



Corporations (Aboriginal and Torres Strait Islander) Regulations 2007

Select Legislative Instrument No. 185, 2007 as amended

made under the

Corporations (Aboriginal and Torres Strait Islander) Act 2006

Compilation start date: 4 November 2014

Includes amendments up to: SLI No. 164, 2014

Prepared by the Office of Parliamentary Counsel, Canberra

About this compilation

This compilation

This is a compilation of the *Corporations (Aboriginal and Torres Strait Islander) Regulations 2007* as in force on 4 November 2014. It includes any commenced amendment affecting the legislation to that date.

This compilation was prepared on 5 November 2014.

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of each amended provision.

Uncommenced amendments

The effect of uncommenced amendments is not reflected in the text of the compiled law but the text of the amendments is included in the endnotes.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Modifications

If a provision of the compiled law is affected by a modification that is in force, details are included in the endnotes.

Provisions ceasing to have effect

If a provision of the compiled law has expired or otherwise ceased to have effect in accordance with a provision of the law, details are included in the endnotes.

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Chapter 1—Introduction

Part 1-1—Preliminary

1.01 Name of Regulations

These Regulations are the *Corporations (Aboriginal and Torres Strait Islander) Regulations 2007*.

1.02 Commencement

These Regulations commence on 1 July 2007.

1.03 Definitions

In these Regulations:

Act means the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*.

CGA means the consolidated gross assets of a corporation and any entities it controls.

CGOI means the consolidated gross operating income of a corporation and any entities it controls.

Note: For the definition of **control** see sections 689-25 and 700-1 of the Act.

Corporations Act means the *Corporations Act 2001*.

Corporations Regulations means the *Corporations Regulations 2001*.

funding body means any of the following:

- (a) the Commonwealth, a State or a Territory;
- (b) a Commonwealth, State or Territory statutory authority;
- (c) a body corporate established for a public purpose by a law of the Commonwealth, a State or a Territory;
- (d) a body corporate established by the Governor of a State;

Regulation 1.03

- (e) a body corporate established by the Administrator of the Northern Territory;
- (f) a body corporate established by the Governor-General for the Australian Capital Territory.

transitional corporation has the meaning given by subitem 1 (1) of Schedule 3 to the *Corporations (Aboriginal and Torres Strait Islander) Consequential, Transitional and Other Measures Act 2006*.

Chapter 2—Aboriginal and Torres Strait Islander corporations

Part 2-3—Decisions on applications

Division 29—What are the basic requirements for registration?

29-5.01 Indigeneity requirement

For paragraph 29-5(a) of the Act, the percentage is 51%.

Note: Under paragraph 29-5(a) of the Act, an Aboriginal and Torres Strait Islander corporation that has 5 or more members meets the **Indigeneity requirement** if the corporation has at least the prescribed percentage of its members who are Aboriginal and Torres Strait Islander persons.

29-18.01 Creditor notice requirement

Written objection—information

- (1) For paragraph 29-18(3)(a) of the Act, the information that must be contained in a written objection is:
 - (a) the name of the person claiming to be a substantial creditor of an amalgamating corporation; and
 - (b) the name of the amalgamating corporation; and
 - (c) a statement, signed by the person claiming to be a substantial creditor, that:
 - (i) the amalgamating corporation owes a debt, or debts, to the creditor and the amount of that debt, or the sum of those debts, that is unsecured exceeds the amount mentioned in subregulation (2); and
 - (ii) the creditor objects to the grant of the application made under section 23-1 of the Act.

Note: It is an offence to provide a false or misleading statement to the Registrar: see section 561-1 of the Act.

Chapter 2 Aboriginal and Torres Strait Islander corporations

Part 2-3 Decisions on applications

Division 29 What are the basic requirements for registration?

Regulation 29-18.01

Substantial creditor—amount of debt

(2) For subparagraph 29-18(5)(a)(ii) of the Act, the amount is \$2 000.

Note: Under subparagraph 29-18(5)(a)(ii) of the Act, a person is a ***substantial creditor*** of an amalgamating corporation if the amount of a debt, or the sum of the amounts of debts, that is unsecured exceeds the prescribed amount.

Part 2-4—Registration of an Aboriginal and Torres Strait Islander corporation as a small, medium or large corporation

Division 37—Registration of an Aboriginal and Torres Strait Islander corporation as a small, medium or large corporation

37-10.01 Small, medium and large corporations

- (1) For paragraph 37-10(1)(a) of the Act, the amount is \$100 000.
- (2) For paragraph 37-10(1)(b) of the Act, the amount is \$100 000.
- (3) For paragraph 37-10(1)(c) of the Act, the number of employees is 5.
- (4) For paragraph 37-10(3)(a) of the Act, the amount is \$5 000 000.
- (5) For paragraph 37-10(3)(b) of the Act, the amount is \$2 500 000.
- (6) For paragraph 37-10(3)(c) of the Act, the number of employees is 25.

37-20.01 Counting employees

- (1) For subsection 37-20(1) of the Act, this regulation sets out a method for calculating the number of employees of an Aboriginal and Torres Strait Islander corporation for the following provisions of the Act:
 - (a) paragraph 37-10(1)(c);
 - (b) paragraph 37-10(2)(c);
 - (c) paragraph 37-10(3)(c).
- (2) The method is:
 - (a) count each full-time employee; and

Chapter 2 Aboriginal and Torres Strait Islander corporations

Part 2-4 Registration of an Aboriginal and Torres Strait Islander corporation as a small, medium or large corporation

Division 37 Registration of an Aboriginal and Torres Strait Islander corporation as a small, medium or large corporation

Regulation 37-20.01

- (b) for each part-time employee, work out a fraction that represents the employee's weekly hours of work divided by the weekly hours of work of a full-time employee; and
- (c) count the fraction for each part-time employee.

Note: See paragraph 37-20(2)(b) of the Act.

Chapter 3—Basic features of an Aboriginal and Torres Strait Islander corporation

Part 3-4—Names

Division 85—What names may a corporation have?

85-5.01 Availability of names

- (1) For paragraphs 85-5(1)(a) and (b) of the Act, the rules for ascertaining whether a name is identical to another name are the rules set out in Part 1 of Schedule 1.
- (2) For paragraph 85-5(1)(c) of the Act, a name is unacceptable for registration if it is unacceptable under the rules set out in Part 2 of Schedule 1.

85-5.02 Consent required for use of certain letters, words and expressions

- (1) This regulation applies to a name if:
 - (a) the name:
 - (i) is part of an application for the registration of a corporation under section 21-1, 22-1 or 23-1 of the Act; or
 - (ii) for an application for a change of name under section 88-1 of the Act—is the name to which the previous name is to be changed; and
 - (b) the name is, uses or includes:
 - (i) letters, or a word or expression, specified in column 2 of an item in Part 4 of Schedule 1; or
 - (ii) other letters, or another word or expression (whether or not in English), that is of like import to the letters, word or expression specified in the item.

Chapter 3 Basic features of an Aboriginal and Torres Strait Islander corporation

Part 3-4 Names

Division 85 What names may a corporation have?

Regulation 85-5.02

- (2) In paragraph (1)(b), a reference to letters, a word or an expression being used includes a reference to the letters, word or expression being used:
 - (a) as part of another word or expression; or
 - (b) in combination with other words or letters, or other symbols.
- (3) If an item in Part 4 of Schedule 1 applies in relation to the name, the application must be accompanied by the written consent of the Minister specified in the item.

Chapter 5—Meetings

Part 5-2—General meetings

Division 201—What are the rules concerning general meetings?

201-5.01 Request by members for directors to call general meetings

For paragraph 201-5(5)(b) of the Act, the prescribed number is:

- (a) for an Aboriginal and Torres Strait Islander corporation with between 2 and 10 members—1; and
- (b) for a corporation with between 11 and 20 members—3.

201-40.01 Members' resolutions

For paragraph 201-40(5)(b) of the Act, the prescribed number is:

- (a) for an Aboriginal and Torres Strait Islander corporation with between 2 and 10 members—1; and
- (b) for a corporation with between 11 and 20 members—3.

201-50.01 Members' statements to be distributed

For paragraph 201-50(9)(b) of the Act, the prescribed number is:

- (a) for an Aboriginal and Torres Strait Islander corporation with between 2 and 10 members—1; and
- (b) for a corporation with between 11 and 20 members—3.

201-95.01 Rights of proxies—exercise of proxies

For paragraph 201-95(4)(a) of the Act, the prescribed number of members is 3.

Note: Under subsection 201-95(4) of the Act, a person must not exercise proxies for more than the number of members prescribed in these Regulations.

Chapter 5 Meetings
Part 5-4 Minutes of meetings
Division 220 Minutes of meetings

Regulation 220-10.01

Part 5-4—Minutes of meetings

Division 220—Minutes of meetings

220-10.01 Members' access to minutes

For subsection 220-10(6) of the Act, the prescribed amount is \$0.50 per page.

Chapter 6—Officers

Part 6-2—Appointment, remuneration and cessation of appointment of directors

Division 252—Remuneration of directors

252-5.01 Members may obtain information about directors’ remuneration

For paragraph 252-5(8)(b) of the Act, the prescribed number is:

- (a) for an Aboriginal and Torres Strait Islander corporation with between 2 and 10 members—1; and
- (b) for a corporation with between 11 and 20 members—3.

Chapter 7—Record keeping, reporting requirements and books

Part 7-3—Reporting requirements

Division 330—General report for each financial year

330-5.01 Contents of general report

For paragraph 330-5(1)(b) of the Act, the following information is prescribed:

- (a) the corporation's total CGOI for the financial year;
- (b) the value of the corporation's total CGA at the end of the financial year;
- (c) the number of employees of the corporation at the end of the financial year, calculated in accordance with subregulation 37-20.01(2);
- (d) if the corporation has an ABN—the ABN of the corporation;
- (e) whether the corporation is a deductible gift recipient under Division 30 of the *Income Tax Assessment Act 1997*;
- (f) for each director of the corporation—whether the director is also an employee of the corporation on 30 June of the financial year being reported on;
- (g) for each secretary of the corporation—whether the secretary is also an employee of the corporation on 30 June of the financial year being reported on;
- (h) for each contact person of the corporation—whether the contact person is also an employee of the corporation on 30 June of the financial year being reported on.

Note 1: Subregulation 37-20.01(2) is about counting employees.

Note 2: For a transitional corporation reporting for the 2006-2007 financial year, see Division 10 of Part 2 of Schedule 3 to the Corporations (Aboriginal and Torres Strait Islander) Consequential, Transitional and Other Measures Act 2006.

Note 3: For a transitional corporation reporting for the 2007-2008 financial year, see Division 11 of Part 2 of Schedule 3 to the Corporations

Regulation 330-10.01

(Aboriginal and Torres Strait Islander) Consequential, Transitional
and Other Measures Act 2006.

330-10.01 General report to be lodged with Registrar

For paragraph 330-10(2)(b) of the Act, the period is within
6 months after the end of the financial year.

Division 333—Financial and other reports

Subdivision 333-A—Small and medium corporations with a CGOI of \$5 000 000 or more, and large corporations

333-5.01 Financial reports, directors' reports and other reports

- (1) This Subdivision applies to an Aboriginal and Torres Strait Islander corporation:
 - (a) registered under the Act on 30 June of a financial year as a small or medium corporation, and having a CGOI in the financial year of \$5 000 000 or more; or
 - (b) registered under the Act on 30 June of a financial year as a large corporation.
- (2) This Subdivision does not apply to:
 - (a) a transitional corporation reporting for the 2006-2007 financial year; or
 - (b) a transitional corporation, reporting for the 2007-2008 financial year, that has made an election under item 60 of Schedule 3 to the *Corporations (Aboriginal and Torres Strait Islander) Consequential, Transitional and Other Measures Act 2006*.
- (3) For subsection 333-5(1) of the Act, the corporation must prepare a financial report and a directors' report for the financial year.

Note 1: For a transitional corporation reporting for the 2006-2007 financial year, see Division 10 of Part 2 of Schedule 3 to the *Corporations (Aboriginal and Torres Strait Islander) Consequential, Transitional and Other Measures Act 2006*.

Note 2: For a transitional corporation reporting for the 2007-2008 financial year, see Division 11 of Part 2 of Schedule 3 to the *Corporations (Aboriginal and Torres Strait Islander) Consequential, Transitional and Other Measures Act 2006*.

333-10.01 Financial reports

- (1) For subsection 333-10(1) of the Act, a financial report for a financial year is to contain:

Regulation 333-10.01

- (a) the financial statements for the year; and
 - (b) the notes to the financial statements; and
 - (c) the directors' declaration about the statements and the notes.
- (2) The financial statements for the year are:
- (a) the financial statements for the Aboriginal and Torres Strait Islander corporation that are required by the accounting standards; or
 - (b) if compliance with the accounting standards requires the corporation to include other entities in its financial statements—consolidated financial statements for the corporation and those entities.
- Note: For accounting standards applicable to an Aboriginal and Torres Strait Islander corporation, see subregulation 333-15.01(4).
- (3) The notes to the financial statements are:
- (a) the notes required by the accounting standards; and
 - (b) any other information necessary to give a true and fair view of the financial position and performance of the corporation or consolidated entity.
- (4) The directors' declaration is a declaration by the directors of the corporation:
- (a) whether, in the directors' opinion, there are reasonable grounds to believe that the corporation will be able to pay its debts when they become due and payable; and
 - (b) whether, in the directors' opinion, the financial statements and notes are in accordance with these Regulations, including:
 - (i) compliance with the accounting standards; and
 - (ii) providing a true and fair view of the financial position and performance of the corporation or consolidated entity.
- (5) The directors' declaration must:
- (a) be made in accordance with a resolution of the directors; and
 - (b) mention the date when the resolution was made; and
 - (c) be signed by a director of the corporation.

Regulation 333-10.02

- (6) The financial statements and notes for a financial year must give a true and fair view of the financial position and performance of the corporation or consolidated entity.

Note: For the definition of *accounting standard*, see section 700-1 of the Act.

333-10.02 Directors' reports

- (1) For subsection 333-10(1) of the Act, a directors' report for the financial year must include the following information:
- (a) a review of operations of the Aboriginal and Torres Strait Islander corporation during the year and the results of those operations;
 - (b) details of any significant changes in the corporation's state of affairs during the year;
 - (c) a statement of the corporation's principal activities during the year and any significant changes in the nature of those activities during the year;
 - (d) details of any matter or circumstance that has arisen since the end of the year that has significantly affected, or may significantly affect:
 - (i) the corporation's operations in future financial years; or
 - (ii) the results of those operations in future financial years; or
 - (iii) the corporation's state of affairs in future financial years;
 - (e) likely developments in the corporation's operations in future financial years and the expected results of those operations;
 - (f) if the corporation's operations are subject to any particular and significant environmental regulation under a Commonwealth, State or Territory law—details of the corporation's performance in relation to environmental regulation;
 - (g) details of distributions paid to members during the year;
 - (h) details of distributions recommended or declared for payment to members, but not paid, during the year;

Regulation 333-10.02

- (i) the name of each person who has been a director of the corporation during the year and the period of the director's tenure;
 - (j) details of each director's qualifications, experience and special responsibilities;
 - (k) the number of meetings of the board of directors held during the year and each director's attendance record at those meetings;
 - (l) the number of meetings of each board committee held during the year and each director's attendance record at those meetings;
 - (m) the name of each person who has been a secretary of the corporation during the year;
 - (n) details of each secretary's qualifications and experience;
 - (o) the name of each person who:
 - (i) was an officer of the corporation at any time during the year; and
 - (ii) was, when an audit firm or audit company that is an auditor of the corporation undertook an audit of the corporation, a partner in the audit firm or a director of the audit company;
 - (p) a copy of the auditor's declaration under section 339-50 of the Act for the audit for the financial year;
 - (q) for any application for leave made during the year under section 169-5 of the Act:
 - (i) the applicant's name; and
 - (ii) a statement whether leave was granted;
 - (r) for any proceedings that, during the year, a person has brought or intervened in for the corporation with leave under section 169-5 of the Act:
 - (i) the person's name; and
 - (ii) the names of the parties to the proceedings; and
 - (iii) sufficient information to enable members to understand the nature and status of the proceedings (including the cause of action and orders made by the Court).
- (2) For subregulation (1), the directors' report must be prepared:

Regulation 333-15.01

- (a) if consolidated financial statements are not required—for the corporation; or
 - (b) if consolidated financial statements are required—for the consolidated entity.
- (3) If a financial report for a financial year includes additional information under paragraph 333-10.01(3)(b), the directors' report must also mention:
 - (a) the directors' reasons for forming the opinion that the inclusion of the additional information was necessary to give the true and fair view; and
 - (b) where the additional information can be found in the financial report.
- (4) A directors' report may omit material that would otherwise be included under paragraph (1)(e) if it would be likely to result in unreasonable prejudice to the corporation or consolidated entity.
- (5) For subregulation (4), if material is omitted, the report must say so.
- (6) Details do not have to be included in the directors' report if they are already included in the corporation's financial report for the financial year.
- (7) If details are not included in the directors' report, the report must say so and state where they may be found in the corporation's financial report for the year.
- (8) A directors' report must:
 - (a) be made in accordance with a resolution of the directors; and
 - (b) mention the date when the report is made; and
 - (c) be signed by a director.

333-15.01 Other requirements in relation to report

- (1) For subsection 333-15(1) of the Act, an Aboriginal and Torres Strait Islander corporation must have its financial report audited and must obtain an auditor's report.
- (2) The auditor of a financial report must be:

Regulation 333-16.01

- (a) an individual auditor who is a registered company auditor; or
 - (b) an audit firm that has at least 1 member who is a registered company auditor who is ordinarily resident in Australia; or
 - (c) an authorised audit company.
- (3) The audit of a financial report must be conducted in accordance with the auditing standards.

Note: For the definition of *auditing standard*, see section 700-1 of the Act.

- (4) For paragraph 333-15(2)(e) of the Act, the financial report of an Aboriginal and Torres Strait Islander corporation must be prepared in accordance with all applicable accounting standards:
- (a) to the extent that the accounting standards are capable of applying to an Aboriginal and Torres Strait Islander corporation; and
 - (b) whether or not the corporation is or would be regarded as a reporting entity within the meaning of that term in the accounting standards.

Subdivision 333-B—Small corporations with CGOI of between \$100 000 and \$5 000 000, and medium corporations with CGOI of less than \$5 000 000

333-16.01 Financial reports and other reports

- (1) This Subdivision applies to an Aboriginal and Torres Strait Islander corporation:
- (a) registered under the Act on 30 June of a financial year as a small corporation, and having a CGOI in the financial year of more than \$100 000 but less than \$5 000 000; or
 - (b) registered under the Act on 30 June of a financial year as a medium corporation, and having a CGOI in the financial year of less than \$5 000 000.
- (2) This Subdivision does not apply to:
- (a) a transitional corporation reporting for the 2006-2007 financial year; or

Regulation 333-16.02

- (b) a transitional corporation, reporting for the 2007-2008 financial year, that has made an election under item 60 of Schedule 3 to the *Corporations (Aboriginal and Torres Strait Islander) Consequential, Transitional and Other Measures Act 2006*.
- (3) For subsection 333-5(1) of the Act, the corporation must prepare a financial report for the financial year.
 - Note 1: For a transitional corporation reporting for the 2006-2007 financial year, see Division 10 of Part 2 of Schedule 3 to the *Corporations (Aboriginal and Torres Strait Islander) Consequential, Transitional and Other Measures Act 2006*.
 - Note 2: For a transitional corporation reporting for the 2007-2008 financial year, see Division 11 of Part 2 of Schedule 3 to the *Corporations (Aboriginal and Torres Strait Islander) Consequential, Transitional and Other Measures Act 2006*.

333-16.02 Financial reports

- (1) An Aboriginal and Torres Strait Islander corporation reporting under this Subdivision must prepare a financial report under:
 - (a) subregulation (2); or
 - (b) subregulations (5) to (7).
- (2) A financial report prepared under this subregulation must comply with regulation 333-10.01 and subregulation 333-15.01(4).
- (3) For subsection 333-15(1) of the Act, a corporation that prepares a financial report under subregulation (2) must have its financial report audited and must obtain an auditor's report from:
 - (a) a person or entity mentioned in paragraph 333-15.01(2)(a), (b) or (c); or
 - (b) a Chartered member or an Affiliate of the Institute of Chartered Accountants in Australia; or
 - (c) a Certified Practising Accountant or a Fellow of CPA Australia; or
 - (d) a member or fellow of the Institute of Public Accountants.
- (4) The audit of a financial report in subregulation (3) must be conducted in accordance with the auditing standards.

Regulation 333-16.02

- (5) A corporation may prepare a financial report under subregulations (6) and (7) if:
- (a) the accounting standards, if applied to the financial report, would not require the corporation to provide consolidated financial statements; and
 - (b) at least 90% of the gross operating income of the corporation in the financial year being reported on consists of funding provided by 1 or more funding bodies; and
 - (c) as a condition of the provision of funding, the corporation is required (by legislation or otherwise) to prepare and submit to the funding body or bodies, 1 or more annual reports accounting for the expenditure of the funding by the corporation over the full financial year.
- (6) For subregulation (5), the financial report must include the following:
- (a) a copy of each report mentioned in paragraph (5)(c);
 - (b) a copy of any auditor's report relating to a report mentioned in paragraph (a);
 - (c) an income and expenditure statement for any income and expenditure of the corporation in the financial year being reported on, which has not already been included in a report mentioned in paragraph (a);
 - (d) a balance sheet disclosing any assets and liabilities of the corporation as at 30 June of the financial year being reported on, which have not already been included in a report mentioned in paragraph (a);
 - (e) a directors' declaration.
- (7) For paragraph (6)(e), the declaration must:
- (a) be made in accordance with a resolution of the directors; and
 - (b) state whether in the directors' opinion there are reasonable grounds to believe that the corporation will be able to pay its debts when they become due and payable; and
 - (c) mention the date when the resolution was made; and
 - (d) be signed by a director of the corporation.

Division 339—Audit of financial reports

Subdivision 339-D—Auditor independence

339-75.01 Application of Corporations Act auditor independence provisions

For subsection 339-75(2) of the Act, the Corporations Act auditor independence provisions apply to the audit as if:

- (a) references in those provisions to ASIC were references to the Registrar; and
- (b) references in those provisions to a small proprietary company were references to an Aboriginal and Torres Strait Islander corporation registered as a small or medium corporation.

Note: For the definition of *Corporations Act auditor independence provisions*, see section 700-1 and subsection 339-75(4) of the Act.

339-80.01 Alternative independence requirements

- (1) For section 339-80 of the Act, the Corporations Act auditor independence provisions apply to the audit of a financial report prepared under subregulation 333-16.02(2).
- (2) The modifications made to the Corporations Act auditor independence provisions by paragraphs 339-75(2)(a) and (b) of the Act and regulation 339-75.01 apply to the audit of a financial report under subregulation (1).
- (3) For subregulation (1), the Corporations Act auditor independence provisions are further modified by removing any references to imprisonment terms in the penalties in items 116CA to 116GC in Schedule 3 to the Corporations Act.

Subdivision 339-F—Appointment and removal of auditors

339-100.01 Application

This Subdivision does not apply to a person examining a transitional corporation's balance sheet and income and

expenditure statement under Division 10 or 11 of Part 2 of Schedule 3 to the *Corporations (Aboriginal and Torres Strait Islander) Consequential, Transitional and Other Measures Act 2006*.

339-100.02 Appointment

The directors of an Aboriginal and Torres Strait Islander corporation may appoint an auditor for the corporation if an auditor has not been appointed by the corporation at a general meeting.

339-100.03 Consent

- (1) An Aboriginal and Torres Strait Islander corporation, or the directors of the corporation, must not appoint an individual, firm or company as auditor of the corporation unless the individual, firm or company:
 - (a) has consented, before the appointment, to act as auditor; and
 - (b) has not withdrawn the consent before the appointment is made.
- (2) For subregulation (1), consent or the withdrawal of consent must be given by written notice to the corporation.
- (3) A notice under subregulation (2) given by a firm must be signed by a member of the firm:
 - (a) in the firm's name; and
 - (b) in his or her own name.
- (4) For subregulation (3), if a corporation must use a registered company auditor, the member of the firm who signs the notice of consent must be a registered company auditor.
- (5) A notice under subregulation (2) given by a company must be signed by a director or senior manager of the company:
 - (a) in the company's name; and
 - (b) in his or her own name.
- (6) An appointment that does not comply with subregulations (1), (3), (4) and (5) has no effect.

Regulation 339-100.04

339-100.04 Nomination

- (1) A director or member of an Aboriginal and Torres Strait Islander corporation may nominate in writing an individual, firm or company for appointment as auditor of the corporation.
- (2) The corporation must send a copy of the notice of nomination to each:
 - (a) individual, firm or company nominated; and
 - (b) auditor of the corporation; and
 - (c) person entitled to receive notice of general meetings of the corporation.
- (3) The copy of the notice of nomination must be sent:
 - (a) at least 7 days before the general meeting; or
 - (b) when notice is given of the meeting at which the nomination is to be considered.
- (4) An auditor may be appointed at a general meeting if subregulations (1) to (3) have not been complied with.

339-100.05 Resignation

- (1) An auditor of an Aboriginal and Torres Strait Islander corporation may resign by giving notice in writing to the corporation.
- (2) The resignation takes effect on:
 - (a) the day specified in the notice of resignation; or
 - (b) if no day is specified—on the day the notice is received by the corporation.
- (3) Within 14 days after receipt of a notice of resignation from an auditor, the corporation must lodge the notice of resignation with the Registrar.

339-100.06 Removal of auditor by resolution at general meeting

- (1) An auditor of an Aboriginal and Torres Strait Islander corporation may be removed from office only by resolution of the corporation

at a general meeting of which notice under subregulation (2) has been given.

- (2) Notice of an intention to move the resolution must be given to the corporation at least 2 months before the meeting is to be held.
- (3) If the corporation calls a meeting after the notice of intention is given under subregulation (2), the meeting may pass the resolution even though the meeting is held less than 2 months after the notice of intention is given.

Note: For the notice period for a general meeting to remove an auditor, see subsection 201-20(4) of the Act.

- (4) If notice under subregulation (2) has been received by a corporation, it must as soon as possible send a copy of the notice to the auditor and lodge a copy of the notice with the Registrar.
- (5) Within 7 days after receiving a copy of the notice, the auditor may make representations to the corporation.
- (6) The representations must:
 - (a) be in writing; and
 - (b) not exceed a reasonable length; and
 - (c) request that, before the meeting at which the resolution is to be considered, a copy of the representations be sent by the corporation at its expense to every member of the corporation to whom notice of the meeting is sent.
- (7) Unless the Registrar on application from the corporation determines otherwise, the corporation must send a copy of the representations in accordance with the auditor's request.
- (8) The auditor may require that the representations be read out at the meeting, without prejudice to his or her right to be heard orally or, if a firm is the auditor, to have a member of the firm heard orally on its behalf.

Note: For an auditor's entitlement to be heard at the meeting, see paragraph 201-80(3)(b) of the Act.

Regulation 339-100.07

339-100.07 Auditor ceasing to hold office by reason of unresolved conflict of interest

- (1) Subregulations (2) and (3) apply to an auditor undertaking an audit of a financial report, prepared under subregulation 333-5.01(3), of an Aboriginal and Torres Strait Islander corporation.
- (2) Subsections 327B(2A) to (2D) of the Corporations Act apply to an auditor of the corporation as if:
 - (a) references in those provisions to the company were references to the corporation; and
 - (b) references in those provisions to ASIC were references to the Registrar.
- (3) If an audit firm ceases to be an auditor of the corporation at a particular time because of the applied provisions in subregulation (2), each member of the audit firm ceases to be an auditor of the corporation at that time.

339-100.08 Control by another corporation

An auditor of an Aboriginal and Torres Strait Islander corporation that begins to be controlled by another corporation:

- (a) must retire at the next AGM of the corporation of which he or she is the auditor; and
- (b) is, subject to these Regulations, eligible for reappointment.

339-100.09 Effect of winding up

An auditor of an Aboriginal and Torres Strait Islander corporation ceases to hold office if:

- (a) a special resolution is passed for the voluntary winding up of the corporation; or
- (b) an order is made by the Court for the winding up of the corporation.

339-100.10 Surviving or continuing auditor

While a vacancy in the office of auditor of an Aboriginal and Torres Strait Islander corporation continues, any surviving or continuing auditor may act as auditor of the corporation.

Chapter 7 Record keeping, reporting requirements and books

Part 7-7 Modifications of record keeping and reporting requirements

Division 368 Modifications of record keeping and reporting requirements

Regulation 368-1.01

Part 7-7—Modifications of record keeping and reporting requirements

Division 368—Modifications of record keeping and reporting requirements

368-1.01 Modification

For section 368-1 of the Act, the operation of Part 7-3 of the Act is modified for all Aboriginal and Torres Strait Islander corporations by omitting from paragraph 348-1(3)(a) of the Act ‘3 months’ and inserting ‘6 months’.

Chapter 9—Lodgments and registers

Part 9-3—Registers

Division 418—Registers to be kept

418-10.01 Information and documents to be kept on Register of Aboriginal and Torres Strait Islander Corporations

For section 418-10 of the Act, the following information and documents are specified:

- (a) information or a document mentioned in a provision of the Act mentioned in Part 1 of Schedule 2;
- (b) information or a document mentioned in a provision of these Regulations mentioned in Part 2 of Schedule 2;
- (c) information or a document mentioned in a provision of Schedule 3 to the *Corporations (Aboriginal and Torres Strait Islander) Consequential, Transitional and Other Measures Act 2006* mentioned in Part 3 of Schedule 2;
- (d) information or a document mentioned in a provision of the Corporations Act, as it applies to an Aboriginal and Torres Strait Islander corporation, mentioned in Part 4 of Schedule 2;
- (e) information or a document mentioned in a provision of the Corporations Regulations, as it applies to an Aboriginal and Torres Strait Islander corporation, mentioned in Part 5 of Schedule 2.

Note: Sections 45-1, 499-10, 516-1, 521-1, 526-35, 526-40, 531-1 and 536-1 of the Act apply certain provisions of the Corporations Act and Corporations Regulations to an Aboriginal and Torres Strait Islander corporation.

Division 421—What information may a person obtain from the Registrar?

421-1.01 Inspection and production of records

(1) For paragraph 421-1(1)(b) of the Act:

- (a) the Register of Aboriginal and Torres Strait Islander Corporations is prescribed as a register; and
- (b) all information in that register, including all information in documents in that register, is prescribed as information.

Note: Under paragraph 421-1(1)(b) of the Act, a person may inspect or search a prescribed register kept by the Registrar for prescribed information.

(2) For paragraph 421-1(1)(b) of the Act:

- (a) the Register of Disqualified Officers is prescribed as a register; and
- (b) all information in that register, including all information in documents in that register, is prescribed as information.

Note: Under paragraph 421-1(1)(b) of the Act, a person may inspect or search a prescribed register kept by the Registrar for prescribed information.

421-1.02 Exempt documents

For paragraph (f) of the definition of *exempt document* in subsection 421-1(4) of the Act, the information and documents mentioned in Schedule 3 are specified.

Chapter 10—Regulation and enforcement

Part 10-2—Regulation of Aboriginal and Torres Strait Islander corporations

Division 439—Regulation of Aboriginal and Torres Strait Islander corporations

439-10.01 Registrar may call a general meeting (other than an AGM)

For paragraph 439-10(10)(b) of the Act, the prescribed number is:

- (a) for an Aboriginal and Torres Strait Islander corporation with between 2 and 10 members—1; and
- (b) for a corporation with between 11 and 20 members—3.

Part 10-3—Enforcement

Division 447—Authorised officers

447-5.01 Identity cards

For subsection 447-5(1) of the Act, the form of an identity card is any form that:

- (a) allows the authorised officer's name to be displayed; and
- (b) allows a recent photograph of the authorised officer to be displayed; and
- (c) allows the date on which the identity card expires to be displayed; and
- (d) includes a statement that the person is an authorised officer for the purposes of the Act.

Chapter 11—External administration

Part 11-2—Special administration

Division 487—Special administration of Aboriginal and Torres Strait Islander corporation

487-5.01 Grounds for special administration

For paragraph 487-5(5)(b) of the Act, the prescribed number is:

- (a) for an Aboriginal and Torres Strait Islander corporation with between 2 and 10 members—1; and
- (b) for a corporation with between 11 and 20 members—3.

Division 499—Function, duties and powers of special administrator

499-10.01 Applying Corporations Act provisions to Aboriginal and Torres Strait Islander corporations that is under special administration

For paragraph 499-10(3)(b) of the Act, the provisions mentioned in subsection 499-10(1) apply to an Aboriginal and Torres Strait Islander corporation that is under special administration as if a reference to ASIC were a reference to the Registrar.

Part 11-5—Winding up

Division 526—Winding up

526-5.01 Grounds for Court ordered winding up

For paragraph 526-5(k) of the Act, the prescribed period is 2 years.

Note: Under paragraph 526-5(k) of the Act, one of the grounds on which an Aboriginal and Torres Strait Islander corporation may be wound up is that the corporation has failed, for a prescribed period, to lodge any financial or other reports required to be lodged by Part 7-3 of the Act.

Chapter 15—Administration

Part 15-2—Protection of information

Division 604—Protection of information

604-25.01 Authorised use or disclosure

- (1) For paragraph 604-25(4)(f) of the Act, the following Agencies are prescribed:
- (a) each Department of State that is responsible for general policy on Aboriginal and Torres Strait Islander affairs;
 - (b) each Department of State that is responsible for the administration of a program that relates specifically to Aboriginal or Torres Strait Islander persons;
 - (c) the Office of the Director of Public Prosecutions.

Note: Under paragraph 604-25(4)(f) of the Act, the disclosure of protected information is taken to be an authorised disclosure if it is made to an Agency Head of, or an APS employee in, an Agency (within the meaning of the *Public Service Act 1999*) that is prescribed by these Regulations for the purposes of performing the functions, or exercising the powers, of the Agency.

- (2) For paragraph 604-25(4)(g) of the Act, the Australian Federal Police is prescribed.

Note: Under paragraph 604-25(4)(g) of the Act, the disclosure of protected information is taken to be an authorised disclosure if it is made to a Chief Executive, or an officer or employee, of a prescribed Agency (within the meaning of the *Financial Management and Accountability Act 1997*), if the prescribed Agency is also prescribed by these Regulations for the purposes of performing the functions, or exercising the powers, conferred on the Agency.

- (3) For paragraph 604-25(4)(i) of the Act, each Department of State of a State or Territory that is responsible for general policy on Aboriginal and Torres Strait Islander affairs is prescribed.

Note: Under paragraph 604-25(4)(i) of the Act, the disclosure of protected information is taken to be an authorised disclosure if it is made to the head (however described), or an officer or employee, of a Department

of State of a State or Territory prescribed by these Regulations for the purposes of performing functions of the Department.

- (4) For paragraph 604-25(4)(i) of the Act, each of the following Departments of State of a State or Territory is prescribed to the extent to which subregulation (3) does not apply to the Department:
- (a) the Department of State of New South Wales that is responsible for the administration of the *Aboriginal Land Rights Act 1983* of that State;
 - (b) each Department of State of Victoria that is responsible for the administration of any of the following Acts of that State:
 - (i) the **Aboriginal Land (Manatunga Land) Act 1992**;
 - (ii) the **Aboriginal Land (Northcote Land) Act 1989**;
 - (iii) the **Aboriginal Lands (Aborigines' Advancement League) (Watt Street, Northcote) Act 1982**;
 - (iv) the **Aboriginal Lands Act 1970**;
 - (v) the **Aboriginal Lands Act 1991**;
 - (c) each Department of State of Queensland that is responsible for the administration of either of the following Acts of that State:
 - (i) the *Aboriginal Land Act 1991*;
 - (ii) the *Torres Strait Islander Land Act 1991*;
 - (d) the Department of State of Western Australia that is responsible for the administration of the *Aboriginal Affairs Planning Authority Act 1972* of that State;
 - (e) the Department of State of South Australia that is responsible for the administration of the *Aboriginal Lands Trust Act 1966* of that State;
 - (f) the Department of State of Tasmania that is responsible for the administration of the *Aboriginal Lands Act 1995* of that State.

Note: Under paragraph 604-25(4)(i) of the Act, the disclosure of protected information is taken to be an authorised disclosure if it is made to the head (however described), or an officer or employee, of a Department of State of a State or Territory prescribed by these Regulations for the purposes of performing functions of the Department.

Regulation 604-25.01

- (5) For paragraph 604-25(4)(j) of the Act, the following bodies are prescribed:
- (a) the police force or service of a State;
 - (b) the Northern Territory Police Force;
 - (c) an authority of a State or Territory that has functions and powers similar to those of the Director of Public Prosecutions of the Commonwealth.

Note: Under paragraph 604-25(4)(j) of the Act, the disclosure of protected information is taken to be an authorised disclosure if it is made to the head (however described), or an officer or employee, of a body prescribed by these Regulations and established for a public purpose by or under a law of a State or Territory (including a local governing body) for the purposes of performing functions conferred on the body by a law of the State or Territory.

- (6) For paragraph 604-25(4)(k) of the Act, the following professional disciplinary bodies are prescribed:
- (a) CPA Australia;
 - (b) the Institute of Chartered Accountants in Australia;
 - (c) the Institute of Public Accountants;
 - (d) the New South Wales Bar Association;
 - (e) the Law Society of New South Wales;
 - (f) the Victorian Bar Incorporated;
 - (g) the Law Institute of Victoria;
 - (h) the Bar Association of Queensland;
 - (i) the Queensland Law Society;
 - (j) the Legal Practice Board of Western Australia;
 - (k) the Law Society of South Australia;
 - (l) the Law Society of Tasmania;
 - (m) the Law Society of the Australian Capital Territory;
 - (n) the Law Society Northern Territory.

Note: Under paragraph 604-25(4)(k) of the Act, the disclosure of protected information is taken to be an authorised disclosure if it is made to a professional disciplinary body prescribed by these Regulations for the purposes of performing one of its functions or exercising one of its powers.

- (7) For paragraph 604-25(4)(l) of the Act:

Regulation 604-25.01

- (a) Indigenous Business Australia, established by section 145 of the *Aboriginal and Torres Strait Islander Act 2005*, is prescribed; and
- (b) the purpose of performing the functions of Indigenous Business Australia under that Act is prescribed.

Note: Under paragraph 604-25(4)(l) of the Act, the disclosure of protected information is taken to be an authorised disclosure if it is made to a prescribed person or body for the prescribed purposes of the body or person.

(8) For paragraph 604-25(4)(l) of the Act:

- (a) the Indigenous Land Corporation, established by section 191A of the *Aboriginal and Torres Strait Islander Act 2005*, is prescribed; and
- (b) the purpose of performing the functions of the Indigenous Land Corporation under that Act is prescribed.

Note: Under paragraph 604-25(4)(l) of the Act, the disclosure of protected information is taken to be an authorised disclosure if it is made to a prescribed person or body for the prescribed purposes of the body or person.

Chapter 15 Administration

Part 15-6 Regulations

Division 633 Regulations

Regulation 633-1.01

Part 15-6—Regulations

Division 633—Regulations

633-1.01 General regulation making power

For a provision of the Act mentioned in an item of Schedule 4, the Corporations Act is modified as set out in the item.

Chapter 16—Registrar and Deputy Registrars of Aboriginal and Torres Strait Islander Corporations

Part 16-3—Registrar's functions and powers

Division 658—Registrar's functions and powers

658-1.01 Functions of the Registrar

- (1) For paragraph 658-1(1)(k) of the Act, the Registrar has the function of making documents, and information in documents, available to the public that:
 - (a) are in the possession of the Registrar; and
 - (b) the Registrar considers appropriate to make available; and
 - (c) before the commencement of the Act and the *Corporations (Aboriginal and Torres Strait Islander) Consequential, Transitional and Other Measures Act 2006*, were:
 - (i) filed or lodged with the ACA Registrar, or served on the ACA Registrar, under the ACA Act; or
 - (ii) kept by the ACA Registrar under the ACA Act; or
 - (iii) given to or served on a person by the ACA Registrar under, or for, the ACA Act.

- (2) In subregulation (1):

ACA Act means the *Aboriginal Councils and Associations Act 1976*.

ACA Registrar has the meaning given to it by subitem 1(1) of Schedule 3 to the *Corporations (Aboriginal and Torres Strait Islander) Consequential, Transitional and Other Measures Act 2006*.

Chapter 16 Registrar and Deputy Registrars of Aboriginal and Torres Strait Islander Corporations

Part 16-3 Registrar's functions and powers

Division 658 Registrar's functions and powers

Regulation 658-1.01

- (3) For subregulation (1), the documents may include documents containing *personal information* within the meaning given by subsection 6 (1) of the *Privacy Act 1988*.

Schedule 1—Availability of names and consent required

(regulations 85-5.01 and 85-5.02)

Part 1—Rules for ascertaining whether names are identical

- 101 In comparing one name with another for paragraphs 85-5(1)(a) and (b) of the Act, the following matters are to be disregarded:
- (a) the use of the definite or indefinite article as the first word in one or both of those names;
 - (b) the use of:
 - (i) ‘Aboriginal corporation’; or
 - (ii) ‘Torres Strait Islander corporation’; or
 - (iii) ‘Aboriginal and Torres Strait Islander corporation’; or
 - (iv) ‘Torres Strait Islander and Aboriginal corporation’; or
 - (v) ‘Indigenous corporation’; or
 - (vi) ‘registered native title body corporate’; or
 - (vii) ‘RNTBC’;in one or both of those names;
 - (c) whether a word is in the plural or singular number in one or both of those names;
 - (d) the type, size and case of letters, the size of any numbers or other characters, and any accents, spaces between letters, numbers or characters, and punctuation marks, used in one or both of those names;
 - (e) the fact that one name contains a word or expression in column 2 of the following table and the other name contains an alternative for that word or expression in column 3:

Item	Word or expression	Alternative
1	Australian	Aust
2	Company	Co Coy

Schedule 1 Availability of names and consent required
Part 1 Rules for ascertaining whether names are identical

Item	Word or expression	Alternative
3	Co	Company Coy
4	Coy	Company Co
5	Number	No
6	and	&
7	Incorporated	Inc
8	Corporation	Corp
9	Australian Company Number	ACN
10	Indigenous Corporation Number	ICN

Part 2—Names unacceptable for registration

- 201 For paragraph 85-5(1)(c) of the Act, a name is unacceptable for registration if the name:
- (a) in the opinion of the Registrar, is undesirable, or likely to be offensive to:
 - (i) members of the public; or
 - (ii) members of any section of the public; or
 - (b) either:
 - (i) contains a word, phrase or an abbreviation specified in an item in Part 3; or
 - (ii) contains a word, phrase or an abbreviation having the same or a similar meaning to an item in Part 3; or
 - (c) subject to item 203, includes the word ‘Commonwealth’ or ‘Federal’; or
 - (d) in the context in which it is proposed to be used, suggests a connection with:
 - (i) the Crown; or
 - (ii) the Commonwealth Government; or
 - (iii) the Government of a State or Territory; or
 - (iv) a municipal or other local authority; or
 - (v) the Government of any other part of the Queen’s dominions, possessions or territories; or
 - (vi) a department, authority or instrumentality of the Commonwealth Government; or
 - (vii) a department, authority or instrumentality of the Government of a State or Territory; or
 - (viii) the government of a foreign country; orif that connection does not exist; or
 - (e) in the context in which it is proposed to be used, suggests a connection with:
 - (i) a member of the Royal Family; or
 - (ii) the receipt of Royal patronage; or
 - (iii) an ex-servicemen’s organisation; or
 - (iv) Sir Donald Bradman; or
 - (v) Mary MacKillop;

Schedule 1 Availability of names and consent required

Part 2 Names unacceptable for registration

if that connection does not exist; or

- (f) in the context in which it is proposed to be used, suggests that the members of an organisation are totally or partially incapacitated if those members are not so affected.

202 Paragraph 201(b) does not apply to use of the letters ADI as part of another word.

Example

The letters *adi* appear in the word *traditional*, but paragraph 201(b) is not intended to apply to use of the word *traditional*.

203 Paragraph 201(c) does not apply if the Registrar is satisfied that the word is used in a geographical context.

Part 3—Restricted words and phrases

Item	Word or phrase
301	ADI
302	Authorised deposit-taking institution
303	Bank
304	Banker
305	Banking
306	Building Society
307	Chamber of Commerce
308	Chamber of Manufacture
309	Chartered
310	Co
311	Company
312	Consumer
313	Cooperative
314	Coy
315	Credit Society
316	Credit Union
317	Executor
318	Friendly Society
319	GST
320	G.S.T.
321	Guarantee
322	Incorporated
323	Limited
324	Ltd
325	Made in Australia
326	NL
327	No Liability
328	Proprietary
329	Pty

Schedule 1 Availability of names and consent required
Part 3 Restricted words and phrases

Item	Word or phrase
330	RSL
331	R.S.L.
332	Starr-Bowkett
333	Stock Exchange
334	Trust
335	Trustee

Part 4—Consent required to use restricted words and phrases

Item	Word or phrase	Minister
401	Anzac	Minister for Veterans' Affairs
402	Geneva Cross Red Crescent Red Cross Red Lion and Sun	Minister for Defence
403	United Nations	Minister for Foreign Affairs
404	University	Minister for Education, Science and Training

Schedule 2 Information and documents

Part 1 Information or documents mentioned in the Act

Schedule 2—Information and documents

(regulation 418-10.01)

Part 1—Information or documents mentioned in the Act

Item	Provision	Information or document
1	21-1	Application for registration
2	21-10(3)	Notice by Registrar that application is treated as withdrawn
3	22-1	Application for registration—existing body corporate
4	22-10(3)	Notice by Registrar that application is treated as withdrawn
5	23-1	Application for registration—amalgamated corporation
6	23-10(3)	Notice by Registrar that application is treated as withdrawn
7	29-18(1)(a)	Notice by applicant of intention to make application—amalgamated corporation
8	29-18(3)(a)	Notice by substantial creditor objecting to application
9	29-18(4)	Notice by substantial creditor withdrawing objection—amalgamated corporation
10	32-1(1)(c)	Certificate of registration
11	32-1(2)	Record of registration and constitution
12	32-5(1)	Notice by Registrar that application has been unsuccessful
13	37-5(5)	Notice by Registrar of alteration of registered size of corporation
14	42-4(6)	Certificate signed by Registrar identifying land and stating that the land has become vested in an amalgamated corporation
15	42-4(8)	Certificate signed by Registrar identifying an asset (other than land) and stating that the asset has become vested in an amalgamated corporation

Information and documents **Schedule 2**
Information or documents mentioned in the Act **Part 1**

Item	Provision	Information or document
16	42-4(11)(a)	Certificate signed by Registrar that a specified matter was an exempt matter
17	42-4(11)(b)	Certificate signed by Registrar that a specified thing was connected with a specified exempt matter
18	42-10(3)	Notice of determination by Registrar that the applicant for registration is the contact person for the corporation on registration
19	69-30(4)(b)	Notice by Registrar of decision to refuse registration of constitutional change
20	69-30(5)	Copy of registered constitutional change
21	69-35(1) and (6)	Copy of registered constitutional change made on initiative of Registrar
22	69-35(7)	Notice by Registrar of constitutional change
23	77-5(3)	Post registration request by applicant for further determination of a lesser minimum number of members
24	77-5(4)	Post registration request by applicant to determine the corporation to have a lesser minimum number of members
25	77-10	Exemption by Registrar allowing a corporation to have a lesser determined number of members
26	77-25(1)	Notice by Registrar of exemption
27	77-25(2)	Notice by Registrar that exemption has not been granted
28	85-5(2)	Consent by Registrar to availability of name
29	85-5(2)	Notice by Registrar of refusal to consent to availability of name
30	88-1(2)	Application for change of name of corporation
31	88-1(4)	Notice by Registrar of refusal to change name of corporation
32	88-5(1)	Direction by Registrar to change name of corporation
33	88-10(1)	Notice by corporation that it has become a registered native title body corporate
34	88-15(1)	Notice by corporation that it has ceased to be a registered native title body corporate

Schedule 2 Information and documents**Part 1** Information or documents mentioned in the Act

Item	Provision	Information or document
35	88-20(1)	Certificate of registration of corporation specifying change of name
36	112-5(3)	Notice by corporation of change of address of registered office
37	112-10(4)(c)	Notice by Registrar of intention to change the address of the registered office of a corporation to the address of a director
38	112-20(4)	Notice by Registrar requiring production of consent of occupier of corporation's registered address
39	115-5(2)	Notice by corporation of change of document access address
40	115-10(4)(c)	Notice by Registrar of intention to change the document access address of a corporation to the address of a director
41	115-15(1)	Notice by Registrar of direction to change the document access address of a corporation
42	115-20(4)	Notice by Registrar requiring production of consent of occupier of corporation's document access address
43	166-15(1)	Copy of Court order—oppressive conduct of affairs
44	172-10(6)	Copy of Court order—variation, cancellation or modification of members' rights
45	180-35(1)	Notice by Registrar requesting a copy of the register of members or the register of former members of a corporation
46	180-35(1)	Copy of register of members or register of former members provided by corporation in response to request from Registrar
47	187-5(1)	Determination by Registrar of application to exempt the corporation or its directors from exemptible provisions of Chapter 4
48	187-5(1)	Notice by Registrar of refusal to make determination
49	187-5(3)	Application by corporation to exempt the corporation or its directors from exemptible provisions of Chapter 4
50	187-5(5)	Instrument by Registrar revoking, varying or suspending determination

Information and documents **Schedule 2**
Information or documents mentioned in the Act **Part 1**

Item	Provision	Information or document
51	187-5(6)	Notice by Registrar of revocation, variation or suspension of determination
52	187-15(1)	Determination by Registrar to exempt the corporation or its directors from exemptible provisions of Chapter 4
53	187-15(4)	Instrument by Registrar revoking, varying or suspending determination
54	187-15(5)	Notice by Registrar of revocation, variation or suspension of determination
55	201-10(4)(a) and (b)	Determination by Registrar of application and notification of determination
56	201-155(1)	Application by corporation to extend period to hold AGM
57	201-155(2)	Notice by Registrar of extension of period to hold AGM
58	201-155(2)	Notice by Registrar of refusal to extend period to hold AGM
59	204-1(5)	Documents lodged with Registrar relating to resolution
60	204-5(2)	Resolution and related documents of 1 member corporation lodged with Registrar
61	225-5(1) and (2)	Application by director to exempt the corporation or directors from the provisions of Chapter 5
62	225-5(1)	Determination by Registrar exempting a corporation or its directors from the provisions of Chapter 5 specified in the determination
63	225-5(1)	Notice by Registrar of refusal to make determination
64	225-5(4)	Instrument by Registrar revoking, varying or suspending determination
65	225-5(5)	Notice by Registrar of the making, revocation, variation or suspension of determination
66	225-15(1)	Determination by Registrar to exempt a corporation, class of corporation or directors from specified provisions of Chapter 5 specified in the determination
67	225-15(3)	Instrument by Registrar revoking, varying or suspending determination
68	225-15(4)	Notice by Registrar of the making, revocation, variation or suspension of determination

Schedule 2 Information and documents**Part 1** Information or documents mentioned in the Act

Item	Provision	Information or document
69	252-5(2)	Direction by Registrar to disclose remuneration and expenses paid to directors
70	252-5(5)(c)(ii)	Copy of audited statement of the remuneration and expenses of directors
71	257-25(1)	Notice by Registrar of determination that a specified director is the new contact person of a corporation
72	268-25(1)	Declaration by Registrar that a director with a material personal interest in a matter may be present and vote on the matter
73	268-25(5)	Order by Registrar made in respect of a specified class of corporation, directors, resolutions or interests
74	279-30(5)	Notice by Registrar advising of disqualification
75	279-30(7)	Copy of Registrar's permission for disqualified person to manage corporation
76	279-30(7)	Notice by Registrar of refusal of permission for disqualified person to manage corporation
77	279-35(3)	Notice by disqualified person of intention to make application for leave to manage a corporation
78	290-5(1)	Documents to be lodged with Registrar for a related party benefit resolution
79	290-5(3)	Approval by Registrar of lodgement of related party benefit documents less than 14 days before convening of meeting
80	290-35(4)	Declaration by Registrar that subsection 290-35(1) does not apply to a specified proposed resolution, or does not prevent the casting of a vote
81	290-45	Notice by corporation setting out text of resolution.
82	304-1(1)	Notice of retirement or resignation by director, alternate director, secretary or contact person
83	304-5(1)	Notice by corporation of the personal details of a director, secretary or contact person
84	304-5(3)	Notice by corporation of the personal details and terms of appointment of an alternate director

Information and documents **Schedule 2**
Information or documents mentioned in the Act **Part 1**

Item	Provision	Information or document
85	304-5(5)	Notice by corporation of change in the personal details of a director, alternate director, secretary or contact person
86	304-5(6)	Notice by corporation of person having stopped being a director, alternate director, secretary or contact person of a corporation
87	307-1(1)	Request from Registrar as to whether a person is a director, secretary or contact person of a corporation and if not, the date on which the person stopped being a director, secretary or contact person
88	307-1(2)	Written notification by person in response to request under subsection 307-1(1)
89	310-5(1)	Application by corporation to exempt the corporation or its directors from exemptible provisions of Chapter 6
90	310-5(1)	Determination by Registrar exempting the corporation or its directors from exemptible provisions of Chapter 6
91	310-5(1)	Notice by Registrar of refusal to make determination exempting the corporation or its directors from exemptible provisions of Chapter 6
92	310-5(5)	Instrument by Registrar revoking, varying or suspending determination
93	310-5(6)	Notice by Registrar of the making, revocation, variation or suspension of determination
94	310-15(1)	Determination by Registrar to exempt corporation or its directors from exemptible provisions of Chapter 6
95	310-15(4)	Instrument by Registrar revoking, varying or suspending determination
96	310-15(5)	Notice by Registrar of the making, revocation, variation or suspension of determination
97	330-10(1)	General report
98	336-1(1)(a)	Determination by Registrar for a corporation to prepare an additional report
99	336-1(1)(b)	Determination by Registrar of additional requirements for general report or section 333-5 report
100	336-1(9)	Instrument by Registrar revoking, varying or suspending determination

Schedule 2 Information and documents**Part 1** Information or documents mentioned in the Act

Item	Provision	Information or document
101	336-1(11)	Notice by Registrar of the making, revocation, variation or suspension of determination
102	336-5(1)(a)	Determination by Registrar that a particular class of corporation prepare an additional report
103	336-5(1)(b)	Determination by Registrar of additional requirements for a particular class of corporation
104	336-5(9)	Instrument by Registrar revoking, varying or suspending determination
105	336-5(10)	Notice by Registrar of the making, revocation, variation or suspension of determination
106	339-55(7)	Application by a person seeking an earlier date for the audit working papers
107	339-55(7)	Determination by Registrar allowing an earlier date in relation to of audit papers
108	348-1(1)	Reports lodged with Registrar under Part 7-3
109	348-5(1)	Amended financial or directors' report
110	353-3(1)	Application by corporation to exempt the directors, corporation or auditor from the provisions of Part 7-2 or 7-3, or of Regulations made for Part 7-2 or 7-3
111	353-3(1)	Determination by Registrar exempting directors, corporation or auditor from specified provisions of Part 7-2 or 7-3, or of the Regulations made for Part 7-2 or 7-3
112	353-3(1)	Notice by Registrar of refusal to make determination exempting directors, corporation or auditor from the provisions of Part 7-2 or 7-3, or the Regulations made for Part 7-2 or 7-3
113	353-3(4)	Instrument by Registrar revoking, varying or suspending determination
114	353-3(5)	Notice by Registrar of the making, revocation, variation or suspension of determination
115	353-10(1)	Determination by Registrar exempting a corporation (or a specified class of corporation) or directors from specified provisions of Part 7-2 or 7-3, or of Regulations made for Part 7-2 or 7-3

Information and documents **Schedule 2**
Information or documents mentioned in the Act **Part 1**

Item	Provision	Information or document
116	353-10(3)	Instrument by Registrar revoking, varying or suspending determination
117	353-10(4)	Notice by Registrar of the making, revocation, variation or suspension of determination
118	376-5(1)	Certified English translation of any document required to be lodged
119	404-10(2)	Written agreement that a document may be lodged electronically
120	404-10(3)	Approval by Registrar in writing that documents of a specified kind may be lodged electronically
121	404-10(4)	Approval by Registrar in writing that a particular class of corporation may lodge electronically documents of a specified kind
122	404-15(1)	Application for leave to lodge a copy of a document that, since being lodged, has been lost or destroyed
123	404-15(2)	Direction by Registrar about notice of the application
124	404-15(4)	Copy of lost or destroyed document with Registrar's certification that he or she is satisfied that it is a correct copy
125	404-15(4)	Notice of leave by Registrar for certified copy to be lodged in the same manner as a lost or destroyed original document
126	404-15(4)	Notice of refusal by Registrar to grant leave for a certified copy to be lodged in the same manner as a lost or destroyed original document
127	404-15(7)	Copy of AAT decision varying or setting aside decision of Registrar
128	407-1(1)	Notice by Registrar of refusal to receive or register document and requesting amendments or supplementary document
129	407-5(1)	Notice by Registrar requesting further document or information
130	407-5(1)	Information or document provided in response to request from Registrar
131	407-10(1)	Notice by Registrar requiring a person to provide specified information about that person

Schedule 2 Information and documents**Part 1** Information or documents mentioned in the Act

Item	Provision	Information or document
132	407-10(1)	Information given in response to request by Registrar
133	407-15(1)	Notice of change to a detail of a corporation
134	410-1(1)(b)	Notice requiring compliance with requirements under subsection 410-1(7)
135	410-1(1)	Copy of Court order requiring compliance with requirements under subsection 410-1(7)
136	410-1(2)(b)	Notice requiring compliance with requirements under subsection 410-1(7)
137	410-1(2)	Copy of Court order requiring compliance with requirements under subsection 410-1(7)
138	424-5(1)	Certificate by Registrar that no corporation was registered by a particular name at a date or during a period specified in the certificate
139	424-5(2)	Certificate by Registrar as to compliance or otherwise with requirements of the Act
140	424-5(3)	Certificate by Registrar about the registration of a corporation during a specified period
141	424-10	Certificate by Registrar that a person was a director, secretary or contact person of a corporation during a specified period
142	439(5)(1)	Notice by Registrar convening meeting of a corporation to discuss a matter that affects the corporation
143	439-10(1)	Notice by Registrar of general meeting of corporation (convened by Registrar)
144	439-10(5)	Determination by Registrar that specified rules in Chapter 5 do not apply to a meeting called under this section
145	439-15(1)	Notice by Registrar of AGM (convened by Registrar)
146	439-15(3)	Determination by Registrar that specified rules in Chapter 5 do not apply to a meeting called under this section
147	439-20(1)	Notice by Registrar to corporation or directors requiring specified action to comply with the Act, the constitution of the corporation, or to remedy an irregularity

Information and documents **Schedule 2**
Information or documents mentioned in the Act **Part 1**

Item	Provision	Information or document
148	453-1(1)	Authorisation (whether or not in writing) of an authorised officer to examine the books of a corporation or related body corporate
149	453-5(1)	Notice by Registrar to provide information, produce books or attend to answer questions
150	487-1(1)	Determination by Registrar that a corporation is to be under special administration
151	487-10(5)	Notice by Registrar that a corporation is not to be under special administration
152	487-15(1)	Notice by Registrar of extension of period for which a corporation is to be under special administration
153	487-20(1)	Determination by Registrar that a corporation is to cease to be under special administration
154	490-1(1)	Appointment by Registrar of special administrator for a specified period
155	490-5(2)	Notice by Registrar of extension of the period for which a special administrator is appointed
156	493-1(2)	Notice by Registrar in relation to a special administration determination or the appointment of a special administrator
157	496-5(1)	Determination by Registrar that the offices of the corporation's directors and secretaries are not vacated on the appointment of a special administrator
158	505-1(1)(e)	Notice of resignation by special administrator
159	505-1(3)	Application by special administrator for resignation to take effect before the end of the period referred to in subsection 505-1(2)
160	505-1(3)	Determination by Registrar that a resignation of a special administrator is to take effect before the end of the period referred to in subsection 505-1(2)
161	505-1(4)	Notice by Registrar terminating the appointment of a special administrator
162	505-10(1)	Appointment by Registrar of another person as special administrator if a previous special administrator's appointment is terminated

Schedule 2 Information and documents**Part 1** Information or documents mentioned in the Act

Item	Provision	Information or document
163	526-20(3)	Consent by Registrar to the voluntary winding up of a corporation
164	526-20(6)(a)	Notice by corporation of the passing of a resolution for the voluntary winding up of the corporation
165	526-20(6)(b)	Copy of resolution
166	540-5	Application by corporation to transfer registration to registration under a law of the Commonwealth, a State or a Territory including: (a) a copy of the special resolution for transfer; and (b) a statement signed by the directors that the corporation's creditors are not likely to be prejudiced by the change
167	540-10	Transfer of registration declaration by Registrar
168	546-1(4)	Notice by Registrar of proposed deregistration of corporation
169	546-1(7)	Notice by Registrar to applicant (or nominated person) of deregistration of the corporation
170	546-5(3)	Notice by Registrar of proposed decision to deregister a corporation
171	546-5(5)	Notice by Registrar of deregistration of a corporation
172	546-40(4)	Notice by Registrar of reinstatement of the registration of a corporation
173	566-5(1)	Notice by Registrar of prescribed offence
174	617-10(3)	Determination by decision maker not to give notice of reviewable decision to person affected by the decision
175	620-1(3)	Notice by Registrar of reconsideration of reviewable decision
176	620-5(1)	Notice by affected person requesting Registrar to reconsider a reviewable decision
177	620-5(5)	Notice to affected persons of reconsideration of reviewable decision

Part 2—Information or documents mentioned in these Regulations

Item	Provision	Document
1	333-5.01(3)	Financial report
2	333-5.01(3)	Directors' report
3	333-15.01(1)	Auditor's report
4	333-16.01(3)	Financial report
6	333-16.02(3)	Auditor's report
7	339-100.05(3)	Notice of resignation of auditor
8	339-100.06(4)	Notice of intention to move resolution to remove auditor

Schedule 2 Information and documents

Part 3 Information or documents mentioned in Schedule 3 to the Corporations
(Aboriginal and Torres Strait Islander) Consequential, Transitional and Other Measures
Act 2006

**Part 3—Information or documents mentioned in
Schedule 3 to the Corporations (Aboriginal
and Torres Strait Islander) Consequential,
Transitional and Other Measures Act 2006**

Item	Provision	Information or document
1	2(2)	Determination by Registrar of maximum transitional period
2	2(4)	Instrument by Registrar revoking, varying or suspending determination
3	8(1)	Name of initial contact person
4	9(1)	Initial document access address
5	10(4)	Notification by Registrar of any alteration made under subitem 10(1) or (2)
6	11(1)	Declaration by Registrar of first corporation secretary
7	11(1)(c)(ii)	Consent of person to hold office as corporation secretary
8	12(1)	Declaration by Registrar of first registered office
9	23(1)	Determination by Registrar exempting a specified transitional corporation, or class of transitional corporations from section 85-15 of the Act
10	23(3)	Instrument by Registrar revoking, varying or suspending determination
11	26	Certificate of registration
12	33	List of names and addresses of members
13	35(1)	Names of first directors of a transitional corporation
14	57(1)(a)	Report for financial year ending on 30 June 2007
15	57(1)(b)	Examiner's report
16	60(1)	Election by transitional corporation
17	65(1)	Report for financial year ending 30 June 2008
18	65(1)	Examiner's report
19	74(2)	Request by Registrar for the name and address of the person who is to be the applicant under section 21-1 of the Act

Item	Provision	Information or document
20	74(3)	Name and address of any person provided in response to request under subitem 74(2)
21	74(4) and (5)	Notification by Registrar that application is treated as withdrawn
22	79(1)(c)(i)	Statement by transitional corporation that the proposed new name has been adopted
23	79(1)(c)(ii)	Documents supporting statement
24	80(5)(b)	Documents showing that a constitutional change was effected in accordance with the transitional corporation's constitution
25	80(5)(d)	Directors' statement that a constitutional change was effected in accordance with the transitional corporation's constitution.
26	108(1)	Application by transitional corporation or directors for exemption from requirements
27	108(1)	Determination by Registrar to exempt transitional corporation or its directors from requirements
28	108(4)	Instrument by Registrar revoking, varying or suspending determination
29	108(5)	Notice by Registrar to applicant of the making, revocation, variation, or suspension of the determination
30	110(1)	Determination by Registrar to exempt: a specified transitional corporation, a class of transitional corporations, or the directors of a specified transitional corporation or class of transitional corporations from requirements
31	110(3)	Instrument by Registrar revoking, varying or suspending determination
32	113(3)	Determination by Minister

Part 4—Information or documents mentioned in the Corporations Act

Item	Provision	Information or document
1	411(2)(a)	Notice to the Registrar of the hearing of an application for a compromise or arrangement with creditors or members
2	411(7)(f)	Direction by the Registrar that paragraph 411(7)(f) does not apply in relation to the person in relation to the body
3	411(10)	Copy of Court order approving compromise or arrangement
4	411(17)(b)	Written statement by the Registrar that he or she has no objection to the compromise or arrangement
5	412(6)	Explanatory statement concerning proposed compromise or arrangement with creditors or members
6	413(3)	Copy of Court order for facilitating reconstruction and amalgamation of bodies
7	415(1)	Notice of appointment of person to administer a compromise or arrangement
8	421A(2)	Report by managing controller about the affairs of the corporation
9	427(1A)	Notice of appointment of person to enter into possession, or take control, of corporation property
10	427(1B)	Notice by person (other than a receiver) who enters into possession or who takes control of corporation property
11	427(2)	Notice of the address of the controller's office
12	427(3)	Notice of change of address of the controller's office
13	427(4)	Notice of a person ceasing to be a controller
14	429(2)(c)(i)	Copy of report to controller about the affairs of the corporation as at the control day and notice by controller about reporting officers' report
15	429(4)	Notice by controller of extension of time for reporting officers to submit report about the affairs of the corporation as at the control day
16	429(5)	Copy of Court order for extension of time for reporting officers to submit report about the affairs of the corporation as at the control day

Information and documents **Schedule 2**
Information or documents mentioned in the Corporations Act **Part 4**

Item	Provision	Information or document
17	432(1)	Accounts of controller of a corporation
18	446A(5)	Notice by liquidator that corporation is taken to have passed a resolution to wind up the corporation
19	450B(c)	Deed of corporation arrangement
20	450C(a)	Notice by administrator of failure by corporation to execute deed of corporation arrangement
21	450D(a)	Notice by administrator of termination of deed of corporation arrangement
22	465A(a)	Notice by applicant of application for winding up of corporation
23	470(1)(a)	Notice by applicant of filing of application for winding up of corporation
24	470(1)(b)	Notice by applicant of the making of an order for winding up of corporation, including the date on which the order was made, and the name and address of the liquidator
25	470(1)(c)	Notice by applicant that the application has been withdrawn or dismissed
26	470(2)(a)	Copy of winding up order
27	474(3)	Copy of Court order vesting corporation property in the liquidator
28	475(6) and (7)(b)	Notice by liquidator of grant of extension of time for submission or report as to the affairs of the corporation
29	475(7)(a)	Copy of report to liquidator
30	476	Preliminary report by liquidator
31	481(5)	Copy of Court order releasing liquidator or deregistering the corporation
32	482(5)	Court order terminating or staying the winding up
33	494(3)(b)	Declaration of solvency by directors
34	496(7)	Notice by liquidator following meeting of creditors
35	497(2)(c)	Copy of notice by liquidator to creditors: (a) advising details of creditors' meeting; and (b) providing a copy of the documents mentioned in paragraph 497(2)(b) of the Corporations Act

Schedule 2 Information and documents

Part 4 Information or documents mentioned in the Corporations Act

Item	Provision	Information or document
36	497(7)	Copy of report by directors on the affairs of the corporation laid before the meeting of creditors
37	506(1B)	Copy of special resolution by corporation for members' voluntary winding up
38	507(11)	Copy of special resolution by corporation authorising the liquidator to enter into arrangements
39	507(11)	Copy of special resolution by corporation about the manner in which the liquidator may raise purchase money
40	509(3)	Return by liquidator of having held final general meeting (or meeting of creditors and members)
41	509(3)	Copy of account by liquidator laid before final general meeting (or meeting of creditors and members)
42	509(4)	Return by liquidator (attaching account) stating that final meeting was duly convened and that no quorum was present
43	509(7)	Copy of Court order to deregister corporation
44	510(1A)	Special resolution of corporation sanctioning arrangement between corporation and creditors
45	537(1)	Notice by liquidator of appointment and office address, and any change of office address
46	537(2)	Notice by liquidator of resignation or removal from office
47	539(1)	Accounts and statement of liquidator
48	568A(1)(a)	Notice of disclaimer by liquidator of corporation property
49	596E	Notice by applicant of examination summons

Part 5—Information or documents mentioned in the Corporations Regulations

Item	Provision	Document
1	5.3A.01	Notice by administrator of the happening of an event and the ending of the administration
2	5.3A.03	Notice of appointment of administrator
3	5.3A.04	Notice by administrator of change of address of office
4	5.3A.07(5)	Notice by liquidator that corporation is taken to have passed a resolution to wind up the corporation

Schedule 3 Exempt documents

Part 1 Information or documents mentioned in the Act

Schedule 3—Exempt documents

(regulation 421-1.02)

Part 1—Information or documents mentioned in the Act

Item	Provision	Document
1	21-5	Documents or information to accompany application
2	22-5	Documents or information to accompany application
3	23-5	Documents or information to accompany application
4	69-20(1) and (2)	Documents evidencing constitutional changes
5	69-25	Documents evidencing constitutional changes made by a special administrator
6	88-1(2)	Special resolution and relevant minutes
7	201-10(1)	Application by director for permission to deny request to hold a general meeting
8	304-1(2)	Copy of letter of resignation
9	339-90(1)(c), (2)(c) and (3)(d)	Notice by auditor of suspected contravention of the Act or attempt to improperly influence conduct of the audit
10	439-10(1)(b)	Request by corporation members for Registrar to arrange and hold general meeting
11	487-5(1)(h)	Request by directors for Registrar to appoint a special administrator
12	487-5(1)(i)	Request by members for Registrar to appoint a special administrator
13	487-10(1)	Copies of written representations made in response to a notice given under subsection 487-10(1)
14	502-1	Copy of any document given to the Registrar under section 502-1
15	546-1(1)	Application by the corporation, a director, a member or a liquidator to deregister the corporation
16	663-20(1)	Notice by Registrar of pecuniary and other interests

**Part 2—Information or documents mentioned in
Schedule 3 to the Corporations (Aboriginal
and Torres Strait Islander) Consequential,
Transitional and Other Measures Act 2006**

Item	Provision	Document
1	88(3)(b)	Representations by transitional corporation as to administration

Schedule 3 Exempt documents

Part 3 Information or documents mentioned in the Corporations Act

**Part 3—Information or documents mentioned in
the Corporations Act**

Item	Provision	Document
1	324CA(1A)	Notice of conflict of interest
2	324CB(1A)	Notice of conflict of interest
3	324CC(1A)	Notice of conflict of interest
4	324CE(1A)	Notice of particular circumstances
5	324CF(1A)	Notice of particular circumstances
6	324CG(1A)	Notice of particular circumstances
7	324CG(5A)	Notice of particular circumstances
8	327B(2A)(b)	Notice that a conflict of interest or particular circumstances have changed
9	327B(2B)(b)	Notice that a conflict of interest or particular circumstances have changed
10	327B(2C)(b)	Notice that a conflict of interest or particular circumstances have changed

Schedule 4—Modification of applied Corporations Act provisions

(regulation 633-1.01)

Item	Provision	Modification of the Corporations Act
1	499-10(3)(b) 516-1(2)(b) 521-1(2)(b) 526-35(2)(b) 633-1(1)	Section 9, after definition of <i>cash management trust interest</i> <i>insert</i> <i>CATSI Act</i> means the <i>Corporations (Aboriginal and Torres Strait Islander) Act 2006</i> . <i>CATSI Regulations</i> means any regulations made under the CATSI Act.
2	45-1(2)(b)	After paragraph 425(5)(b) <i>insert</i> (ba) a special administrator; or
3	499-10(3)(b)	Subsections 440J(2) and (3) <i>omit each mention of</i> section 1323 <i>insert</i> section 576-20 of the CATSI Act
4	449-10(3)(b)	Paragraph 440J(2)(c) <i>omit</i> this Act; and <i>insert</i> the CATSI Act, the CATSI Regulations, and any provision of this Act applied by a provision of the CATSI Act; and
5	499-10(3)(b)	Subsection 442F(1) <i>omit</i> Sections 128 and 129 <i>insert</i> Sections 104-1 and 104-5 of the CATSI Act

Schedule 4 Modification of applied Corporations Act provisions

Item	Provision	Modification of the Corporations Act
6	499-10(3)(b)	Paragraph 442F(1)(b) <i>omit</i> section 129 <i>insert</i> section 104-5 of the CATSI Act
7	499-10(3)(b)	Subsection 442F(2) <i>omit each mention of</i> sections 128 and 129 <i>insert</i> sections 104-1 and 104-5 of the CATSI Act
8	499-10(3)(b)	Section 443D <i>substitute</i> 443D Right of indemnity The administrator of a company under administration is entitled to be indemnified out of the company's property for debts for which the administrator is liable under Subdivision A or a remittance provision as defined in subsection 443BA(3).
9	516-1(2)(b)	Subparagraph 423(1)(a)(iv) <i>omit</i> this Act, the regulations or the rules; or <i>insert</i> the CATSI Act, the CATSI Regulations, any provision of this Act applied by a provision of the CATSI Act or the rules; or
10	516-1(2)(b)	After paragraph 425(5)(b) <i>insert</i> (ba) a special administrator;

Item	Provision	Modification of the Corporations Act
11	521-1(2)(b)	Subsection 437E(3) <i>omit</i> section 1318 <i>insert</i> section 576-1 of the CATSI Act
12	521-1(2)(b)	Subsections 440J(2) and (3) <i>omit each mention of</i> section 1323 <i>insert</i> section 576-20 of the CATSI Act
13	521-1(2)(b)	Paragraph 440J(2)(c) <i>omit</i> this Act; and <i>insert</i> the CATSI Act, the CATSI Regulations, and any provision of this Act applied by a provision of the CATSI Act; and
14	521-1(2)(b)	Paragraph 446A(2)(a) <i>omit</i> section 491 <i>insert</i> section 526-20 of the CATSI Act
15	521-1(2)(b)	Subsection 446B(1) <i>omit</i> section 491 <i>insert</i> section 526-20 of the CATSI Act
16	526-35(2)(b)	Section 9, definition of registered liquidator <i>substitute</i> registered liquidator , for the Corporations Act winding up provisions, means a person who is a registered liquidator for the purposes of this Act.

Schedule 4 Modification of applied Corporations Act provisions

Item	Provision	Modification of the Corporations Act
17	526-35(2)(b)	Paragraph 459C(1)(a) <i>substitute</i> (a) an application under section 166-10 or 526-15 of the CATSI Act; or
18	526-35(2)(b)	Paragraph 459C(1)(b) <i>substitute</i> (b) an application for leave to make an application under section 526-15 of the CATSI Act.
19	526-35(2)(b)	Subsection 465B(1) <i>omit</i> , 462 or 464
20	526-35(2)(b)	Section 465C <i>omit</i> , 462 or 464
21	526-35(2)(b)	Section 467A <i>omit</i> or 5.4A
22	526-35(2)(b)	Section 467B <i>omit</i> section 233, 459A, 459B or 461 <i>insert</i> section 166-5 or 526-1 of the CATSI Act
23	526-35(2)(b)	Paragraph 473(5)(a) <i>substitute</i> (a) a member or members who represent at least 10% of the members of the corporation; or
24	526-35(2)(b)	Subsection 486A(3) <i>omit</i> section 1323. <i>insert</i> section 576-20 of the CATSI Act.

Item	Provision	Modification of the Corporations Act
25	526-35(2)(b)	Section 513A <i>omit</i> section 233, 459A, 459B or 461 <i>insert</i> section 166-5 or 526-1 of the CATSI Act
26	526-35(2)(b)	Paragraph 513D(a) <i>omit</i> section 233, 459A, 459B or 461 <i>insert</i> sections 166-5 and 526-1 of the CATSI Act
27	526-35(2)(b)	Paragraph 532(1)(b) <i>substitute</i> (b) approved in writing by the Registrar as a liquidator of that corporation.
28	526-35(2)(b)	Paragraph 588E(4)(a) <i>omit</i> subsection 286(1); or <i>insert</i> subsection 322-10(1) of the CATSI Act; or
29	526-35(2)(b)	Paragraph 588E(4)(b) <i>omit</i> subsection 286(2); <i>insert</i> subsection 322-10(2) of the CATSI Act;
30	526-35(2)(b)	Subsection 588E(5) <i>omit</i> subsection 286(1) <i>insert</i> subsection 322-10(1) of the CATSI Act

Schedule 4 Modification of applied Corporations Act provisions

Item	Provision	Modification of the Corporations Act
31	526-35(2)(b)	Subsection 588E(6) <i>omit</i> subsection 286(2), <i>insert</i> subsection 322-10(2) of the CATSI Act,
32	526-35(2)(b)	Subsection 588J(1) <i>omit</i> section 1317G <i>insert</i> section 386-10 of the CATSI Act
33	526-35(2)(b)	Subsection 588J(1) <i>omit</i> section 206C <i>insert</i> section 279-15 of the CATSI Act
34	526-35(2)(b)	Paragraph 588Z(b) <i>omit</i> section 206A <i>insert</i> section 279-1 of the CATSI Act
35	526-35(2)(b)	Paragraph 589(1)(d) <i>omit</i>
36	526-35(2)(b)	Subsection 589(2) <i>omit</i>
37	526-35(2)(b)	Paragraph 589(3)(a) <i>omit</i> subsection 601AA(4) or 601AB(3); and <i>insert</i> subsection 546-1(4) or 546-5(3) of the CATSI Act; and

Item	Provision	Modification of the Corporations Act
38	526-35(2)(b)	Paragraph 589(3)(b) <i>omit</i> subsection 601AA(4) or under subsection 601AB(3) <i>insert</i> subsection 546-1(4) or 546-5(3) of the CATSI Act
39	526-35(2)(b)	Paragraph 589(3)(b) <i>omit</i> subsection 601AB(1) <i>insert</i> subsection 546-5(1) of the CATSI Act
40	526-35(2)(b)	Subsection 589(5), definition of <i>appropriate officer</i> , paragraph (c) <i>omit</i>
41	526-35(2)(b)	Subsection 589(5), definition of <i>appropriate officer</i> , paragraph(e) <i>omit</i> or the NCSC, as the case requires
42	526-35(2)(b)	Subsection 589(5), definition of <i>relevant day</i> , paragraph (c) <i>omit</i>
43	526-35(2)(b)	Subsection 589(5), definition of <i>relevant day</i> , paragraph (f) <i>omit</i> subsection 601AA(4) or 601AB(3); <i>insert</i> subsection 546-1(4) or 546-5(3) of the CATSI Act;
44	526-35(2)(b)	Subsection 589(6) <i>omit</i>

Schedule 4 Modification of applied Corporations Act provisions

Item	Provision	Modification of the Corporations Act
45	526-35(2)(b)	After subsection 590(1) <i>insert</i> (1A) Paragraphs 590(1)(c), (g) and (h) do not apply to conduct or representations before the commencement of the CATSI Act.
46	526-35(2)(b)	Sections 592 to 594 <i>omit</i>

Endnotes

Endnote 1—About the endnotes

The endnotes provide details of the history of this legislation and its provisions. The following endnotes are included in each compilation:

- Endnote 1—About the endnotes
- Endnote 2—Abbreviation key
- Endnote 3—Legislation history
- Endnote 4—Amendment history
- Endnote 5—Uncommenced amendments
- Endnote 6—Modifications
- Endnote 7—Misdescribed amendments
- Endnote 8—Miscellaneous

If there is no information under a particular endnote, the word “none” will appear in square brackets after the endnote heading.

Abbreviation key—Endnote 2

The abbreviation key in this endnote sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended the compiled law. The information includes commencement information for amending laws and details of application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision level. It also includes information about any provisions that have expired or otherwise ceased to have effect in accordance with a provision of the compiled law.

Uncommenced amendments—Endnote 5

The effect of uncommenced amendments is not reflected in the text of the compiled law but the text of the amendments is included in endnote 5.

Endnotes

Endnote 1—About the endnotes

Modifications—Endnote 6

If the compiled law is affected by a modification that is in force, details of the modification are included in endnote 6.

Misdescribed amendments—Endnote 7

An amendment is a misdescribed amendment if the effect of the amendment cannot be incorporated into the text of the compilation. Any misdescribed amendment is included in endnote 7.

Miscellaneous—Endnote 8

Endnote 8 includes any additional information that may be helpful for a reader of the compilation.

Endnote 2—Abbreviation key

ad = added or inserted	pres = present
am = amended	prev = previous
c = clause(s)	(prev) = previously
Ch = Chapter(s)	Pt = Part(s)
def = definition(s)	r = regulation(s)/rule(s)
Dict = Dictionary	Reg = Regulation/Regulations
disallowed = disallowed by Parliament	reloc = relocated
Div = Division(s)	renum = renumbered
exp = expired or ceased to have effect	rep = repealed
hdg = heading(s)	rs = repealed and substituted
LI = Legislative Instrument	s = section(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sch = Schedule(s)
mod = modified/modification	Sdiv = Subdivision(s)
No = Number(s)	SLI = Select Legislative Instrument
o = order(s)	SR = Statutory Rules
Ord = Ordinance	Sub-Ch = Sub-Chapter(s)
orig = original	SubPt = Subpart(s)
par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)	

Endnotes

Endnote 3—Legislation history

Endnote 3—Legislation history

Number and year	FRLI registration	Commencement	Application, saving and transitional provisions
2007 No. 185	29 June 2007 (<i>see</i> F2007L01938)	1 July 2007	
2009 No. 285	2 Nov 2009 (<i>see</i> F2009L04041)	3 Nov 2009	—
2010 No. 257	27 Oct 2010 (<i>see</i> F2010L02821)	28 Oct 2010	—
152, 2013	28 June 2013 (<i>see</i> F2013L01264)	Sch 1 (item 9): 1 July 2013	—
164, 2014	3 Nov 2014 (F2014L01466)	4 Nov 2014	—

Endnote 4—Amendment history

Provision affected	How affected
Chapter 7	
Part 7-3	
Division 330	
r. 330-5.01	am. 2009 No. 285
Division 333	
Subdivision 333-B	
Heading to r. 333-16.01	rs. 2009 No. 285
r. 333-16.01	am. 2009 No. 285
r. 333-16.02	am No 164, 2014
r. 333-16.03	rep. 2009 No. 285
Chapt 15	
Pt 15-2	
Div 604	
r. 604-25.01	am No 152, 2013
Schedule 1	
Schedule 1	am. 2010 No. 257
Schedule 2	
Schedule 2	am. 2009 No. 285

Endnotes

Endnote 5—Uncommenced amendments [none]

Endnote 5—Uncommenced amendments [none]

Endnote 6—Modifications [none]

Endnote 7—Misdescribed amendments [none]

Endnote 8—Miscellaneous [none]