

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
ADDITIONAL ESTIMATES 2015

Prime Minister and Cabinet Portfolio

Department/Agency: Office of the Registrar of Indigenous Corporations

Outcome/Program: 2 – Indigenous

Topic: Allegations raised in Fairfax media

Senator: Rachel Siewert

Question reference number: 98

Type of question: Written

Date set by the committee for the return of answer: 10 April 2015

Number of pages: 2

Question:

1. Last year there were a number of allegations raised in the Fairfax media regarding governance failings on the part of WDLAC directors and senior executives, allegations of conflicts of interest on the part of WDLAC senior executives and allegations of misuse of native title funds received by WDLAC. I understand that, since that time, a number of additional complaints relating to WDLAC have been forwarded to ORIC. I am also told that the Martu people, who are represented by WDLAC, feel that complaints made to ORIC in the past have not been adequately addressed by ORIC and that they have lost faith in ORIC as the regulator of Indigenous corporations. How have you responded to these concerns?
2. Will ORIC thoroughly investigate all the issues and complaints that have been raised and ensure that any breaches of regulations or breaches of fiduciary duty on behalf of WDLAC directors and staff are fully identified, so that Aboriginal people can have confidence that ORIC will ensure the integrity of the corporations that represent them?
3. If such breaches are identified in relation to WDLAC, will ORIC take appropriate action against the individuals involved?

Answer:

1. All allegations and complaints regarding breaches of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act) by officers, members or staff of the Western Desert Lands Aboriginal Corporation (Jamukurnu-Yapalikunu) RNTBC have been reviewed and assessed by the Registrar of Indigenous Corporations. Responses have been provided to all complainants.
2. The Registrar administers the CATSI Act and the Corporations (Aboriginal and Torres Strait Islander) Regulations 2007 (CATSI Regulations). The Registrar only takes action in relation to breaches of the CATSI Act and CATSI Regulations and does not

investigate breaches of any or all regulations or fiduciary duty by directors and staff of Aboriginal or Torres Strait Islander corporations.

All allegations and complaints regarding breaches of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act) by officers, members or staff of the Western Desert Lands Aboriginal Corporation (Jamukurnu-Yapalikunu) RNTBC have been reviewed and assessed by the Registrar of Indigenous Corporations. Responses have been provided to all complainants.

3. Refer to the answers to questions 1 and 2 above.