



**DETERMINATION UNDER SUBSECTION 336-1(1) AND NOTICE
UNDER SUBSECTION 453-5(1) THE CORPORATIONS (ABORIGINAL
AND TORRES STRAIT ISLANDER) ACT 2006**

The directors
Yinhawangka Aboriginal Corporation
RNTBC
Shop 5 & 6
McRae Avenue
PARABURDOO WA 6754

Yinhawangka Aboriginal Corporation
RNTBC
C/- Mr Grant Bussell
Secretary
PO Box 94
PARABURDOO WA 6754

WHEREAS the Yinhawangka Aboriginal Corporation RNTBC (**the corporation**) (ICN 7837) was under special administration under section 487-1 of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI Act)* from Thursday, 16 May 2019 to Friday, 21 February 2020.

TAKE NOTICE THAT under subsection 336-1(1) of the CATSI Act, I, Kevin Vu, a delegate of the Registrar of Aboriginal and Torres Strait Islander Corporations (**the Registrar**) have determined, that the corporation and the directors of the corporation must prepare the following additional reports set out in Part 1 below within the specified time frames.

PART 1

Quarterly financial reports

- A.** The corporation must prepare the following quarterly financial reports comprising of:
- (i) a quarterly income and expenditure statement which is prepared on a year-to-date accrual basis as at the last day of each quarter.

The statement must record the amount and type of income derived by the corporation during the relevant quarter, and detail the expenditure incurred by the corporation throughout the quarter by line item.
 - (ii) a balance sheet showing the assets and liabilities of the corporation as at the close of business on the last day of each quarter
 - (iii) a list of unpaid creditors as at the last day of each quarter. The list should include the name of each creditor and amount owing to each of the corporation's creditors, and the number of days the account has been outstanding
 - (iv) a list of outstanding debtors as at the last day of each quarter. The list should include the name of each debtor and the amount owing to the corporation from each of the corporation's debtors, and the number of days the debt has been outstanding
 - (v) written confirmation that the corporation's bank accounts have been reconciled to its general ledger at the end of each quarter.

The increased financial reporting requirements referred to in this paragraph commence from the date of this notice. The first quarterly report required will be for the quarter from 1 January 2020 to 31 March 2020 and is due on 28 April 2020.

The corporation must lodge each quarterly financial report required by the Registrar within 28 days after the end of each quarter.

The increased financial reporting requirements referred to in this paragraph end when the Registrar advises the corporation in writing that these reports are no longer required.

Yinhawangka Enterprises Limited (YEL)

- B.** The activities of YEL have ceased and all creditors of YEL were paid out during the special administration. The special administrator made a recommendation to the directors for YEL to be de-registered. This can be done with the assistance of a registered liquidator.

By the close of business on Friday, 27 June 2020: The directors must prepare a written report to the Registrar's delegate on what action the corporation has taken, if any, in respect to YEL.

AND TAKE NOTICE THAT under subsection 453-5(1) of the CATSI Act, I, Kevin Vu, a delegate the Registrar require the corporation and the directors of the corporation to lodge the additional reports required by the Registrar in Part 1 above and the documents specified in Part 2 below with the Registrar within the specified timeframes:

PART 2

Minutes of meetings

- C.** The corporation must forward to the Registrar:
- copies of the minutes and board papers of all directors' meetings (together with copies of any notices sent to directors for such meetings)
 - copies of minutes and reports of all general meetings (together with copies of any notices sent to directors for such meetings).

The documentation referred to in this paragraph is to be forwarded to the Registrar within 14 days after each meeting is held.

The corporation must send the documents referred to in this paragraph to the Registrar from the date of this notice until such time as the Registrar notifies the corporation in writing that he is satisfied that it is no longer necessary to do so.

Lodgement of documents required by this notice

- D.** The corporation may lodge the additional reports and documents referred to in Part 1 and Part 2 above in one (or more) of the following ways:
- (i) by posting the documents to the Registrar PO Box 29, Woden ACT 2606
 - (ii) by faxing the documents to the Registrar via (02) 6133 8080
 - (iii) by emailing the documents to the Registrar at info@oric.gov.au.

Dated this 30th day of March 2020.



Kevin Vu

Delegate of the Registrar of Aboriginal and
Torres Strait Islander Corporations



Note: The decision to issue the determination under section 336-1 of the CATSI Act is a reviewable decision under the CATSI Act and you have the right to have the decision reviewed under Part 15-4 of the CATSI Act. Should you wish to avail yourself of that right, you will need to comply with the requirements of section 620-5 of the CATSI Act.