



GUNDITJ MIRRORING

Traditional Owners Aboriginal Corporation RNTBC
ICN 4672 (under special administration)

NEWSLETTER

ISSUE 1, OCTOBER 2017

Dear members, traditional owners and other interested people,

My name is Paul Case. On 13 September 2017 the Registrar of Indigenous Corporations, Anthony Beven, appointed me as special administrator for Gunditj Mirring Traditional Owners Aboriginal Corporation RNTBC. The appointment was made in response to concerns raised with the Registrar from February 2017, and after a Registrar-initiated examination of the corporation's books and records was completed in May. As members would know, I was originally appointed in June but the decision to appoint a special administrator was legally challenged, which resulted in the special administration ceasing on 25 August 2017. The corporation is now under special administration for four months, until 15 January 2018.

WHAT IS 'SPECIAL ADMINISTRATION'?

Special administration is a measure under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act) to help corporations fix their internal problems. A special administrator works with members to restore the corporation to good health and, having achieved that, returns control to the members.

A special administrator is an independent, suitably qualified person who:

- works in the best interests of the corporation and its members
- helps fix problems such as money trouble or poor governance.

Only the Registrar can appoint a special administrator. There are three stages to a special administration:

STAGE	ACTION	STATUS
1	Take control of the assets, including land, and find out if the corporation can continue as usual.	Complete
2	Restore good operational order.	In progress
3	Prepare the corporation for return to members' control as soon as possible.	Future

I have completed stage one and am currently working through stage two.

WHY IS GUNDITJ MIRRORING UNDER SPECIAL ADMINISTRATION?

The Registrar placed Gunditj Mirring under special administration mainly due to complaints made by members concerning governance practices that were interfering with the smooth operation of the corporation. The issues have been present for some time.

My role is to help the corporation address these governance problems and resolve any other issues that members have raised.

I am aware that an application for judicial review of the decision to place Gunditj Mirring under special administration has been filed in the Federal Court by former directors. A hearing has been set down for 1 November 2017.

WHAT HAS HAPPENED SO FAR?

Since my appointment on 14 September 2017, I have made some good progress. The following is an outline of completed tasks:

- To ensure the special administration has no negative impact on the corporation's **funding**, I have made contact with all its funding agencies. They have all been very supportive.
- To ensure **staff** of the corporation are comfortable with my re-appointment, I have introduced myself and provided them with support as needed.
- So the corporation can pay bills as required, I have taken steps to ensure the **bank accounts** remain open and operating as normal.
- I have met with the corporation's **chief executive officer**, who has been stood down with full pay since June 2017.
- I have confirmed in writing to the Victorian Minister for Regional Development that the corporation would be pleased to accept funding for the **Budj Bim Master Plan** Stages 1 and 2. I am also helping to negotiate with the state government with regard to a contract

and terms of reference for an independent manager of the project.

- I have started to look at the **corporate structure** and what staff Gunditj Mirring needs, going forward.
- I have reviewed the status of a number of open **complaints** made by and against corporation members and staff. I am endeavouring to resolve these where possible and in the coming weeks will continue to work with members and staff to do so.
- I worked with the corporation's finance officer to finalise the **audit of the 2017 financial statements**, which I have since signed.
- I assisted staff in the lead-up to the corporation's **annual general meeting**, which I then attended and chaired on Thursday, 5 October 2017.
- I have appointed an **advisory group** to work with me through the special administration.

ADVISORY GROUP

A large number of members applied to be on the advisory group. As well as considering applicants' relevant experience, I tried to include a balance of elders and youth, men and women, on-country and off-country members, and members from different family groups.

Based on the above, I have appointed the following members to the advisory group:

- Eileen Alberts
- Alfred Bamblett
- John Bell
- Narelle Carter
- Keicha Day
- Angela North
- Hilary Saunders
- Walter Saunders
- Donna Wright

I believe the above nine people will be valuable advisors and I ask that all members please support these people in their role on the advisory group.

FINANCIAL POSITION

Planned over-expenditure that resulted in losses in the last two years has eaten into the corporation's cash reserves. The corporation also made a loss in 2016–17, however it was a smaller loss than previous years.

The corporation is in a healthy financial position, but I am concerned that it is no longer receiving core funding from the Department of Justice. I have been trying to identify some temporary funding to carry the corporation through until the settlement process is finalised. These efforts are yet to bear fruit.

INFORMATION MEETINGS

The first information meeting for the corporation's members and other interested people was held in Heywood on Friday, 6 October 2017. Only 14 people attended, including myself. I understand this was due to sorry business occurring at the time and some members choosing not to attend.

I explained the progress we have made to date (as outlined earlier in this newsletter) and described the types of things I will be looking to achieve in the future.

The next information meetings will be held in Melbourne and Heywood. The Melbourne meeting will be on Thursday, 16 November and the Heywood meeting on Friday, 17 November. The notice for these meetings is attached to this newsletter.

During these meetings I will explain what has happened since the first information meeting and describe the progress I have made with the advisory group. I encourage you all to come to one of these meetings.

NEXT STEPS

The next step of the special administration is to hold a two-day intensive workshop with the advisory group. We will discuss and workshop improvements to the rule book, and discuss many other issues to ensure the corporation is set to operate smoothly once the special administration ceases in January 2018.

Over the coming months and again in consultation with the advisory group, I will also develop a business plan for the corporation.

Special administrator



Paul J Case, MLCS Corporate Pty Ltd

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You can find out more about special administrations by visiting oric.gov.au or by calling the Registrar's office on freecall **1800 622 431** (not free from mobiles).



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NOTICE OF INFORMATION MEETINGS

Dear members and interested people,

On 14 September 2017, the Registrar of Indigenous Corporations, Mr Anthony Beven, appointed me, Paul Case, of MLCS Corporate, as special administrator of Gunditj Mirring Traditional Owners Aboriginal Corporation RNTBC.

I will be holding a second information meeting, and I invite all members, staff and interested parties of the corporation to attend.

To enable a larger number of members to attend, I will hold the same meeting in two locations over two days.

MELBOURNE

DATE: Thursday, 16 November 2017

TIME: 5:15 pm arrival for tea/coffee
5:45 pm meeting

PLACE: Victorian Aboriginal Community
Services Association
496 High Street, Northcote

HEYWOOD

DATE: Friday, 17 November 2017

TIME: 11:00 am arrival for tea/coffee
11:30 am meeting

PLACE: Glenelg Shire Council
77 Edgar Street, Heywood

AGENDA

1. Update from the special administrator and progress to date
2. The advisory group and work undertaken
3. Questions and other business

This is an opportunity for you to discuss the special administration and your corporation's future.

Light refreshments will be served at the end of each meeting.