

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates 26 May-6 June 2014

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Outcome/Program: 1.1 Prime Minister and Cabinet

Topic: Review of Native Title Organisations

Senator: Senator Cory Bernardi

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Question:

Deloitte Access Economics was contracted in December 2012 to undertake a review of the roles and functions of native title organisations.

1. Could you explain the findings of the Review of Native Title Organisations that was recently released? What consultation did the Review involve?
2. What are the next steps the Government is proposing to take? Is there any further consultation planned?

Answer:

1. The key finding of the Review of Native Title Organisations (the Review) is that native title organisations need to develop the capacity to make sound early decisions about how to use native title rights and meet their obligations under the *Native Title Act 1993* (the Act) and their incorporation legislation, the Corporations (Aboriginal and Torres Strait Islander) Act 2004.

The Review involved extensive face to face consultations. Meetings were held with all native title representative bodies and service providers, a large number of native title holding bodies, relevant Commonwealth and state and territory government agencies, the Federal Court of Australia, the National Native Title Tribunal, and peak bodies such as the National Native Title Council and the Minerals Council of Australia (a complete consultation schedule is in [Appendix D](#) of the Review report).

A discussion paper was published as part of a formal submission process which elicited fifty-eight submissions (while a small number were kept confidential at the request of the authors, most are available on the Deloitte Access Economics website).

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2. Senator the Hon Nigel Scullion, Minister for Indigenous Affairs, has indicated that he will consider the Review findings along with other ideas aimed at improving the operation of the native title system and consult stakeholders before the Government develops its response.

Over the next few months Departmental officials will be also talking to native title holding bodies, state and territory officials and other stakeholders to seek views which will feed into the development of options for Government's consideration.