



APONT
**Aboriginal Governance
& Management Program**
Our Decisions | Our Actions | Our Future

CATSI Act Review Team
Submitted via CATSIActReview@niaa.gov.au

Dear CATSI Act Review Team,

RE: AGMP response to the CATSI Act Review Final Report Recommendations

I write to you on behalf of the APO NT Aboriginal Governance & Management Program [AGMP] to present our submission to the Corporations (Aboriginal and Torres Strait Islander) (CATSI) Act Review Team in response to the CATSI Review recommendations.

The AGMP welcomes this review and we hope that the outcomes of the review will ensure that the CATSI Act continues to benefit Aboriginal and Torres Strait Islander corporations as intended.

The AGMP has been working for the past seven years to support Aboriginal organisations in the Northern Territory in strengthening their governance and management capacity. This support complements already existing agencies and resources and takes a long term view, recognising that a development approach directed by Aboriginal people themselves is key to achieving sustained and effective Aboriginal governance.

Underlining our work, is the right to self-determination which is expressed in the United Nations Declaration of the Rights of Indigenous People. In Australia, the *CATSI Act* is an important piece of legislation that helps to facilitate the self-determination of Aboriginal and Torres Strait Islander people. The AGMP understands that strong and effective Aboriginal organisations are essential to reduce Aboriginal disadvantage. In particular, Aboriginal organisations are vital to deliver accessible, responsible services in communities; are an important source of employment and training; promote community leadership and role modelling and ultimately bind the social fabric of remote Aboriginal communities, both through the practical contribution they make in providing services and symbolically through the pride they instil in their communities.

The AGMP is only commenting on some of the recommendations that it feels strongly about, but this should not imply that we endorse the balance of the recommendations. We simply do not have the time or resources to respond to every recommendation.



Recommendation responses:

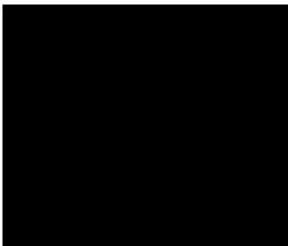
Recs 1-3:	The AGMP fully endorses these recommendations.
Recs 4 & 5	In line with the 2020 APONT submission, the AGMP does not support these recommendations to further criminalise the Act. AGMP believes this will be challenging for ORIC to implement, leading struggling organisations into further non-compliance. Ultimately, these penalties will not serve to support improvement in compliance within small – medium organisations.
Rec 10:	The AGMP fully supports this recommendation.
Rec 11:	The AGMP does not support this recommendation. The AGMP believes this is an internal matter to be addressed by individual corporations and would impose unnecessary burden on corporations, particularly small and medium sized corporations.
Rec 12:	The AGMP does not support this recommendation. The AGMP believes this is an internal matter to be dealt with by individual corporations and would impose unnecessary burden on corporations, particularly small and medium sized corporations.
Rec 16:	The AGMP supports this recommendation for any new corporations.
Rec 18:	The AGMP supports this recommendation.
Rec 19:	The AGMP does not support this recommendation. The AGMP supports that Indigenous corporations must have outright majority indigeneity.
Rec 21:	The AGMP supports this recommendation.
Rec 23:	The AGMP supports this recommendation. In remote communities, this is a constant reality and delays cause enormous logistical, financial and communication issues.
Rec 25:	The AGMP fully supports this recommendation.
Rec 28	The AGMP fully supports this recommendation.
Rec 29:	The AGMP does not support this recommendation. It may not be entirely possible to have a report prepared in September or October that is due to go to the Registrar by the end of December.
Rec 31:	The AGMP supports this recommendation. Special administrators working with a remote corporation who are not entirely familiar with cultural and other remote practices can make changes that are impractical or ill-considered.



Rec 33:	The AGMP does not support this recommendation. The AGMP believes this should be an internal matter for corporation's directors to determine.
Rec 34:	The AGMP does not support this recommendation for the same reasons as Rec 33.
Rec 36:	The AGMP does not support this recommendation.
Rec 37:	The AGMP supports this recommendation.
Rec 39:	The AGMP partially supports this recommendation in regards to remote art centres.
Rec 47:	The AGMP does not support this recommendation.
Rec 49:	The AGMP supports this recommendation.
Recs 52-53:	The AGMP supports these recommendations.
Rec 62:	The AGMP supports this recommendation
Rec 65:	The AGMP fully endorses this recommendation. The directors' decision should take precedence.
Rec 66:	The AGMP fully supports the current ground for appointing an administrator but <u>also suggests the alternative option be included.</u>

In conclusion, it must be re-iterated that the CATSI Act is an important piece of legislation and a Special Measure, for the purpose of the *Racial Discrimination Act 1975* that must be strengthened through any reform, not weakened. The Act is underpinned by the unique cultural and social context that impacts on Aboriginal people, which distinguishes the Act from the Corporations Act and the NT Associations Act.

Sincerely,



APO NT Aboriginal Governance & Management Program

30/7/21

