



## Report supports changes to Native Title and calls for a comprehensive inquiry

The House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs has tabled its advisory report on the Native Title Amendment Bill 2012. The report supports the reforms proposed in the Bill, which will:

- Allows parties to agree to set aside the historical extinguishment of native title in areas set aside for the preservation of the natural environment, such as parks and reserves
- Clarify the meaning of negotiating in 'good faith' in future act negotiations and makes associated amendments to the 'right to negotiate' provisions, and
- Broaden the scope and streamlines processes for voluntary Indigenous Land Use Agreements.

The report recommends the Bill pass the House. In addition, the Committee recommends that a comprehensive inquiry is needed to chart a course for future reform of the native title system.

The Committee Chair, Mr Shayne Neumann MP, said that 'by disregarding the notion of historical extinguishment in parks and reserves, traditional owners will be more able to contribute to managing their country and heritage'. Mr Neumann added that 'on the balance of evidence, the codification of 'good faith' arrangements will create greater certainty that negotiating with integrity with native title parties is a fundamental part of doing business in Australia and should be treated as "business as usual" by mining and exploration companies'.

The report reviewed the concerns raised about measures to streamline the process for the making of Indigenous Land Use Agreements, and viewed the changes as an important step forward for the alternative agreement-making process that complements native title determinations. The Committee received a wide range of concerns about the native title system, and canvassed areas for future reform. In view of these concerns, the report calls for a comprehensive inquiry into the native title system at the commencement of the 44<sup>th</sup> Parliament.

Mr Neumann said 'this is an extremely complex area of law, and the main common ground held by stakeholders was the need for ongoing consultation, review and holistic reform of the system. The Government needs to build on the productive dialogue this Committee has initiated to develop a more robust and equitable system that delivers sustainable benefits to Indigenous communities and certainty to industry.'

To view the Advisory Report, the Coalition Minority Report, or for more information about the inquiry, visit the Committee's website at [www.aph.gov.au/nativetitle](http://www.aph.gov.au/nativetitle) or contact the committee secretariat on **(02) 6277 4559**.

**For media comment**, please contact the Committee Chair Mr Shayne Neumann on (07) 3201 5300. **For background information**, contact the Committee Secretariat on (02) 62774559 or [atsia.reps@aph.gov.au](mailto:atsia.reps@aph.gov.au)