

# Information for Jabirr Jabirr / Ngumbarl People Update – Governance Restructure October 2022

**UPDATED**

## Background

In June 2019 the Jabirr Jabirr / Ngumbarl People endorsed a new corporate structure for Waardi Limited (“Waardi”), Guumbarr Limited (“Guumbarr”) and Gogolanyngor 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 also a requirement of the contract with the State. Good governance includes:

- a steering committee of family group representatives to select directors and give advice– to make sure there is a fair representation of the Jabirr Jabirr / Ngumbarl 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!**



**GAC**

Look after native title



**Waardi**

Deliver community programs



**Guumbarr**

Look after the money and land

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

## How close is it to being sorted?

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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 that all Jabirr Jabirr / Ngumbarl People are fairly represented and there is *no board stacking***

## Tell us what you want!

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Make sure you have your say and tell people what you want to see happen – 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, that decisions are fair for everyone, and that each company does its important job in the best interests of the Jabirr Jabirr / Ngumbarl People then make sure you become a member of GAC!



**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?

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### **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 a number of times 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 did not accept these offers

### **May 2022**

Guumbarr received \$30 million (and about \$5.5 million in interest) 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 held a special general meeting that did not follow the rules – some people were removed from the meeting, some people weren't allowed to talk, not all of the information was given and intimidating behaviour was used

### **Meetings in 2022**

*Waardi and Guumbarr asked GAC for a meeting in February, May, June, July, August, September, October and November. GAC asked Waardi and Guumbarr for a meeting in June.*

*Only one meeting happened at the end of May.*