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TIP

**LEGISLATIVE COUNCIL**  
**Question Without Notice**

**Wednesday, 18 October 2023**

**C1426. Hon Nick Goiran to the Parliamentary Secretary representing the Attorney General**

I refer to your answer to my question without notice on 17 October 2023 which revealed that the Attorney General has referred two charitable trusts to the Western Australian Charitable Trusts Commission for investigation, and I ask:

1. On what date did that referral take place?
2. What is the name of the two trusts being investigated?
3. Will you table the referral?
4. Given the calls during the recent Federal referendum campaign, and since, for a forensic audit of spending on indigenous issues, does the Attorney General intend to refer any further charitable trusts to the Western Australian Charitable Trusts Commission so that an audit of accounts can be carried out?

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**Answer**

1. 17 July 2023.
2. The Noongar Charitable Trust and the Aboriginal Housing Foundation.
3. Yes. I table a copy of the referral.
4. Under the legislation, a person may make a complaint about a charitable trust or a class of charitable trusts, not just those charitable trusts related to Indigenous groups, to the Attorney General or the Western Australian Charitable Trusts Commission. The Attorney General will refer a complaint to the Western Australian Charitable Trusts Commission for investigation when appropriate to do so.

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*John G. A.G.*  
*19/10/23*

*Matthew J. Smith*  
*19/10/2023*

**REFERRAL OF CHARITABLE TRUSTS FOR INVESTIGATION UNDER  
SECTION 32(1)(b)(ii) OF THE *CHARITABLE TRUSTS ACT 2022* (WA)**

I, John Quigley MLA, Attorney General for the State of Western Australia, hereby refer the Noongar Charitable Trust and the Aboriginal Housing Foundation to the Western Australian Charitable Trusts Commission for investigation under Part 4 of the *Charitable Trusts Act 2022* (WA), including but not limited to the circumstances surrounding, including whether any breach of trust occurred in connection with:

1. the purchase of 12 Hamersley Street Midland and 11 Waterhall Road South Guildford in Western Australia using Trust funds;
2. the purchase, development and management of the El Caballo Resort and Lifestyle Village at 3349 Great Eastern Highway Wundowie and 3303 Great Eastern Highway/51 Jocosco Rise Wundowie in Western Australia using Trust funds; and
3. the amendments made to the Noongar Charitable Trust Deed and the Aboriginal Housing Foundation Trust Deed, and the validity of the amendments.

This referral is made under section 32(1)(b)(ii) of the *Charitable Trusts Act 2022* (WA).

Signed:



**JOHN QUIGLEY, MLA  
ATTORNEY GENERAL**

Date: 29 June 2023