



Dear members, traditional owners and other interested people,

My name is Peter McQuoid and on 23 September 2019 the Registrar of Indigenous Corporations, Selwyn Button, appointed me as the special administrator for Kokatha Aboriginal Corporation RNTBC (KAC). The appointment of a special administrator was made for a period of six months and is due to end on Friday 27 March 2020.

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
- helps to fix problems such as money trouble 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*.

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

WHAT DOES IT MEAN FOR MEMBERS AND COMMUNITY?

It is important to note that it is **business as usual** at KAC.

I intend for the corporation to continue delivering high quality services, support, training and employment opportunities to Kokatha members with a clear focus on fairness for all families.

As special administrator I replace the KAC board. So I assume the board's role which is to govern the corporation. Governing means to steer the corporation towards achieving its objectives—setting the strategy, ensuring it's implemented, monitoring performance and reporting to members on activity and achievements. Directors make decisions about strategic direction, policies, how the corporation will use its funds and assets, and which risks to take to achieve the corporation's objectives.

My specific job as special administrator is to work with staff and community to strengthen the corporation's governance structures for future success.

I will not be involved in day-to-day operational matters which will continue to be ably managed by the corporation's senior management staff.

ALL KAC'S NORMAL BUSINESS AND ACTIVITIES CONTINUE:

- Current financial support for health expenses and funeral costs will continue to be available to all members.
- The annual KAC lifestyle and wellness funding round will open as planned in mid-October.
- Education funding, including scholarship applications are due to be delivered in the first quarter of 2020.
- The corporation's business growth will also continue through entities such as Kokatha Mining Services, Kokatha Pastoral Company and various joint ventures.
- Kokatha Heritage Services will see members continue to deliver vital local cultural services within the Kokatha native title footprint.
- The corporation will continue to receive invaluable lore and culture advice and support from Elders.
- Key partnerships in the resource, pastoral and defence sectors will also continue to deliver real jobs to Kokatha members.

WHY IS KAC UNDER SPECIAL ADMINISTRATION?

I'd like to assure all the members of KAC as well as the community that the special administration was not started because of any suspicion of theft or misappropriation of money. I have not been asked to investigate any matters of this nature.

It's important to listen to the messages from the Registrar, who made the appointment. This is what he said:

'Kokatha Aboriginal Corporation is in a strong financial position and has historically performed well financially,' said Mr Button. 'However, the ongoing dispute between directors is compromising the governance of the corporation, which is not in the interests of its members and the traditional owners it serves.'

You can read the Registrar's full statement at www.oric.gov.au/publications/media-release/south-australian-native-title-corporation-under-special-administration.

KEEP TRACK OF WHAT'S HAPPENING AND BE INVOLVED



COME TO THE COMMUNITY INFORMATION MEETING

Throughout the special administration I will hold information meetings in Port Augusta. The first of these will be held on Saturday, 12 October. For more information see the attached notice.

The meeting is not only for members. All interested people are invited to attend. It's a chance to be informed, ask questions and enjoy some fellowship and lunch together.

A representative from the Office of the Registrar of Indigenous Corporations will be at the meeting and happy to respond to any questions you have.

Financial support to attend this information meeting will not be available.



NEWSLETTERS

Throughout the special administration I will send out newsletters like this one. These will be published in KAC's documents in the public register at oric.gov.au. I also post it to all members—so if you're a member of KAC, make sure your postal address in the register of members is up-to-date.



ASK QUESTIONS

If you have a question, you can call me at the office in Port Augusta on 8642 2068. If I'm not available I will get back to you as soon as possible.

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

Peter McQuoid
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For more about special administrations see oric.gov.au/special-admins or call **1800 622 431** (not free from mobiles).

NOTICE OF INFORMATION MEETING

Kokatha Aboriginal Corporation RNTBC

ABN 17 649 502 722 ICN 8093 (special administrator appointed)

Kokatha Business Centre, 35 Flinders Terrace, Pt. Augusta SA 5700

PO Box 3030, Pt. Augusta West SA 5700

admin@kokatharntbc.com.au Ph: 08 8642 2068

www.kokatha.com.au



On 23 September 2019 the Registrar of Indigenous Corporations appointed me as the special administrator for Kokatha Aboriginal Corporation RNTBC.

I am holding the first information meeting so you have a chance to find out about the special administration, how it works and its current status.

We invite all members of the corporation and interested people to come to the meeting. To respect the privacy of those attending, the media will not be able to attend this meeting.

A representative from the Office of the Registrar of Indigenous Corporations will also be attending and will be available to answer questions.

DATE:

Saturday, 12 October 2019

TIME:

10.00 am

PLACE:

Stirling North Progress Association Hall

AGENDA

1. Role of the special administrator and aim of the special administration
2. Progress to date
3. Next steps in the special administration
4. Questions

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

Lunch will be served at the end of the meeting.

Financial support to attend this information meeting will not be available.

SPECIAL ADMINISTRATOR

Peter McQuoid

PDM Consultancy

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