



Waanyi

Newsletter 1

NATIVE TITLE ABORIGINAL CORPORATION RNTBC ICN 7448 (under special administration)

Dear members, traditional owners and other interested people,

My name is Peter McQuoid and on 15 April 2024 the Registrar of Aboriginal and Torres Strait Islander Corporations, Tricia Stroud, appointed me as the special administrator for Waanyi Native Title Aboriginal Corporation RNTBC (ICN 7448) (Waanyi NTAC).

My appointment is due to end on Friday 18 October 2024; a period of 6 months.

While I'm in this role I'll send regular newsletters to let you know what I'm doing to help get your corporation back on track. This is the first.

What is special administration?

A special administrator is an independent, suitably qualified person who works in the best interests of the corporation and its members. The special administrator helps to fix problems such as money trouble, service delivery problems or poor governance.

Only the Registrar can appoint a special administrator. This form of assistance is unique to the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act).

Special administration differs from other types of external administration in that the special administrator's aim is to work with the corporation to fix internal problems and restore it to good health. When I achieve that, I will appoint a new board of directors and hand back control of the corporation to its members.

There are three stages to a special administration.

STAGE 1	IN PROGRESS
Take control of the assets, including bank accounts; build a complete picture of issues and challenges; and establish a clear plan of action.	
STAGE 2	IN PROGRESS
Restore good operational order.	
STAGE 3	NOT STARTED
Prepare the corporation for return to members control.	

Why is Waanyi Native Title Aboriginal Corporation RNTBC under special administration?

An examination of the books of Waanyi NTAC was completed which led to the Registrar issuing Waanyi NTAC a show cause notice on 12 January 2024 to show cause why a special administrator should not be appointed.

Following the procedural fairness process, the Registrar was satisfied that one or more grounds existed under section 487-5 of the CATSI Act to place Waanyi NTAC under special administration.

The examination identified a number of non-compliance issues and evidence that the directors had not adhered to their directors duties. The was centred around inadequate financial controls and financial management practices. For example, the directors did not receive any financial reports other than the audited financial statements once a year and did not have any oversight over cultural payments made by the corporation. As a result of not having any proper policies and procedures in place, the corporation had no to limited supporting documents in relation to these payments.

Where are we now

Stage one of the special administration is in progress and I am commencing stage two.

I am pleased to advise that with the support of the members, staff and community that all services will continue to operate at Waanyi NTAC . My job is to restore good operational practice and then to prepare the corporation to be handed back to member control.

Special Administration Corporation Advisory Group

Your path to Waanyi NTAC board membership

I am in the process of establishing a special administration corporation advisory group (CAG). The advisory group will help me to make sound decisions during the special administration for the welfare and governance of the corporation.

Members of the special administration corporation advisory group will be people who want to be considered for a future position on the board and who have the skills required to guide and strengthen the leadership, business and development of the corporation.

You are invited and encouraged to nominate your interest in joining the CAG using the attached form. During the special administration, the advisory group will help me:

- consider applications for community support and cultural payments.
- review the corporation's rules with a view to putting in place better mechanisms for good governance.
- look at ways the corporation's rules can be amended to reflect the interests of all members.
- review new membership applications.
- consider how best to strengthen the corporation, develop the capability of its future board and improve its administration systems.

At the conclusion of the special administration, I will appoint members from the CAG to the new Waanyi NTAC board, to lead the governance, strategy and commercial oversight of Waanyi NTAC in its important role as a Registered Native Title Body Corporate (RNTBC) .

I will keep accepting nominations for the CAG well into the special administration but encourage you to nominate your interest as soon as possible.

Other activities

With the help of ORIC staff I will commence the process of converting the corporation's rule book to a simplified, condensed version. I will place the first draft of this on the ORIC website. I will also review a number of the clauses about membership and board eligibility with the advisory group members to see if they require amending.

The Waanyi NTAC Corporate Recovery Team

- **Leadership structure and board development**
– Sue Bruce PDMC. Sue is part of the special administration team and will be working with staff to ensure position descriptions and contracts are in place. Sue will also commence recruiting the corporation advisory group (CAG) from the membership body and start a search for specialist independent members.
- **Industrial Relations** – Adrian Barwick from Williamson Barwick. Adrian is part of the special administration team. Adrian will take over any industrial relations claims against the corporation. Adrian will also work on reviewing and where necessary creating employment contract templates for management positions and staff generally.

The above corporate recovery team has been brought in by me to work with existing staff to bring about a positive change for the corporation and thereby ensure its long-term future.

Information meeting

I will be holding an information meeting on Wednesday, 1 May 2024 in Doomadgee at the Doomadgee Sports and Rec Hall. The notice of meeting is attached to this newsletter. All interested persons are encouraged to attend.

Representatives from ORIC will be there and available for answering questions.

More information

See ORIC's fact sheet '*Special administrations: what members and directors need to know*', and other fact sheets on corporate governance at oric.gov.au.

Many thanks

Peter

SPECIAL ADMINISTRATOR



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MORE ON SPECIAL ADMINISTRATION

The Registrar has a fact sheet, *Special administrations: what members and directors need to know* – see oric.gov.au/special-admins or call 1800 622 431.



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NOTICE OF

information meeting

Members and other interested people are invited to an information meeting of the special administration.

The meeting is not only for members. It's a chance to be informed, ask questions and enjoy some fellowship. Media cannot attend this meeting.

A representative from the Office of the Registrar of Indigenous Corporations will be present and happy to respond to any questions.

This is an opportunity for you to discuss the special administration and your corporation's future. Please come along. Light refreshments will be provided.

No financial support is available to attend this meeting.

Peter McQuoid
Special administrator

18 April 2024

DATE: Wednesday, 1 May 2024

TIME: 11:30am to 2:30pm

PLACE: Doomadgee Sports and Rec Hall
124 Goodeedawa Road,
Doomadgee Qld 4830

Agenda

1. Checking the register of members
2. Role of the special administrator and aim of the special administration
3. Progress to date
4. Next steps
5. Asking questions about the corporation and the special administration



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NATIVE TITLE ABORIGINAL CORPORATION RNTBC ICN 7448 (under special administration)

NOMINATION TO BE IN THE SPECIAL ADMINISTRATOR'S ADVISORY GROUP

My name is: _____

I nominate myself for the special administrator's advisory group.

My relevant background and experience is:

My contact details

Email:

Phone:

Address:

Signature:

Date:

Please return your form to Sue Bruce at PDMC by email to: s.bruce@pdmc.net.au

For more information call Sue Bruce on 0474 242 751