



Technical review of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*

Terms of reference

The *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (the CATSI Act) commenced on 1 July 2007.

The CATSI Act has played an important role in improving the effectiveness, efficiency, sustainability and accountability of Aboriginal and Torres Strait Islander corporations.

On 5 July 2017 Senator the Hon Nigel Scullion, Minister for Indigenous Affairs and Anthony Beven, the Registrar of Indigenous Corporations announced a technical review of the CATSI Act. This is the first time that a comprehensive review of the CATSI Act has been undertaken since it came into effect.

Scope of the review

The purpose of the review is to consider technical amendments to strengthen and improve the CATSI Act and align it with recent changes in corporate law and regulation, particularly in the *Corporations Act 2001*.

The review will consider the following matters:

1. Whether any part of parts of the CATSI Act could be amended to create a more efficient and effective regime of registration, regulation, enforcement, support and administration.
2. The appropriateness of the current size classification of corporations (small, medium and large) and the meeting and reporting requirements for Aboriginal and Torres Strait Islander corporations, and whether these can be simplified and streamlined.
3. The desirability and appropriateness of increased alignment of any provisions of the CATSI Act with provisions of the Corporations Act, including whether the current applied provisions are still effective.
4. Any new or altered powers or functions for the Registrar to strengthen the administration of the CATSI Act and the provision of increased support and assistance to Aboriginal and Torres Strait Islander corporations, including, but not limited to, a greater role in the resolution and mediation of disputes.
5. Amendments that would provide greater flexibility in the design of corporate structures for Aboriginal and Torres Strait Islander corporations, particularly to promote increased economic activity.
6. Amendments to improve consistency and interaction with native title legislation.

7. The appropriateness of existing penalties in the CATSI Act.

Review process

The review will be undertaken by an external legal firm engaged by the Registrar of Indigenous Corporations.

Consultation with Aboriginal and Torres Strait Islander corporations and relevant stakeholders will be undertaken as part of the review.

The review will be overseen by a steering committee made up of representatives of the Department of the Prime Minister and Cabinet and the Office of the Registrar of Indigenous Corporations. The steering committee will provide a report to the Minister on the findings of the review for consideration by the Government.

Expected completion

The review will be completed on or before 31 October 2017.