



# Complaints involving corporations

Running a corporation that delivers a service to the community is not always easy. People have different opinions and sometimes things can go wrong.

## What to do first

### Check the corporation's rule book.

Often the answer or the advice you're after is in the rule book.

### Contact the corporation.

Talk to the directors or the chief executive officer as soon as possible to discuss your concern. Sometimes you may find that it's a misunderstanding that has caused the problem.

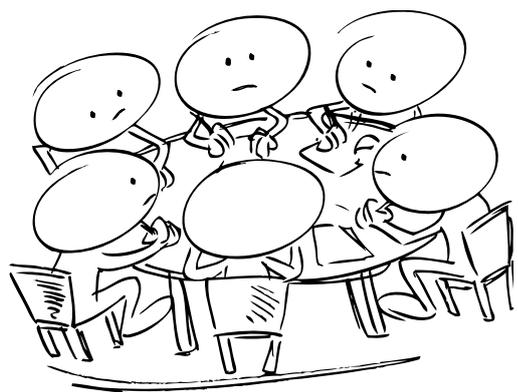
In many cases a simple phone call or a visit to the corporation can fix things.



## When the matter is serious

If your concern is more serious, it is a good idea to put it in writing. Serious issues are, for example, when:

- corporations do not follow their rule books or the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act)
- directors do not act honestly or manage the corporation properly
- corporations run up debts they cannot pay
- corporation activities are illegal or seem to favour particular members
- notices for meetings are not given in the proper way or in reasonable time.



**Did you know you can see a corporation's rule book on the ORIC website?**



Go to the public register, put in the corporation's name or ICN and look under 'documents'.

## How to complain

When you talk or write to the corporation:

- be clear about what the problem is
- explain what you want the corporation to do
- ask for a response within a reasonable time, for example, within two weeks
- be polite—focus on the outcome you want instead of sounding angry or annoyed
- keep a record—once you have spoken to someone write down what happened, the date, and the name of the person you spoke to. Also keep copies of any letters you send or receive.

**There is a problem, what do I do?**

**CONTACT ORIC**  
You can make a complaint over the **phone**, by **fax**, **email** or **post**



**Freecall 1800 622 431**  
(not free from mobiles)



**Fax 02 6133 8080**



**Email [info@oric.gov.au](mailto:info@oric.gov.au)**



**Post PO Box 29,**  
**Woden ACT 2606**

## Taking the complaint further

If you have raised your concerns with the corporation but you are not happy with the response, contact the Office of the Registrar of Indigenous Corporations (ORIC) and lodge a formal complaint.

### How to make a complaint to ORIC

Have the following information ready:

- the name of the corporation and the names of the people involved, if any
- the facts about what has happened
- copies of your supporting material, such as correspondence, minutes of meetings and receipts
- details about how you have already tried to solve the problem
- details about what you would like ORIC to do
- your contact details (complaints can be made anonymously too).

### What happens next?

ORIC will look at the complaint to work out:

- whether there has been a breach of the CATSI Act or the corporation's rule book
- options that may help resolve the problem
- whether the matter should be referred to another organisation better suited to fixing the problem.

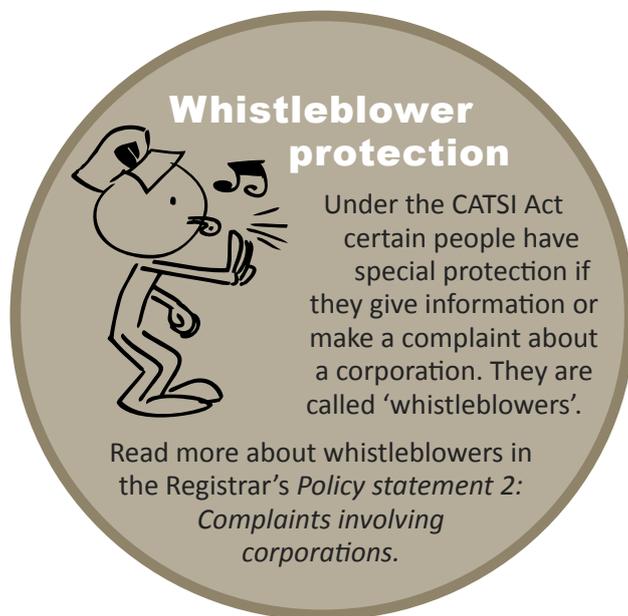
### Follow up

ORIC will contact you to:

- confirm your complaint has been received
- ask for more information if it's needed
- let you know what action to take
- explain the final decision.

**In some cases, ORIC may need to contact the corporation or other people to ask for further information.**

**If your complaint is complex and takes longer than seven days to respond to, ORIC will make sure you are kept informed about your complaint's progress.**



### Possible outcomes

**The Registrar will first try to resolve the issues that caused the problem in the first place.**

If the corporation has done the wrong thing, the Registrar may recommend that the corporation:

- change its rules, policy or procedures
- correct any mistakes that have been made
- reconsider its decision and provide an explanation of the issue to the members in a general meeting.

In some cases, the Registrar may use the Registrar's power to call a general meeting of members to help resolve the issues.

The Registrar may also examine or investigate the corporation and its officers.

If the Registrar finds that the corporation has done nothing wrong, you will be informed of the reasons for that decision.

If it seems that problems have been caused by an underlying dispute, the Registrar will look at ways to help the corporation resolve that dispute.

Read more about disputes in the Registrar's Policy statement 22: Disputes involving corporations.

### What if the Registrar cannot help

Sometimes complaints are about things that the Registrar has no power over. If the Registrar cannot help with your complaint you may be referred to another agency, such as the Administrative Appeals Tribunal, the Human Rights Commission or the Commonwealth, state, territory or specialist ombudsman—or you may be advised to seek independent legal help.



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website [www.oric.gov.au](http://www.oric.gov.au)