



The Hon Jarrod Bleijie MP
Attorney-General and Minister for Justice

In reply please quote: 2078240; FTO-01022

Level 18 State Law Building
50 Ann Street Brisbane 4000
GPO Box 149 Brisbane
Queensland 4001 Australia
Telephone +61 7 3247 9068
Facsimile +61 7 3221 4352
Email attorney@ministerial.qld.gov.au

02 JAN 2013

Mr Neil Laurie
The Clerk of the Parliament
Parliament House
Corner Alice and George Streets
BRISBANE QLD 4000

Dear Mr Laurie

Thank you for your letter dated 29 November 2012, regarding Petition No. 2025-12, relating to the Biddi Biddi Community Advancement Co-operative Society Limited, tabled in Parliament on 29 November 2012.

The Commissioner for Fair Trading has informed me the society is registered under the *Cooperatives Act 1997*, which is administered by the Department of Justice and Attorney-General. The Act provides the rules of a cooperative have the effect of a contract under seal between the cooperative and each member. The rules of the society provide the board may, at its discretion, refuse an application for membership and need not assign reasons for the decision to refuse.

The ongoing management of the society, including the determination of membership, is the responsibility of the duly elected board of directors, subject to the provisions of the Act, the *Cooperatives Regulation 1997* and the rules of the society.

The Commissioner has advised Ms Yvonne Canendo signed a tenancy agreement with the society on 3 January 2007. I am informed it is an express term of the agreement the tenants shall, at the commencement of the agreement and throughout its duration, be a member of the society. The agreement also states should the person cease to be a member of the society during the term of the tenancy, then the society will be entitled to take steps to have the tenants removed from the subject premises. Ms Canendo was expelled as a member by a special resolution of the members, passed by a two-thirds majority at a general meeting of the society held on 29 April 2011.

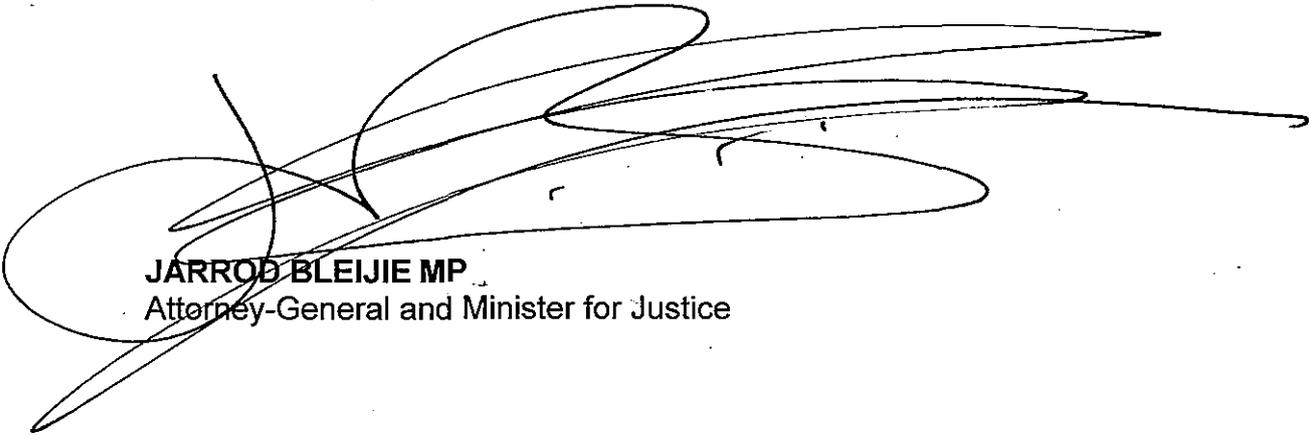
The matter of Ms Canendo's tenancy has also been the subject of proceedings in the Queensland Civil and Administrative Tribunal. Consequentially, there is no provision in the relevant legislation which allows me to intervene in any decision made in relation to the tenancy matter.

(2)

The Commissioner has advised an election of the board was held at the annual general meeting of the society on 10 December 2012, where an audited financial return was presented to members.

I understand the society is currently meeting the regulatory requirements of the Act and I do not believe circumstances exist, which warrant an investigation into the daily management of the society by the Office of Fair Trading at this time.

Yours sincerely



JARROD BLEIJIE MP
Attorney-General and Minister for Justice