



Standing Committee on Economy and Gender and Economic Equality

Inquiry into Annual and Financial Reports 2022-2023

ANSWER TO QUESTION TAKEN ON NOTICE

Asked by Ed Cocks MLA on Monday, 20 November 2023: Hugh Maclachlan took on notice the following question(s):

Reference: Hansard Proof Transcript, 20 November 2023, Pages 81-82

In relation to:

MR COCKS: How do you go about validating and verifying that a business is an Aboriginal business?

Mr Maclachlan: Our cornerstone Aboriginal and Torres Strait Islander business support program, Badji, is run by Coolamon Advisors. They are responsible for administering that program, and any sort of necessary engagement or verifications of that nature is run through them as a contractor to government.

MS ORR: Aren't you able to register as an Aboriginal and Torres Strait Islander owned and controlled business? Isn't that an accreditation you can get? Mr Maclachlan: There is a process behind it. I do not have the granularity around that process in front of me, but we can take that on notice.

MS ORR: It is more just asking whether that is one of the ways you would identify organisations that say that they are. Ms Cheyne: Yes, we do have a list.

MR COCKS: I understand there is a list. There is a concern amongst a number of Aboriginal people I have spoken with about the capacity of non-Aboriginal businesses to identify themselves as being Aboriginal. I am interested in what the checks are that you have in place to ensure that these supports are going to the right people.

Ms Cheyne: We will take that on notice, Mr Cocks. I am happy to give you that. I just do not think we have got it to hand.

Tara Cheyne MLA: The answer to the Member's question is as follows –

The ACT Aboriginal and Torres Strait Islander Business Support Program, Badji, has in place several processes to ensure that the supports offered by the program are for the benefit of Aboriginal and Torres Strait Islander people in the ACT.

The Program is guided by both the ACT Aboriginal and Torres Strait Islander Procurement Policy and the Commonwealth Indigenous Procurement Policy. The program is delivered by Coolamon Advisors, an Indigenous owned and operated business – people with a wealth of lived-experience in Canberra. The Program relies on this experience and community networks to deliver its services to eligible participants.

Program participants can be businesses at any stage of the business lifecycle, including support for owners at the concept and start up phases of their business. In some cases, these businesses are yet to finalise ownership structures, so advice is provided on the impacts of having, or not having, majority Indigenous ownership and management models.

For any support from Badji Program services, a business must:

- be at least 50 per cent Aboriginal and/or Torres Strait Islander owned; and
- be able to demonstrate that Aboriginal and Torres Strait Islander people are, or will be, involved in the daily operation of the business and have effective control relative to the degree of ownership.

When an individual or business contacts the Badji Program, an initial meeting is made to discuss their business ideas and to ascertain if the person/business meets the Program's criteria.

The first check Coolamon Advisors makes with new clients is an assessment of registration or certification as a Supply Nation business, or as an entity registered under the Office of the Registrar for Indigenous Corporations (ORIC). Supply Nation is a non-profit organisation that provides a nationally recognised database of verified Indigenous businesses.

If either of these registrations are in place, then the proof of ownership and Indigeneity requirements are considered to be met. Coolamon Advisors also ensures that registrations are current.

For potential Program participants that are not Supply Nation or ORIC registered, Coolamon Advisors strongly encourages and supports the potential participant to complete those processes. This is encouraged not only for registration purposes, but also to assist in promoting the business and attracting work through targeted procurement policies.

The Commonwealth Government Definition¹ of what constitutes an Indigenous person has three elements:

1. the person is of Aboriginal and/or Torres Strait Islander descent;
2. the person identifies as an Indigenous person; and
3. the person is accepted by the Indigenous community as an Indigenous person.

Where a Program participant has not yet registered with Supply Nation or ORIC, Coolamon Advisors takes the following steps to assess eligibility:

- seeks a certificate from a registered Aboriginal and/or Torres Strait Islander

¹ <https://www.abs.gov.au/statistics/standards/indigenous-status-standard/latest-release>

- community-controlled entity that confirms they are of Indigenous descent;
- seeks any evidence they are accepted by the Indigenous community – for example, if they are members of community organisations or have received awards from the Indigenous community, or can provide a reference from a community leader to support their claim; and
 - requests to view a business ownership structure and operating structure to confirm that the business is (or will be) owned and managed by an Indigenous person or people.

If, after the initial meeting is conducted, the business cannot provide the required information, advice and support is offered for them to attain or produce it. Coolamon Advisors also reassesses Program eligibility should entities change ownership status.

Approved for circulation to the Standing Committee on Economy and Gender and Economic Equality

Signature: 

Date: 27/11/23

By the Minister for Business and Better Regulation, Tara Cheyne MLA