

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, HOUSING, COMMUNITY SERVICES AND
INDIGENOUS AFFAIRS PORTFOLIO
2010-11 Additional Estimates Hearings

Outcome Number: 7.4

Question No: 246

Topic: Office of the Registrar of Indigenous Corporations

Hansard Page: Written

Senator Scullion asked:

ORIC has the power to charge corporations with failing to lodge annual reports which provide a breakdown on the distribution of government funds. Have any other corporations been charged with failing to lodge annual reports since the first [reported case](#) in July 2010?

Answer:

Aboriginal and Torres Strait Islander corporations registered under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act) are required to lodge reports with the Registrar of Indigenous Corporations (Registrar) each year, depending on their income and size. Reports must be lodged by 31 December each year.

A failure to lodge required reports by 31 December is a criminal offence under the CATSI Act, carrying a fine for corporations of up to \$13 750 for each report not lodged.

Each year the Registrar conducts a compliance program to identify corporations that do not lodge their reports by 31 December. The Registrar's 2010 compliance program focussed on large corporations that failed to lodge their 2008-09 reports. As reported by the Registrar on 27 July 2010, the Western Desert Puntukurnuparna Aboriginal Corporation (WDPAC) was convicted of offences against the CATSI Act for non-lodgement of its 2008-09 reports and fined \$2 000 in the Perth Magistrates Court. WDPAC was the only large corporation that did not lodge its 2008-09 reports.

No other corporation has since been convicted of offences under the CATSI Act for failing to lodge reports. However, the Registrar's 2011 compliance program is focussing on large and medium corporations that failed to lodge their 2009-10 reports by 31 December 2010.

The Registrar has this calendar year referred 50 medium and large sized corporations to the Commonwealth Director of Public Prosecutions for consideration as to whether charges should be laid against the corporations for failing to lodge their 2009-10 reports.