

Reporting requirements under the CATSI Act

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The *Native Title (Prescribed Bodies Corporate) Regulations 1999* (Cth) requires Prescribed Bodies Corporate (PBCs) and the resultant Registered Native Title Bodies Corporate (RNTBCs) to be incorporated with Office of the Registrar of Aboriginal and Torres Strait Islander Corporations (ORATSIC) under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act).

The CATSI Act commenced on 1 July 2007. Under the CATSI Act, corporations are classified as small, medium and large - according to their income, assets and number of employees.

Small corporations will have two or more of the following:

- less than \$100,000 income
- less than \$100,000 assets
- less than 5 employees

Large corporations will have two or more of the following:

- \$5m or more income
- \$2.5m or more assets
- 25 or more employees

Medium corporations are those that do not fit into the small or large categories, and will typically have two or more of the following:

- between \$100,000 and \$5m income
- between \$100,000 and \$2.5m assets
- between 5 and 24 employees

Depending on corporations' sizes, and their income, reporting requirements will differ. Therefore, if a corporation has less than \$100,000 assets and less than 5 employees it will be classified as small, however if its income is more than \$100,000 it will have to provide more financial information. This promotes transparency

and accountability within corporations. In some circumstances, corporations that derive 90% or more of their income through public funding will be able to submit the same reports to ORATSIC as they do to their funding body - this should reduce red tape for such corporations.

In addition to the streamed reporting requirements, the CATSI Act offers enough flexibility for ORATSIC to exempt corporations from reporting requirements under the Act. Exemptions may also be available for other CATSI obligations, such as holding annual general meetings.

ORATSIC seeks to provide assistance to corporations registered under the CATSI Act by delivering corporate governance and related training. More information about this is available on the ORATSIC website at http://www.oratsic.gov.au/training_information_sessions/default.aspx

ORATSIC has partnered with AIATSIS for the PBC project. This project is part of research being conducted by the Native Title Research Unit at AIATSIS that aims to develop a better understanding of challenges facing native title holder communities and to suggest practical approaches to assist them to hold and manage their traditional land and waters. ORATSIC's primary aim as part of this project is to deliver a practical good governance guide specifically for PBCs. More information is available on the AIATSIS and ORATSIC websites at

http://www.oratsic.gov.au/about_orac/client/default.aspx
http://ntru.aiatsis.gov.au/major_projects/pbc_mfbc.html

For more information on the provisions of the CATSI Act that have been tailored to suit groups with obligations under the Native Title Act 1993, please see the following paper on the ORATSIC website at

http://www.oratsic.gov.au/about_orac/legislation/CATSI_Act.aspx#10