



Registrar's word

I am about half way through my term as Registrar of Aboriginal and Torres Strait Islander Corporations. As I look back over this time, I am proud of what my office has achieved and the enthusiasm with which officers within my office have embraced the significant change that has taken place. I am equally proud that we have achieved significant change while maintaining our day-to-day regulation and support for some 3,500 corporations.

We have had a number of firsts – our first Regulatory Posture and our first report of this kind. Given our limited resources, we have focussed on refreshing those parts of our business that have the greatest impact on corporation's trust and confidence in our regulatory

approach, and the governance success of corporations. We have done lots of reviewing and refreshing including our website, letters, training and other materials.

We continue to consider our position on administering aspects of the **Corporations (Aboriginal and Torres Strait Islander) Act 2006** (CATSI Act) with a view to protecting the rights of members and considering what is in the best interests of corporations. Our regulatory approach is underpinned by a commitment to the Indigenous controlled and member-controlled integrity of corporations.

I look forward to seeing the bedding down of these changes and am excited to see the impact.

We continue to work toward our vision of well-governed and self-determining Aboriginal and Torres Strait Islander corporations achieving their economic, social or cultural purpose.

Tricia Stroud
Registrar of Aboriginal and Torres Strait Islander Corporations



ORIC's Investigation and Prosecutions function

In March 2023, ORIC implemented a strategic review of its investigative functions. This review outlined 20 key findings and 19 recommendations to improve the efficiency and effectiveness of ORIC investigations and referral for prosecutions. Many of these recommendations have been actioned. Two essential recommendations were the implementation of an investigation case management software (ICMS) and the updating of the Investigations Procedures Manual. These were large reform pieces and both essential to ensure compliance with Australian Government Investigations Standards (AGIS) standards.

The procurement of a new ICMS commenced approximately 12 months ago and has been concluded. Implementation of the ICMS is scheduled to commence on 11 November 2024, with full integration of the system to be completed by 9 December 2024. ORIC is also currently refreshing its Investigations Procedure Manual which is on track for completion in early March 2025.

Inaugural Registrar's Regulatory Posture

This year, ORIC released its first Regulatory Posture to reflect both its standing regulatory priorities as well as its annual regulatory priorities.

For 2024, ORIC's annual priorities included:

- corporations that have, over time, stopped reporting income and assets, or are suspected of under reporting
- corporations that provide housing or accommodation services, particularly those that are suspected of understating the value of their assets in their financial reporting
- directors and officers who fail to fulfill their duties under the CATSI Act

As part of this focus, ORIC has (among other actions) included a focus on corporations that provide housing or accommodation services in its rolling program of examinations.

Findings from examinations undertaken in 2024 as well as observations and trends during the year will inform ORIC's regulatory priorities for 2025. Resulting from the review of ORIC's investigation and prosecution functions, the 2025 Regulatory Posture will also reflect its prosecution priorities.



Tailored support for corporations

ORIC introduced a check-in process to support newly registered corporations. Four months after registration, ORIC contacts corporations to ensure they have met their requirements under the CATSI Act, including the requirement to hold a general meeting within 3 months. ORIC also uses the opportunity to remind corporations about upcoming requirements such as to hold their annual general meeting (AGM) or lodge their annual reporting. Reminders about education and training offerings are also provided. Since 1 August 2024, ORIC has contacted 25 newly registered corporations.

Tailored training opportunities for corporations

ORIC has increased its focus on tailored training opportunities for corporations to address identified needs.

ORIC has been running training for corporations exiting special administration to ensure those corporations, and particularly their boards, have the right skills to keep the corporation in a healthy position. One recent example included running training that focussed on directors' duties and the importance of separating roles and responsibilities.

ORIC has refreshed its training offerings including a new 2-day governance training program and a one-day Understanding Finances workshop. New training modules also enable its staff to deliver an increased number of corporation specific training opportunities. Since 1 July 2024, ORIC has delivered 5 training sessions for individual corporations including one recently where an interpreter was engaged to assist with the training as English was not the primary language of attendees. The content was also tailored to specific activities and experiences of the corporation to resonate with participants.

Compliance notices

ORIC's Regulatory Compliance Framework signals ORIC's intent to use the full breadth of regulatory powers under the CATSI Act when dealing with suspected and confirmed non-compliance. This includes a focus to expand its use of compliance notices which in the past have generally only been used following an examination.

Earlier in 2024, ORIC released a Position Statement and website content in relation to the Indigeneity provisions of the CATSI Act which outlined what its role was in administering these provisions. These materials explain that when the Indigeneity of a corporation as a whole is potentially at risk, ORIC will take action and ask the corporation to address any concerns.

Since the introduction of this policy, ORIC has issued 2 compliance notices to corporations requiring them to demonstrate that they satisfy the Indigeneity requirements of the CATSI Act.

There are a range of benefits that corporations receive because of their incorporation under the CATSI Act, including access to free training and other materials. Further, stakeholders place confidence in the Indigeneity of corporations by way of their incorporation under the CATSI Act which can include preferencing for grant and other opportunities. ORIC will continue to focus on this area to ensure it maintains the stakeholders' trust and confidence.

Internal and external guidance materials

ORIC has been undertaking a comprehensive review of its internal and external guidance materials relating to aspects of the CATSI Act.

Refreshed materials in relation to the Indigeneity provisions in the CATSI Act as well as reporting and annual general meeting extension requests have been released. To align with these processes, standard operating procedures have also been refreshed to assist ORIC's regional officers when dealing with these matters.

ORIC is in the process of revising its complaints processes relating to corporations as well as those about ORIC. For complaints about corporations, ORIC will be working with members, directors and common law holders about how they can raise any concerns they may have using the rules in the CATSI Act and a corporation's rule book. Information about these revised processes will be released shortly.

ORIC replaced its customer service charter with a webpage that outlines what people can expect from it, and in return people's responsibilities when dealing with ORIC. This is complemented by an internally facing Customer Service Protocol. Together these documents outline ORIC's expectation that its interactions with stakeholders are based on respect, accountability and consistency.

Targeted training for staff

The CATSI Act is a lengthy and complex piece of legislation. To enhance the understanding of ORIC officers in relation to aspects of the CATSI Act, ORIC has been conducting targeted training workshops.

There are 2 types of workshops: one for decision-makers only and another for all staff. Topics of these workshops have included but are not limited to: procedural fairness, related party benefit requirements, not-for-profit entity tax changes and corporation name requirements.



ORIC's new website

ORIC's new website was launched on 24 October 2024. Development of the replacement site spanned several years involving independent user research, a comprehensive site analysis, information architecture review, and review of thousands of existing webpages and files.

The goal was to make content findable, learnable and accessible – to help users feel confident they have what they need to make decisions and take action.

Key changes to the site have focused on improving user experience, functionality and content architecture.

The most visible change is to the website's visual appearance to reflect ORIC's changed visual identity.

Corporate Governance for Indigenous Corporations workshop refresh

ORIC's Corporate Governance for Indigenous Corporation workshop goes for 2 days and is delivered face-to-face. It provides a broad introduction to corporate governance, governing a corporation and the role of boards in the context of the CATSI Act.

The modules, content and delivery of the 2-day governance workshop was refreshed and by 30 October 2024, ORIC had delivered 5 of these workshops.

ORIC will soon evaluate the first 6 months of implementation ahead of the 2025 series of workshops.

ORIC Recruitment Assistance (ORA) review

ORIC undertook a review of its recruitment assistance service, ORA, which involved helping corporations recruit senior positions.

As a result of this review, ORIC is no longer offering hands-on recruitment assistance but is continuing to offer an online jobs board for corporations to advertise their vacancies as well as promote vacancies for independent directors in its Independent directory group in LinkedIn.

Templates and guides for employment contracts reviewed by the Australian Government Solicitor have also been uploaded to the new website within the corporation jobs area. ORIC will continue to develop templates and guides that assist corporations in the important task of recruiting senior staff.

ORIC letter review project

ORIC reviewed its letter templates looking for opportunities to remove the use of legal jargon and increase the use of plain English so that correspondence was easy to read and understand.

ORIC updated 60 of its most frequently used letters. In addition to letter templates, standard words for common correspondence sent by way of email has also been drafted, i.e., outstanding financial reports.

ORIC's IT system replacement project

Since January 2023, ORIC has been undertaking a project to replace its online portal, customer relationship management system and the public Register of Aboriginal and Torres Strait Islander Corporations.

As part of this project, an external reference group of interested corporations was established to provide input on the design and functionality of the replacement systems.

ORIC is expecting to release these new systems in early to mid-2025 to avoid its peak annual report processing period. The new systems are expected to offer benefits to internal and external stakeholders by way of straight through processing for information submitted by corporations, pre-populated general reports, a more intuitive user experience and improved system controls to better manage corporation roles and ensure forms etc are complete upon lodgement.

Strengthened and new relationships

ORIC is continuing to work with Australian Business Registry Services (ABRS) to increase the number of directors of CATSI Act corporations who have director IDs. This includes working with the ABRS to have in-person and virtual presences at ORIC training workshops to enable directors to apply for their director IDs.