity. Weather and cultural events can also make it difficult for corporations to hold meetings and engage accounting and audit expertise to meet their AGM and annual reporting requirements under the CATSI Act.

In the past, ORIC would approve reporting and AGM extension requests from corporations in relation to events that could be anticipated and usually eventuated every year such as the wet season and standing cultural events. Reflecting ORIC’s focus on accountability through the submission of annual reports and the holding of AGMs, ORIC will be considering these types of requests in the future where they result from extenuating circumstances

only. Corporations will be expected to plan for annual events and put in place adequate mitigations to ensure they meet their obligations under the CATSI Act.

The CATSI Act provides the Registrar with powers to:

- direct a corporation to act
- issue a compliance notice
- undertake an examination
- conduct an investigation
- initiate a meeting or changes to a corporation’s rule book
- appoint a special administrator to a corporation
- prosecute directors and others for civil and criminal matters.

The Registrar exercises her functions and powers proportionately by taking a risk-based approach commensurate with the compliance attitude demonstrated by the corporation and its officers. For corporations experiencing difficulties meeting their obligations or that make honest mistakes and are willing to become compliant, the Registrar’s preference is to work with the corporation to get it back on track. In circumstances where serious repeated non-compliance or misconduct is identified or suspected by individuals and/or corporations, the Registrar may take one or more types of enforcement action. ORIC’s regulatory compliance framework provides more detail regarding each of the Registrar’s powers under the CATSI Act and her approach to exercising them.

The CATSI Act provides for certain personal information lodged with the Registrar about corporation personnel to be searchable and accessible by the public. The CATSI Act took effect in 2007 and since that time there has been a shift in public expectations about privacy – in part driven by the risks associated with identity theft. ORIC continues to review our information law obligations in order to consider how to best strike the balance between meeting our transparency obligations under the CATSI Act while protecting privacy under the *Privacy Act 1988*.

Cooperation and collaboration

Collaborative partnerships help ORIC to effectively regulate Aboriginal and Torres Strait Islander corporations. Strengthening existing, and developing new, relationships will be critical to us achieving our goals.

ORIC is focused on strengthening our relationships with the:

- Australian Parliament to ensure Ministers, Senators and Members of Parliament understand the role and powers of the Registrar, and can access relevant information about Aboriginal and Torres Strait Islander corporations.
- Australian Charities and Not-for-profits Commission (ACNC) to maximise the efficiency and effectiveness of efforts associated with regulating the population of corporations registered with both ORIC and the ACNC as well as to share best practice regulation approaches.
- Commonwealth Director of Public Prosecutions to ensure that briefs of evidence prepared by ORIC to support prosecutions meet the standards required to optimise opportunities for successful prosecutions.
- Australian Securities and Investments Commission to raise awareness regarding the difference of corporate regulators, including ORIC's unique role in supporting Aboriginal and Torres Strait Islander corporations, so that Indigenous people can make an informed decision regarding their incorporation statute and choice of regulator.
- Australian Business Registry Services to improve the compliance of directors of Aboriginal and Torres Strait Islander corporations to apply for a director identification number (director ID).

ORIC is exploring new and existing relationships with:

- state and territory governments to explain the role and powers of the Registrar and highlight where find information that may be used to inform funding decisions.
- other regulators to share materials and experience to build the capability of ORIC staff, and support it to implement a better practice approach to regulation.

ORIC will look for opportunities to inform funding bodies of its role and the extent of the Registrar's powers. ORIC will also highlight where information available to funding bodies, such as information about corporations on the public Register of Aboriginal and Torres Strait Islander Corporations, may be useful to inform funding decisions.

Performance reporting

ORIC will release a performance report every 4 months that measures our performance.

The performance reports will be structured to report on:

- what ORIC has achieved (November)
- the impact of ORIC’s work (February)
- how well ORIC is performing (July).

This reporting approach will provide transparency as to whether ORIC is achieving what is planned as well as whether the intended impact is being achieved.

To measure our progress on the 3 pathways and the effectiveness of our efforts, we will report on delivery of priorities as well as the measures outlined in the following table.

Pathway	Priority	Measures
Pathway 1: Build capability of members and directors	Modernise and streamline digital interactions	# of corporation portal log-ons Proportion of forms lodged in hard copy vs online # of requests for online help Positive user feedback on new website User and session analytics for new website Average annual report processing timeframes Average time taken to resolve enquiries Average time taken to process standard rule book change requests # of requests for assistance with system/system issues
	Improve ORIC processes and customer service	Positive feedback on induction kits Positive feedback on 4-month check-in Staff feedback on SOPs and task cards % of new corporations provided with an induction kit % of new corporations that received a check-in after 4 months Proportion of calls answered # of ORIC all-staff information sessions held # of ORIC delegate information sessions held % of letters replaced with new template
	Refresh training	Participants self-assess improvement in knowledge or skills Positive user feedback about CATSI conversations # of online training module completions # of participants who completed the 2-day governance training # of participants who completed the Certificate IV in Aboriginal and Torres Strait Islander Governance # participants in 2-day governance training # participants in financial training # participants in webinars # participants in corporation-specific training # participants in online training modules # participants in Certificate IV in Aboriginal and Torres Strait Islander Governance # CATSI Conversations views # corporations exiting special administration that have completed training # people who have accessed the learning management system

Pathway	Priority	Measures
	Refresh guidance and education materials	<p>Enquiries and reports of concern are analysed for trends to identify where new materials are required</p> <ul style="list-style-type: none"> # of enquiries and reports of concern relating to topics of new and revised materials # of policy statement downloaded # of guidance material for corporations not started; in draft; in review; released # of fact sheets downloaded # visits to website pages # model rule books downloaded % of policy statements refreshed
	Refresh support services for corporations	<ul style="list-style-type: none"> # job advertisements advertised # recruitment webpage visits # recruitment support materials downloaded # of requests for LawHelp Positive user feedback on support services
Pathway 2: Proportionate approach to regulation	Use breadth of powers under the CATSI Act	<ul style="list-style-type: none"> More corporations resolving disputes themselves Satisfaction with reports of concern resolution Year on year improvement of corporation reporting compliance rate Year on year reduction in the number of corporations seeking an extension to hold their AGM % of corporations holding their AGMs on time Timeliness of corporation response to compliance notice # of instances where corporation responds in accordance with a compliance notice # of instances where corporation responds in accordance with a direction Special administration outcomes Examination outcomes Reports of concern are responded to within 20 days (unless complex) # of reports of concern received # of reports of concern regarding AGMs not being held # of examinations undertaken # of targeted examinations undertaken # of special administrations # of Registrar initiated meetings held # of Registrar initiated rule book changes # of compliance notices issued Proportion/# of compliance notices issued outside of an examination # of notices to provide information (section 407-5) issued
	Support self-regulation	<ul style="list-style-type: none"> Compliance trends relevant to the release of the enhanced digital Healthy Corporation Checklist Materials revised to align with the Corporate Governance Principles for Aboriginal and Torres Strait Islander Corporations released # of Healthy Corporation Checklist downloaded Discussion papers and other useful materials to support self regulation released

Pathway	Priority	Measures
	Strengthen ORIC’s investigation function	Enforcement priorities reflected in the 2025 Regulatory posture Improved compliance among Aboriginal and Torres Strait Islander corporations, including a higher proportion of corporations meeting their reporting obligations and acting when directed Average time taken to assess referrals for investigations Investigations and prosecutions policies, SOPs, tools and templates released % of minor regulatory prosecution referrals accepted by the CDPP % of other prosecution referrals accepted by the CDPP # of minor regulatory prosecutions # of other prosecutions
Pathway 3: Increase understanding and awareness of the CATSI Act	Release material	Key stakeholder engagement increased # of panel discussions / presentations # of forums / events attended
	Refresh policies	Intended effect of position statements are realised # of position statement downloads # of Registrar opinions downloads
	Report	Annual survey of Aboriginal and Torres Strait Islander corporations conducted # of responses to annual survey etc Triannual reporting released

Note: Data for some of these measures will be dependent on responses to an annual survey of corporations.

