

ADNYAMATHANHA

TRADITIONAL LANDS ASSOCIATION (ABORIGINAL CORPORATION)

RNTBC ICN 3743 | ABN 14 146 238 567

Special Administrator Appointed | Email: atla@jaramerlegal.com.au



Dear members and other interested people,

This Special Administration Newsletter – Issue 2, is to update you on the progress of the Special Administration for ATLA.

SPECIAL ADMINISTRATION UNDER COVID-19 RESTRICTIONS

We continue to acknowledge that this appointment has been made during a difficult time of the COVID-19 crisis.

We are not based in South Australia and as such, we will continue to monitor Federal and State Government policies in relation to travelling to South Australia.

In the meantime, we will continue to progress our engagement with various members and stakeholders remotely through telephone, emails, video conferencing, media releases and social media.

WHAT HAS HAPPENED SO FAR?

The following tasks have been completed in addition to those set out in the last Special Administration Newsletter (Issue 1):

- Confirmed that ATLA is currently trading solvent with a cash balance of \$53,704.75
- Continued to conduct interviews with ATLA members
- Appointment of advisory board to assist special administration (see announcement over page)
- Liaised with various stakeholders including service providers and other entities
- Reviewed the ATLA and Cramond constitutions to provide recommendations
- Reviewed the corporate structure of ATLA, Cramond and Rangelea Holdings to provide recommendations
- Considered the financial position of ATLA and Cramond
- Considered potential appointments to the new ATLA Board
- Considered whether additional advisors are needed to support the ATLA Board
- *Set up ATLA Aboriginal Corporation Members Group Facebook Page*

THE ADVISORY GROUP ANNOUNCED

After reviewing numerous nominations for the ATLA Advisory Group and subsequently conducting many interviews, we are pleased to announce that the following members have been selected for the ATLA Advisory Group to assist the special administrators work through outstanding issues within ATLA:

NAME	EXPERIENCE
Charles Jackson	Board experience. Family, community, health and government experience.
Enice Marsh	Native title and governance experience.
Reginald Wilton	Business and management experience.
Carolynanha Johnson	Masters in narrative therapy and community work.
Haydyn Bromley	Business/native title experience.
Tony Clark	Business/native title experience.
Vicki Welgraven	Finance, bookkeeping and government experience. Completed company directors' course.
Chris Croker	Independent advisor. Managing Director of Impact Investment Partners, the first Indigenous owned infrastructure fund.
Adam Goodes	CEO & Director of iDiC. Australian of the Year 2014. Business and board experience.
Daniel Jackson	Expertise in land management as well as advocate for innovation.
Clayton Cruse	Education experience. Compiling and preserving language and culture.
Amanda Richards	Medical/health experience.
Dwayne Coultard	Upcoming lawyer and young leader.

We may alter the above list over the coming weeks and will also liaise and work with subject matter experts from the Adnyamathanha community.

We kindly ask that you support this decision to ensure the future success of ATLA going forward. The strength of a team is each individual member, and the strength of each member is the team.

WILLIAM BUCK REPORT

Why was the Report undertaken?

William Buck is a leading firm of accountants and advisors, commissioned by the previous ATLA Board to review the expenditure of monies administered by Cramond Pty Ltd ("Cramond") as Trustee of the Adnyamathanha Traditional Lands Trust ("ATLT"). The Report had examined key expenditure conducted by Cramond since December 2014, to ensure compliance with the established Corporate Framework and any ATLA directives, including:

- The Corporations Act 2001
- The Company Constitution for Cramond
- The Trust Deed for ATLT ("Trust Deed")
- Any trust resolutions
- Any trust or company policies
- Any other legal obligations.

What did the Report find?

Based on the information made available to William Buck, it was found that certain payments administered by Cramond from ATLT to ATLA were likely to breach obligations under the Corporate Framework, and that corrective action is required by ATLA. It is noted that amounts less than \$10,000 were not reviewed or assessed as part of the engagement.

What did the Report recommend?

The Report recommended that:

- Further details be provided on amounts that were assessed as 'undeterminable'
- An explanation be provided by the Cramond Board in relation to how certain payments made were compliant with the Trust Deed
- There is confirmation that the schedule of Core Groups maintained by the Trust is appropriately up to date
- An explanation be provided on how further investment into Wilpena Pound may be satisfactorily fulfilled
- An assessment be conducted to confirm whether the Wilpena Pound business remains a sound investment
- Evidence be provided to demonstrate that record keeping and decision-making procedures have been appropriately performed.

What are the next steps?

The special administrators will continue to work through the recommendations made by the Report and review the structure of ATLA including the role of Cramond.

NEXT STEPS

We will continue to work on:

- Finalising and adopting a well-balanced constitution for ATLA
- Considering Cramond issues as raised in the William Buck Report
- Appointing a Board of Directors with a variety of skills that cover areas such as accounting, finance, law, business, government, community, health, native title and cultural heritage
- Ensuring adequate insurances are put in place
- Recommendations for the most appropriate corporate structure for ATLA and its related bodies
- Engaging specialist advisors where necessary
- Carrying on ATLA's business

KEEP TRACK OF WHAT'S HAPPENING

Newsletters

Throughout the special administration, we will continue to send out newsletters like this one. These will be published in ATLA's "documents" on the public register at oric.gov.au.

We will also post newsletters to the *ATLA Aboriginal Corporation Members Group* Facebook Page and The Transcontinental Online. As well as this, we will email or post newsletters to members (as appropriate).

More Information

For more information about special administrations, 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.

If you have any questions, you can contact us, Bevan Mailman or Brian Bero on the details provided.

IMPORTANT ACTIONS FOR ATLA MEMBERS

Please ensure you:

1. update your address, email & phone details by
 - emailing atla@jaramerlegal.com.au
 - calling Bevan Mailman or Brian Bero on the numbers below. If a female contact is required, call Kat Henaway on 0430 153 201
 - posting to GPO Box 4592 Melbourne VIC 3001.
2. connect to the *ATLA Aboriginal Corporation Members Group* Facebook Page and check regularly for updates (this Facebook group is private for members only).

The details you provide above will not be made public.

SPECIAL ADMINISTRATORS

Jaramer Legal has worked extensively with remote and regional Indigenous communities and organisations across Australia both in terms of evaluating the challenges facing communities, and in developing local and national strategies to move these communities to a place of good governance, independence, and economic sustainability.

The firm has a unique understanding of the issues that restrain good corporate governance, good business practices and economic growth including political tensions between different kinship groups, a lack of governance and business training and a lack of business planning and strategy. The Principals are Aboriginal and Torres Strait Islander corporate/ commercial lawyers with over 40 years combined legal experience.

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