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24 November 2016

NOTICE TO MEMBERS OF GUMALA ABORIGINAL CORPORATION

**CHALLENGE TO THE COMPLIANCE NOTICE ISSUED BY THE REGISTRAR OF
INDIGENOUS CORPORATIONS**

The Office of the Registrar of Indigenous Corporations (**ORIC**) has issued a compliance notice to Gumala Aboriginal Corporation (**GAC**) under section 439-20 of the CATSI Act (the **Compliance Notice**). ORIC informed GAC in late May 2016 that it would issue a Compliance Notice, following which GAC sought an internal review of that decision. The result of that internal review conducted by ORIC was made known to GAC in late October 2016 – unfortunately, it did not result in any substantial change to ORIC’s decision.

Regrettably, it has therefore become necessary for GAC to file an application with the Administrative Appeals Tribunal against the decision of ORIC, in order to have the Compliance Notice overturned. GAC has instructed an external law firm, King & Wood Mallesons, to provide independent advice on this matter and to pursue the challenge to the Administrative Appeals Tribunal.

GAC is strongly of the view that ORIC’s decision to issue the Compliance Notice is an incorrect decision, is contrary to the known facts, and will be promptly overturned by the Administrative Appeals Tribunal. We have written to ORIC to strongly encourage it to undertake an independent internal review of this matter to re-evaluate its position, with a view to avoiding the necessity for a full hearing of this matter.

Members should note that:

- ORIC’s decision is lacking in factual and legal merit.
- The findings made by ORIC do not form a reasonable basis for the issue of the Compliance Notice.
- Most of the issues raised by ORIC are attributable to the former management of GAC and the failure of ORIC itself to take action following complaints made by the present GAC Board.
- The present GAC Board had already taken significant steps to ensure that GAC is compliant with the CATSI Act and that it demonstrates adherence to the principles of good governance.

It is particularly unfortunate that ORIC chose not to overturn its initial decision to issue the Compliance Notice at the conclusion of its internal review, **despite the express acknowledgement by ORIC that GAC had substantially met all the requirements of the Compliance Notice.**

We will update members further as the matter develops.

Steven W. Dhu

GAC Chairperson

Chairman:

Steven W. Dhu

**Interim Executive
Officer;**

Jahna Cedar