

From: [NICHOLSON, Karen](#)
To: [Salvaneschi, Sam](#)
Cc: [MASTROLEMBO, Joe](#); [CULLEN, Michael](#)
Subject: RE: query from ACT Legislative Assembly Estimates Committee [SEC=IN-CONFIDENCE:LEGAL]
Date: Friday, 29 June 2012 4:08:28 PM
Importance: High
Sensitivity: Confidential

Dear Ms Salvaneschi,

I can confirm that the Certificate of Incorporation dated 29 June 1998 and the letter dated 24 December 2007 from Mr Mastrolembo of the Office of the Registrar of Aboriginal and Torres Strait Islander Corporations to the directors of Billabong Aboriginal Corporation are documents currently held on the Register of Aboriginal and Torres Strait Islander Corporations: these documents are available to the public (www.oric.gov.au).

The Certificate of Incorporation records the incorporation of Billabong Aboriginal Corporation on 29 June 1998 under the former *Aboriginal Councils and Associations Act 1976 (Cwlth)*(the ACA Act).

In 2007, the ACA Act was replaced by the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (the CATSI Act). (Copies of the Acts mentioned in this email can be accessed from the ORIC website: [Office of the Registrar of Indigenous Corporations - About the CATSI Act](#))

Billabong Aboriginal Corporation's registration, along with all associations incorporated under the ACA Act, transferred to registration under the new CATSI Act. This was facilitated by the *Corporations (Aboriginal and Torres Strait Islander) Consequential, Transitional and Other Measures Act 2006*. Certificates of incorporation issued under the ACA Act were taken to be current certificates of registration under the CATSI Act.

However, Billabong Aboriginal CORPORATION is no longer registered under the CATSI Act. In late 2007 the corporation's members made the decision to transfer their registration to the *Corporations Act 2001*, which is administered by the Australian Securities and Investments Commission. That transfer was finalised in late 2008.

Mr Mastrolembo's letter was a formal part of the transfer process under Division 540 of the CATSI Act.

I understand that you have made your own inquiries with ASIC concerning the ASIC Certificate of Registration dated 6 November 2008 and the corporation's current constitution.

The ORIC website is publicly available and can be accessed at: www.oric.gov.au.

The document "Other laws for incorporation" can be accessed at: <http://www.oric.gov.au/Content.aspx?content=CATSI-Act%2fdefault.htm&menu=catsi&class=catsi&selected=About+the+CATSI+Act#4>

I hope this answers your query.

Karen Nicholson
Assistant Director
Corporation Complaints Team
Registration and Reporting Section

Office of the Registrar of Indigenous Corporations

PO Box 2029, Woden ACT 2606 || freecall: 1800 622 431 (not free from mobiles) || www.oric.gov.au || ABN: 36 342 015 855



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