

Jabirr Jabirr / Ngumbarl People Update – Governance Restructure October 2022

Background

In June 2019 the Jabirr Jabirr / Ngumbarl People endorsed a new corporate structure for Waardi Limited (“Waardi”), Guumbarr Limited (“Guumbarr”) and Gogolanyangor Aboriginal Corporation (“GAC”).

This is an update on the progress made so far and asks for you to give your feedback on the structure that looks after your native title rights, interests and benefits.

What’s the issue?

The Jabirr Jabirr / Ngumbarl People decided that Waardi and Guumbarr must have good governance – this is a requirement in the contract with the State. This good governance includes:

- a steering committee of family group representatives – to make sure there is a fair representation of the Jabirr Jabirr / Numbarl People;
- the directors must have some skills and experience – to make sure that the companies do their jobs well; and
- independent directors – to make sure that there is good governance in the companies.

The Jabirr Jabirr / Ngumbarl People decided that its PBC, once it was set up, should have similar rules – this is a requirement in Waardi’s constitution.

Waardi and Guumbarr have always said that they want to make sure that there is good governance in all of the companies that support the Jabirr Jabirr / Ngumbarl People.

The GAC Board suggested some changes to its rule book to include **some** of the good governance measures.

A time was agreed for GAC, Waardi and Guumbarr to meet to talk about the changes. GAC cancelled this meeting.

GAC is now trying to remove Waardi and Guumbarr from their jobs.

Tell the companies to just get the job done - make sure there’s good governance and do the jobs that the Jabirr Jabirr / Ngumbarl People have given them!



The above jobs were approved as part of the Claim Group Meeting held in June 2019.

How close is it to being sorted?

GAC, Waardi and Guumbarr spoke about what good governance measures should be included in GAC's rule book. GAC, Waardi and Guumbarr agreed about most of the things that should be included:



GAC directors should have some skills and experience – this will help to get the best people for the job



GAC will have an independent director – this will help make sure things are run properly

Waardi and Guumbarr want GAC to make sure that its governance includes a fair representation of Jabirr Jabirr / Ngumbarl People. GAC didn't agree with this:



GAC should have rules about how many members of one family can be directors – this will make sure the Jabirr Jabirr / Ngumbarl People are fairly represented

Tell us what you want!



It is important you come to the upcoming GAC general meeting and Waardi general meeting so that you can have your say – your voice is important in deciding what will happen for the Jabirr Jabirr / Ngumbarl People's companies and money.

If you want to make sure that the GAC Board includes a broad representation of the Jabirr Jabirr / Ngumbarl People then make sure you vote!



Keep Waardi and Guumbarr doing their jobs



Make sure GAC has good governance measures before it becomes the top entity



Make sure GAC's directors fairly represent all Jabirr Jabirr / Ngumbarl People

What's happened so far?

June 2019

The Jabirr Jabirr / Ngumbarl People decided on the new structure – GAC as the entity to look after native title, Waardi as the doing entity, Guumbarr as the bank

March 2020

The Jabirr Jabirr / Ngumbarl People were finally and conclusively recognised as the Native Title Holders

March 2021

The Boards of Waardi, GAC and Guumbarr had a workshop to discuss how to implement the new structure

October 2021

The Boards of Waardi, GAC and Guumbarr had a workshop talk about the governance rules for the entities

December 2021 – March 2022

Waardi and Guumbarr offered to work with GAC to support GAC, to make joint decisions about the rules for the entities and to decide together how the money from the State should be used – GAC chose not to accept this offer

May 2022

Guumbarr received \$30 million from the State to help the Jabirr Jabirr / Ngumbarl People

July 2022

GAC wrote to Waardi and Guumbarr to say that it would make some amendments to its rules to include good governance measures

August 2022

GAC, Waardi and Guumbarr agreed to meet with an independent person to talk about the good governance measures and try to find solutions that would work for the Jabirr Jabirr / Ngumbarl People – the State arranged this meeting for 21 September 2022

September 2022

GAC cancelled the meeting with Waardi and Guumbarr – GAC didn't say why it cancelled the meeting

October 2022

Waardi and Guumbarr responded to GAC's letter about the proposed changes to GAC's rules – this was delayed as Waardi and Guumbarr wanted to talk to GAC about it at the September meeting

October 2022

GAC called a special general meeting to start the process of removing Waardi and Guumbarr from their roles