



Australian Government

Office of the Registrar of Indigenous Corporations

Technical review of the CATSI Act

National Native Title Conference
2018



Background

Corporations (Aboriginal and Torres Strait Islander) Act 2006
commenced on 1 July 2007, repealing the
Aboriginal Councils and Associations Act 1976



Is it still relevant?

Does it meet the needs of
Aboriginal and Torres Strait
Islander corporations?



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Purpose of the review

- Consider technical amendments to strengthen and improve the CATSI Act
- Align the CATSI Act with recent changes in corporate law and regulation



Review team

DLA Piper Australia

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Dr Garry Hamilton



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Review methodology

- Literature review
- Review of changes to the *Corporations Act 2001* and changes to the CATSI Act since its commencement
- Consideration of the impact of the *Australian Charities and Not-for-profits Commission Act 2012*
- Preparing and disseminating a discussion paper
- Undertaking consultations with stakeholders including representatives from corporations, Indigenous corporate sector, service providers and funding bodies





- 8 ITEMS TO
- #1 REGISTRATION & COMPLIANCE
 - #2 MEMBERSHIP MANAGEMENT
 - #3 AGMs
 - #4 REPORTING
 - #5 ACCOUNTABILITY
 - #6 DIRECTOR TRAINING & DISRES
 - #7 REGISTRAR'S POWERS
 - #8 ESTABLISHING A REGULATORY...

Matters considered

- Amendments to create a more efficient and effective regulatory regime
- size classification of corporations (small, medium and large)
- meeting and reporting requirements—can these be simplified and streamlined?
- desirability and appropriateness of increased alignment with the Corporations Act
- 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.
- greater flexibility in the design of corporate structures, particularly to promote increased economic activity.
- Amendments to improve consistency and interaction with native title legislation.
- appropriateness of existing penalties in the CATSI Act.



Next steps

The recommendations of the review are currently before government.

If government decides to pursue legislative change there will be further consultation on proposed changes, including anticipated implementation issues.



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Thank you



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