

PBC Forum

PBC Forum: 8th and 9th April 2024, The Pullman Hotel



The National Native Title Council (NNTC) which co-hosted the forum with GBK has compiled a report that includes the PowerPoint presentations which were given by the government agencies that attended the forum.

This paper has been put together by GBK to provide extra information. It explains how all the entities that attended the PBC forum fit into the picture and what services they can provide to the Torres Strait and Endeavour Strait PBCs.

We have added in **red the questions** that people have asked at the beginning of the forum. We hope that you find this paper useful. If you still have questions, please contact GBK. You will find our contact details below.

Please share this summary with your PBCs and other native title holders.



1. Who is who

All the speakers at the forum represented either a Commonwealth entity or are funded by one.

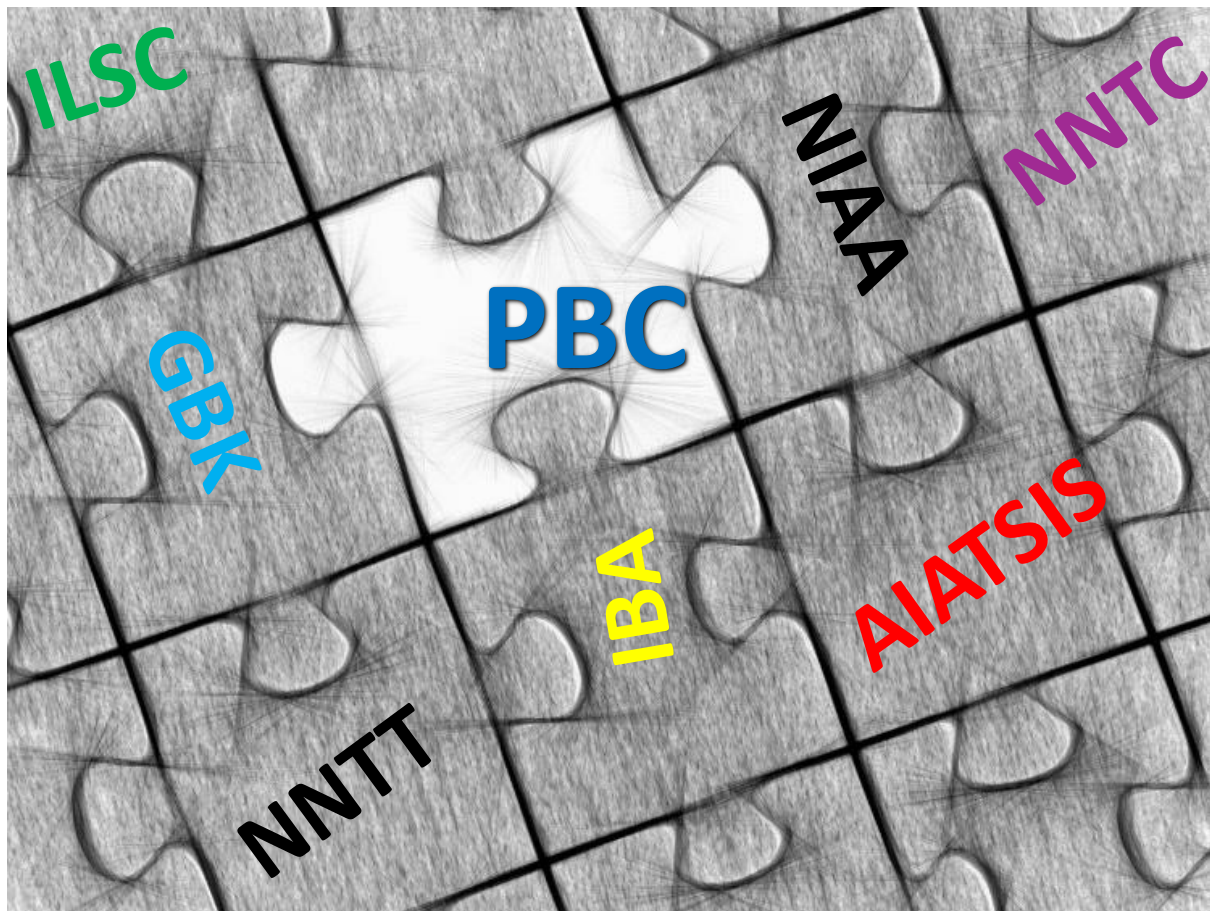
Commonwealth entities:

- National Indigenous Australians Agency (NIAA)
- National Native Title Tribunal (NNTT)
- Indigenous Business Australia (IBA)
- Indigenous Land and Sea Corporation (ILSC)
- AIATSIS

Funded by Commonwealth (NIAA):

- National Native Title Council (NNTC)
- Gur A Baradharaw Kod Torres Strait Sea and Land Council (GBK)

NIAA has asked the NNTC to run PBC forums around the country. The purpose of these forums is to get PBCs together so that they can hear from government entities about the support they can provide to PBCs and so that PBCs can get together and form networks and learn from each other.



2. Gur A Baradharaw Kod Torres Strait Sea and Land Council (GBK)

a. What does GBK do?

GBK became the **Native Title Service Provider (NTSP)** for the Torres Strait region on 1 July 2022. (GBK also has another role: MGNM = CDEP provider).

- Before GBK became the NTSP, the Torres Strait Regional Authority (TSRA) was the Native Title Representative Body (NTRB) for 26 years.
- The TSRA stopped being the NTRB on 30 June 2022.

There are 14 Native Title Representative Bodies and Native Title Service Providers (NTRB/SPs) across Australia. They are responsible for providing native title services in their regions, a little bit like a legal aid service for native title.

NTRB/SPs are funded by the **National Indigenous Australians Agency (NIAA)** to provide native title services in their regions to

- All **native title claimants** and persons who wish to lodge a native title claim.
- All **native title holders**.
- All **PBCs**

Native title services include:

- preparing and lodging native title claims
- preparing and lodging compensation claims
- responding to future act notices and negotiating future act agreements and ILUAs
- assisting with dispute resolution
- native title education
- servicing and supporting PBCs and building their capacity.

Each year, NTRB/SPs are required to submit to NIAA a proposed operational plan indicating which matters the representative body is intending to progress in the next financial year. Once approved, funding received from NIAA cannot be expended on a matter not included in the operational plan without formal application and approval by NIAA to amend the operational plan. That means GBK's workplan is largely set for one year at the beginning of each financial year.



Membership for GBK is open to PBCs and Land Trusts under the *Torres Strait Islander Land Act/Aboriginal Land Act 1991* in our Region.

- Each PBC and Trust nominates from their directors a director for the GBK board. There are 23 directors on the GBK board.

The GBK board elects an Executive of five directors which represents the 5 nation groups of the Torres and Endeavour Straits.



b. What does GBK do for PBCs?

It is important to understand that GBK cannot tell PBCs what to do.

GBK:

- assists PBCs with capacity building and compliance (CATSI Act, PBC Regulation and NTA), including rule book reviews and conducting Annual General Meetings
- assists PBCs with responses to Future Act notices
- runs GBK's boundary resolution project which aims to provide a written record of the traditional boundaries, handed down through oral history, stories and practiced throughout generations, for each inhabited island. The project incorporates traditional decision-making processes and dispute resolution practices

GBK has *Policies and Procedures Relating to the Performance of its representative body functions* which explain the types of assistance GBK provides and how to apply for it. They can be downloaded from GBK's website.



Q: How is PBC Basic Support funding distributed? Who decides what islands receive less or more funding? What is the budget based on? Membership numbers? Or is it because of habitant/inhabitant?

GBK manages for PBCs their PBC Basic Support funding (or if PBCs request, hands over to them for them to manage the funding). GBK receives the funding from NIAA for the PBCs. NIAA gives GBK a fixed amount. This amount is divided amongst the PBCs using a 5-level system.

The 5-level system has been developed by GBK's board of directors in 2022 and has been confirmed for the Financial Year of 2023/24. It is based on the role the PBCs play and their determination area:

Level 1	RNTBCs that were Tier 1 with TSRA	\$ 200,000.00
Level 1.a	Sea Claim RNTBCs	\$150,000.00
Level 2	RNTBCs negotiating DOGIT Transfers	\$ 100,000.00
Level 3	Inhabited RNTBCs	\$ 50,000.00
Level 4	Uninhabited RNTBCs	\$ 20,000.00
Level 5	Level 1 RNTBCs that are self-sufficient generating income	\$ 15,000.00.

Q: Can PBC Basis support funding be used to rent office space for PBCs? Yes. For details see [Attachment 1 GBK's Factsheet on how PBC Basic Support funding can be used by PBCs](#)

Q: How are we (PBCs) going to fit into this boat (GBK) in order to access the outside world/agencies? (funding + support)

Each PBC is able to apply for funding other than PBC Basic Support directly to TSRA and NIAA. See below for information about funding opportunities.

Q: How can PBC's by themselves safe guard the safety of GBK to continue as the mothership/organisation? How are we as PBC's going to strengthen our main ship – GBK? How will our main boat (GBK) going to make me (PBC) to achieve what we want to achieve?

GBK as a NTSP has to report back to NIAA on how it has been using its NTSP funding and what milestones it has achieved. The report includes an update on the performance by PBCs of their CATSI Act obligations, such as holding AGMs, amending rule books, lodging general reports, applying for director IDs. These are all things that GBK assists PBCs with. Sometimes, despite GBK's offer of assistance, PBCs are not meeting their CATSI Act obligations. This not only reflects badly on the PBC and its directors but also on GBK. PBCs are asked to make sure that they are compliant – for their own sake and the sake of their members as well as GBK.



If you want to find out more about CATSI Act compliance obligations, have a look at GBK's website where we have factsheets on a number of important obligations. Please also contact your PBC Support and Native Title team or visit us in TI or Cairns office (contact details below).

<https://www.gbk.org.au/publications/>

Q: Should PBC's have their own Business Plans?

GBK has been working with PBCs. Most have had the opportunity to develop a business plan. Please contact Bernie Keenan to found out more.

Q: DOGIT transfer:

What support do we get from GBK? GBK can assist PBCs negotiating a DOGIT transfer with the State and TSIRC.

Are there information sessions about this? Your PBC can request the legal team to run a session. See contact details below.

Can you lease land if your community get the DOGIT? Yes, the ability to issue leases moves from TSIRC to the PBC when a DOGIT is transferred. That is the main change that a DOGIT transfer brings to an island.

Once DOGIT is transferred, will there be funding to manage the DOGIT area e.g. maintain infrastructure? Where there is local government infrastructure, this land is leased back to TSIRC. After the DOGIT is transferred TSIRC continues to have the responsibility for maintaining the infrastructure and for managing the delivery of local government and social housing services.

Q: Can GBK deliver projects for community to support study, more training, apprentices etc.?

GBK has two arms:

- Native Title Service Provider (NTSP) which delivers native title functions (funded by NIAA);
- Meriba Ged Ngapun Mab (MGNM) which delivers the Government's Community Development Programme (CDP) in the Torres Strait. See their website for details:

<https://www.mgnm.com.au/>

Q: What body is helping with ICIP (Indigenous Cultural & Intellectual Property)? GBK's legal team can assist. See contact details below.

Q: TSI/PNG treaty - where does GBK sit? GBK can assist with legal advice on the application of the treaty to PBCs, noting that each determination in the Torres Strait says that the recognised native title rights are subject to the treaty rights. See contact details below.

Q: Who do we talk to about council assets back to PBC's? GBK's legal team can assist with negotiations with TSIRC about the divestment of council assets. See contact details below.

Q: Does GBK assist with rule book reviews? We certainly do. We have assisted all PBCs with the review of their rule book to meet the requirement of the changes to the CATSI Act in 2021. We are also working with some of our PBCs on changes to their dispute resolution process for land ownership disputes.

GBK has worked with one PBC to create a 4-step resolution process for land disputes which includes mediation by Elders and if parties cannot reach agreement in mediation, a final and binding decision by a Land Dispute Tribunal constituted by Elders. Another PBC has replaced their Elders Council with a council of persons knowledgeable about land matters relating to the land in dispute and who don't have any interest in the dispute which the parties might say makes them biased.

If your PBC wants to work with GBK to review your rulebook, please contact us on the details below.

Contact details

TI office (82 Douglas Street – above Col Jones)

Frank David PBC Support Coordinator mobile 0408 711 778 email Frank.David@gbk.org.au	Luke Hockey PBC Compliance & Special Projects Officer mobile TBC email Luke.Hockey@gbk.org.au
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Contact details for Cairns office (ground floor, 15 Lake Street – corporate tower):

Mark Herbert Warusam Native Title Communications Support mobile 0487 807 886 office email herbert.warusam@gbk.org.au	Susan Walsh Principal Legal Officer mobile 0484 945 133 email susan.walsh@gbk.org.au
Nadja Mack General Manager Native Title & PBC Support mobile 0458 524 684 email Nadja.Mack@gbk.org.au	

Bernard Keenan General Manager Governance, Policy Development and Research mobile 0400 594 245 email bernard.keenan@gbk.org.au

3. National Indigenous Australians Agency (NIAA)



a. What does NIAA do?

NIAA is part of the Australian Government. NIAA's role is to lead and influence change across government to ensure Aboriginal and Torres Strait Islander peoples have a say in the decisions that affect them. NIAA works to support the Minister for Indigenous Australians (who is currently Linda Burney).

NIAA's current priorities are to:

- continue to embed initiatives and priority reforms to Close the Gap
- develop and implement the Remote Economic Jobs Development Program
- reduce incarceration of First Nations adults and youth
- strengthen First Nations peoples' economic and job opportunities
- deliver the Territories' Stolen Generations Redress Scheme
- assist First Nations peoples to care for and connect with Country
- continue to champion reconciliation throughout Australia.



Along with the Attorney General's Department, NIAA's Minister is also responsible for some parts of the *Native Title Act*, and for the laws and rules PBCs must follow – the *PBC Regulations*. NIAA's Minister is also responsible for the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act) but it is the Office of the Registrar of Indigenous Corporations is responsible to implementing the act and looking after Indigenous corporations including PBCs.

NIAA works with the Minister on the Government's plans and programs for PBCs. They do this by working with stakeholders like the National Native Title Council (NNTC), Representative Bodies and Service Providers (like GBK) and PBCs. NIAA listens to these stakeholders and takes this information back to the Minister to help with making decisions.

If you would like to get in contact with NIAA visit <https://www.niaa.gov.au/who-we-are/contact-us>

b. How does NIAA assist PBCs?

NIAA looks after the funding for the Native Title system – for Service Providers and Representative Bodies and for PBCs themselves. We provide:

- Funding for GBK as the Native Title Service Provider, to perform their role under the *Native Title Act*.
- Basic Support funding for PBCs, which is provided to GBK.
- The PBC Capacity Building program - further information can be found at <https://www.niaa.gov.au/node/43312>
- funding for organisations which support PBCs, such as the NNTC, to host forums and run training sessions.

Q: Is NIAA able to assist PBC's financially directly? If so, how do we meet the funding criteria?

Yes. PBC Capacity Building funding can be accessed by PBCs directly.

NIAA also looks after many other programs that supports all First Nations Peoples, such as the Remote Jobs and Economic Development Program and NAIDOC Local Grants. The best place to keep up to date is the NIAA website <https://www.niaa.gov.au/indigenous-affairs/remote-employment> or by talking to the NIAA Regional Office. They will also be able to explain the funding criteria.

Attachment 2 is a Factsheet with Tips for applying for grants.



National Native Title Tribunal (NNTT)

a. What does the NNTT do?

The NNTT is a Commonwealth tribunal with offices in Perth, Melbourne, Sydney, Brisbane and Cairns (level 14, 15 Lake Street, Corporate Tower; ie the building as GBK's office).

The NNTT has a number of functions and roles under the Native Title Act 1993, including:

- Assisting parties to come to agreements over some proposed activities or developments, called future acts, and makes arbitral decisions about these matters.
- Registering Indigenous Land Use Agreements (ILUAs)
- S 60AAA assistance (which is also called 'pos-determination assistance') to support PBCs in resolving disputes and other matters to do with its governance – see Attachment 3 for details



- Providing mapping services
- Maintaining a register of claims, ILUAs and determinations.

a. How can the NNTT assist PBCs?

The NNTT can provide 'post-determination (s 60AAA) assistance to PBCs and native title holders which includes:

- Preparation of maps.
- Demonstrations on how to find information regarding Claims, Determinations and ILUAs on our publicly searchable Registers & Databases.
- Dispute resolution (facilitation and mediation):
 - Native title decision-making processes
 - Internal boundaries
 - PBC membership
 - whether or not a person is a NTH
 - Relationships/collaboration between PBCs
 - PBC's performance of its functions under the native title legislation
- Understanding land tenures: who is responsible for administering a particular site? What are the relevant land administration requirements?
- Reviewing Rule Books to strengthen native title decision-making in accordance with traditional laws and customs. To be clear, NNTT's role complements ORIC's role and responsibilities.

Q: Can we get more clarity around dispute resolutions/ how can we assist PBC's?

The NNTT has a staged approach to assisting native title holders and PBCs to resolve native title disputes. This can include disputes about landownership. The assistance would be in the form of mediation. It is important to understand that the NNTT does not provide arbitration of disputes.

The difference between the two is:

Mediation: the disputing parties are encouraged to reach agreement about their dispute. This can be done with the help of a facilitator (eg PBC directors or the NNTT). Ie. the disputing parties are the decision-makers.

Arbitration: a third party (eg an elders council) makes a decision for the disputing party about the resolution of their dispute. Ie. the third party is the decision-maker; the disputing parties are bound by the decision-maker's decision.

The NNTT, in mediation, tries to help the parties exchanging information and encourages them to talk to each other to work out their own solutions. The NNTT's dispute resolution assistance is impartial to ensure that everyone will have the opportunity to be heard.

If a dispute cannot be resolved in NNTT mediation, it would be referred back to the PBC for resolution under their rule book process.

[Attachment 3](#) is a detailed description of the services the NNTT can provide to PBCs

TSRA, IBA and ILSC (which we look at next) are all Commonwealth entities under the Minister of Indigenous Australians. They are not competing against each other but work with each other.

Torres Strait Regional Authority (TSRA)



a. What does the TSRA do?

The TSRA is a Commonwealth statutory authority that provides regional coordination of policies and programs of benefit to Torres Strait Islander and Aboriginal people living in the region.

- This is the only such regional Indigenous body in Australia.
- Its main role is to strengthen the economic, social and cultural development of the peoples of the Torres Strait region.
- TSRA receives funding from the Commonwealth government to deliver its services in the Torres Strait.
 - For example, it has received funding from the National Indigenous Australians Agency (NIAA) for its rangers program of \$75 million to cover the period from 2021 to 2028.
- The TSRA has an elected arm and an administrative arm.
 - The elected arm is made up of 20 elected representatives who are Torres Strait Islander and Aboriginal people living in the Torres Strait region. Their role is to set the strategic direction of the TSRA.
 - the administrative arm is made up of a Chief Executive Officer (CEO) and staff. Their role is to implement and manage TSRA's programs.



b. How can the TSRA assist PBCs?

There are a number of GRANT FUNDING OPTIONS

One option is to develop PARTNERSHIP ARRANGEMENTS with TSRA:

- TSRA can develop a partnership arrangement, header agreement or Memorandum of Understanding with organisations
- These arrangements set the business relationship, strategic intent and manner for working together to achieve joint outcomes.

A good example: TSRA – CEQ MoU for healthy community initiatives that:

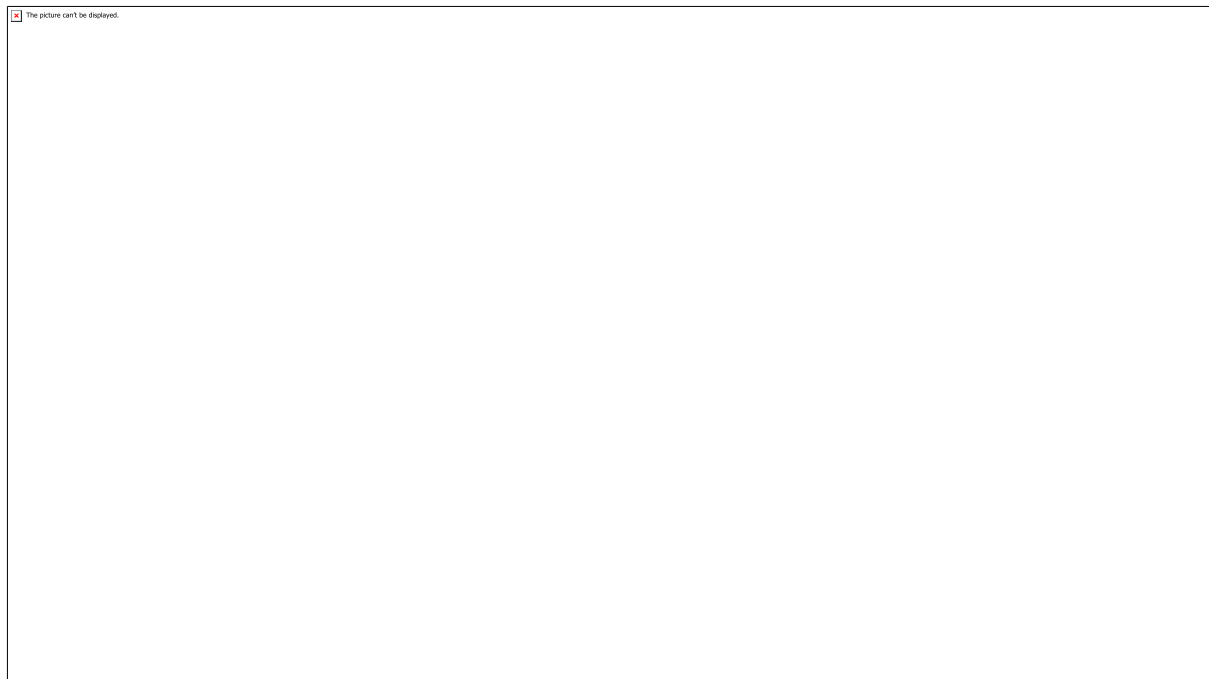
- enables access to healthy and affordable food for communities
- support joint funding of local healthy community initiatives.

There are other programs run by TSRA for which funding may be available to promote initiatives and activities that promote:

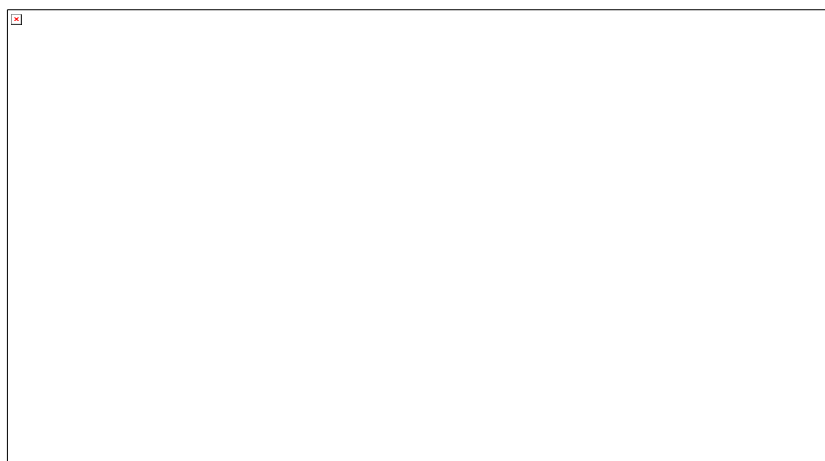
- safer and healthier communities (the SAFE COMMUNITIES & HEALTHY COMMUNITIES programs)
- protecting and promoting Torres Strait Islander and Aboriginal traditions and cultural heritage (CULTURE ARTS AND HERITAGE program).

TSRA also has a BUSINESS ASSISTANCE PROGRAM through its ECONOMIC DEVELOPMENT (or ED) program and its REGIONAL ECONOMIC INVESTMENT STRATEGY (or REIS):

- TSRA will provide a range of business assistance products and services from the start (or incubation) of a new business idea. In this stage, TSRA fosters business readiness through conferences and training that grow financial literacy, provide employment and training projects, develop business readiness and explore funding options, including concessional business loans and business growth packages (there are two kinds of packages – up to \$1 million and less than \$250,000).
- If the business idea becomes a viable business plan, then TSRA will help the business access business growth packages in industries such as fishing, arts and creative endeavours, and tourism, see this table showing money provided using TSRA’s business growth packages since 2017:



This is a diagram showing the current total of TSRA business loan portfolio and the businesses it is spread across:



The Kaurareg Ranger program is a good example of TSRA’s work in this area:



TSRA reports to the Minister of Indigenous Australians. TSRA works with the IBA and ILSC who also assist PBCs with funding. All three agencies work with each other to help PBCs. We talk about IBA and ILSC next.

Contact details:

Marnie Ireland Programme Manager - Economic Development Economic Development Email marnie.ireland@tsra.gov.au Mobile +61 4 2816 9867	Charles (Chicka) Turner Program Manager Culture, Arts and Heritage Healthy and Safe Communities Mob: 0439 776 441 Email charles.turner@tsra.gov.au
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Indigenous Business Australia (IBA)



a. What does IBA do?

IBA was created to assist and enhance the economic development opportunities of Aboriginal and Torres Strait Islander people across Australia.

IBA's vision is for a nation in which Aboriginal and Torres Strait Islander people are economically independent and an integral part of the economy.

IBA serves, partners and invests with Aboriginal and Torres Strait Islander people who want to own their future. We go further than provide money; we invest in people, places and ideas that can't wait. We help make them real.

We're deeply invested in the financial success and economic independence of Indigenous Australians.

Note: TSRA is the first point of call before coming to IBA for those living in the Torres Strait and not mainland Australia.

b. How does IBA assist PBCs?

In December 2022, the IBA and TSRA have signed a Memorandum of Understanding (MOU), which means an agreement. Under the MOU the IBA aims to assist and enhance the economic development opportunities of the people that reside in the Torres Strait islands.

The MoU is about setting up a framework for ongoing discussions between the TSRA and IBA. This is a first step in aligning resources to support Torres Strait communities to achieve greater economic development and social growth.



TSRA and IBA say that their will allow them to share expertise, knowledge, ideas, and learnings to work more efficiently and effectively across our shared investment in the improvement of the lifestyle and wellbeing of Torres Strait Islander and Aboriginal people in the Torres Strait region..

IBA says that it exists to support First Nations people to buy a home, start or run a business, and invest for their future. The partnership with TSRA builds on those objectives and supports IBA's vision for a nation where our Aboriginal and Torres Strait Islander people are economically independent.

TSRA says that the MOU has the potential to boost local businesses, create job opportunities and build workforce capacity.

IBA can assist as follows:

Help you own your own home. Loans and financial services – affordable, simple and personalised. So you can take ownership of your home and your future.

Help you start or grow a business. Business Finance and partnerships - from big ideas through to making them happen, we can provide the right mix of products, services, advice, networks and capability.

Help you invest in your future. Focused on making a strong, positive impact with a portfolio that provides responsible financial returns and a whole lot more for communities and our partners.

Useful Links:

Free online business workshops: [Workshops to start or grow your business - Indigenous Business Australia \(iba.gov.au\)](https://iba.gov.au/workshops)

Start up finance package: [Start-Up Finance Package - Indigenous Business Australia \(iba.gov.au\)](https://iba.gov.au/start-up-finance)

Saltwater Eco Tours (IBA Business good news story): [SBS Small Business Secrets - Saltwater Eco Tours \(youtube.com\)](https://www.youtube.com/watch?v=...)

Bamaga Enterprises (IBA Investments good news story) : [Bamaga Enterprises Ltd - YouTube](https://www.youtube.com/watch?v=...)

IBA Home Loan Process (Torres Strait Creole): [IBA Home loan process - with Torres Strait Creole voiceover - YouTube](https://www.youtube.com/watch?v=...)

Contact details: www.iba.gov.au

Office address: 59 McLeod Street, Cairns QLD 4870

Postal address: PO Box 2499 Cairns QLD 4870

Phone: 1800 107 107

Indigenous Land and Sea Corporation (ILSC)



a. What does the ILSC do?

The Indigenous Land and Sea Corporation (ILSC) is a Commonwealth [statutory authority](#) (like the TSRA) with national responsibilities to assist [Aboriginal and Torres Strait Islander people](#) to acquire land and to manage assets to achieve cultural, social, environmental and economic benefits for Indigenous peoples and future generations.

ILSC's long-term vision is for *Aboriginal and Torres Strait Islander people to enjoy the rightful entitlements, opportunities and benefits that the return of country and its management brings.*

The ILSC's main grant program – [Our Country Our Future](#) – provides assistance for acquiring and managing rights and interests in land, salt water and fresh water country in order to achieve this vision.

The ILSC has offices in Perth, Adelaide and Brisbane.

b. How can the ILSC assist PBCs?

Our Country. Our Future is the ILSC's national funding program.


It operates across urban, regional and remote areas—it doesn't matter where in Australia you live. Through *Our Country. Our Future*, the ILSC assists with eligible projects in four key ways:

1. they provide funding for the return, development or management of country;
2. they provide advice and capability support for Indigenous owners of land or water-related country through information, training and systems;
3. they connect Indigenous Australians with opportunities through advocacy, networking and facilitating market access; and
4. they support success by facilitating capability, operating and investment partnerships.

This table sets out what outcomes should be achieved for Torres Strait Islanders and Aboriginal people as a result of the funding. Only if a PBC's proposed activity aligns with the results, will your PBC be able to be supported by the ILSC.

What you want to do	Outcomes we want to work towards
<ul style="list-style-type: none"> > Purchase a land or water-related interest > Commence or expand a land or water-based enterprise > Undertake planning and/or feasibility assessment > Build or upgrade infrastructure, plant or equipment > Conduct on-ground management activities to maintain or improve the condition of country (land, water, biodiversity, cultural heritage) > Address urgent health and safety issues on country (people, livestock, environment) > Enable or improve access to country with cultural significance > Maintain, support and revitalise culture > Develop opportunities for formal and informal training and/or employment 	<ul style="list-style-type: none"> > Benefits are being generated by and for Indigenous people from the ownership and management of country > Indigenous people have improved individual and group capability, stronger landholding organisations and practises, and broader networks > Indigenous people are growing the value and productivity of country > Indigenous people are sustainably owning and managing country > Indigenous people are preserving and protecting culture through reconnection with country > Indigenous people are driving and influencing policy and opportunity for country

The eligibility criteria for *Our Country Our Future* funding are:



Are you eligible?

To partner with the ILSC, you must be able to answer 'yes' to the following:

ELIGIBILITY CRITERIA

Does your project involve the acquisition OR management of land and/or water-related interests?

☒

For projects that involve: **ACQUISITION**

Are you an incorporated entity (or in the process of becoming incorporated) and are you Indigenous-controlled?

☒

For projects that involve: **MANAGEMENT**

Are you one of the following:

- an Aboriginal or Torres Strait Islander holder of land or a water-related right²
- an incorporated entity
- an organisation interested in investing in Indigenous-held land or waters?

AND

Does your project have the support of the Indigenous land/water holders and have they provided their consent for its use?

☒

Will Indigenous people enjoy access, opportunities and benefits from land or waters as a result of your project?

☒

Are you compliant with your incorporating legislation and any agreements you have with the ILSC?

☒

The ILSC can only fund **management** projects where the PBC has a controlling interest in the land. Interest includes native title determined land – therefore this criterion is met.



Please note that the ILSC will NOT support activities that are the responsibility of another agency (such as TSRA or IBA). ILSC does not compete against TSRA or IBA, they all work with each other to find the best funding or investment option for PBCs.

Q: Explain the difference between land claim and sea claim

The Our Country Our Future program goes across both land and water (i.e. there aren't separate programs, it's just the one program).

ILSC contact details:

Eastern Divisional Office, Phone: (07) 3854 4600, Email: EasternOffice@ilsc.gov.au



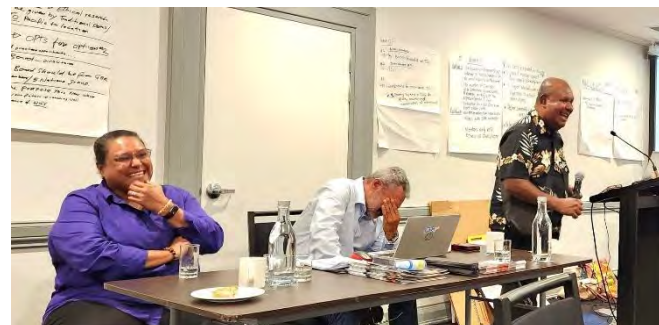
National Native Title Council (NNTC)



a. What does the NNTC do?

The National Native Title Council (NNTC) is the national, non-profit peak body for the native title sector. Through the native title system, the NNTC advocates for the rights and interests of all First Nations people. The NNTC supports First Nations people's right to true self-determination – their right to speak for and manage their own Country, to govern their own communities, to participate fully in decision-making and to self-determine their own social and economic development.

The NNTC's mission is to ensure that Traditional Owners are able to leverage their rights and interests over land, sea and culture to protect Country and improve the lives and wellbeing of Aboriginal and Torres Strait Islander Peoples. They do this through strong advocacy with governments and the private sector, targeted networking, and by providing opportunities to members to develop their skills.



The NNTC is the Secretariat for the First Nations Heritage Protection Alliance, which works to improve legislation, policy and practice to better recognise and protect First Nations cultural heritage sites, artefacts and values.

The NNTC is not a part of the Australian Government. The NNTC advocates for Traditional Owners. It is membership-based, with membership comprised of regional Native Title Representative Bodies (NTRBs), Native Title Service Providers (NTSPs), local Prescribed Bodies Corporate (PBCs) & Traditional Owner Corporations (TOCs) around the country.

GBK is a member of the NNTC and assists the NNTC to work with the PBCs in our region.

b. How can the NNTC assist PBCs?

The NNTC runs regional forums (like this one for GBK's member organisations), workshops, conferences, and webinars focused on providing support, professional skill development and peer-to-peer learning for PBCs. These sessions cover a broad range of topics including legal and compliance processes, business development, advocacy and communications whilst also providing members with the opportunity to share their journeys and success stories for other members to learn from. The workshops are tailored to meet the specific learning and development needs of members. For example, in May the NNTC is hosting a national First Nations Clean Energy Symposium in Adelaide together with the First Nations Clean Energy Network and the Indigenous Land and Sea Corporation.

Q: What are benefits of PBCs becoming a member of NNTC? What relationship do you have with PBCs?

Becoming a member of the NNTC gives your PBC access to:

- A national voice and platform
- Training for PBC Directors – training sessions are offered for PBC Directors on PBC governance, Director's Duties, UNDRIP, Strategic Planning and Finance, and Trauma-Informed Practice
- A network of PBCs and other organisations across Australia
- Sector events and workshops

The NNTC convenes a PBC Steering Group, which is an advisory group of PBCs to advise the Australian Government on matters of national and regional significance. One of the first matters to be addressed is a new funding model for the PBC sector (recommendation 7 in the Juukan Gorge Inquiry was for the Australian Government to establish an independent fund to administer funding for PBCs). The PBC Steering Group is made up of NNTC PBC members (gender inclusive) with a representative mix of PBC jurisdiction, size, experience. Currently it includes two PBCs from the Torres Strait.

Q: How would NNTC support our PBC – financially & administration?

The NNTC is not a funding body. It is a peak body for PBCs, NTRB/NTSPs (such as GBK) and other land Traditional Owner corporations (like those who have entered a settlement with the State of Victoria as an alternative to a native title determination).

NNTC Staff Contact Details

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Debby Lovett

National Training Manager | Wadawurrung Country

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Australian institute of Aboriginal & Torres Strait Islander Studies (AIATSIS)



AIATSIS

a. What does AIATSIS do?

AIATSIS is a national institute focussed on preserving Aboriginal and Torres Strait Islander history, culture, language and knowledge through various avenues, such as the AIATSIS Collection – which currently houses over one million items – and its teams-based projects. For PBCs and NTHs more broadly, the relevant team is the Indigenous Country and Governance (ICG) Unit, which was previously known as the Native Title Research Unit. The ICG has a strong focus on native title and related areas (cultural heritage, international and domestic rights, economic development, nation-building etc) and is funded by the National Indigenous Australians Agency to provide information and other support services (professional development workshops; capacity development workshops) to native title organisations.

Some of the key projects the ICG is currently working on include:

- the National PBC Survey 2024
- the PBC Decision-making Guide
- a guide to comprehensive settlement agreements titled 'Comprehensive Settlement Agreements: Guide to Best Practice Agreement-making'
- the redevelopment of the PBC website (nativetitle.org.au).

b. How can AIATSIS assist PBCs?

The key services include:

- the National PBC Survey:** The Survey provides an opportunity for PBCs to have their say on their experiences as a PBC, including their successes, their challenges, and their aspirations for the future. The Survey will result in a report which will be given to NIAA and distributed widely to bring awareness to PBCs' experiences, and to advocate for the needs of PBCs.
- the PBC Decision-making Guide:** The ICG Unit worked with Taungurung Land and Waters Council to develop a decision-making guide to the Council in corporate, community and cultural governance, assisting communication and engagement, promoting and understanding of agreement-making and a consensus for decision-making and for support new board members in understanding their roles, and for developing policies and procedures.
- Native Title Access Requests:** AIATSIS looks after a collection of more than 1 million items, dedicated to Australian Aboriginal and Torres Strait Islander cultures and histories – the Mura collection. The Collection includes academic research materials and works by Aboriginal and Torres Strait



Islander knowledge keepers, artists, film makers, storytellers and writers. It also includes important work by non-Indigenous people documenting the cultures, lives and experiences of Aboriginal and Torres Strait Islander people. The ICG can undertake searches of the AIATSIS Collection about matters to do you're your PBC where the requests specifically relate to current or prospective native title matters. Requests for access to or copies of material stored in the Collection can be sent to nativetitleresearchunit@aiatsis.gov.au.

- (d) The ICG Unit can assist with research and the drafting of certain documents to assist PBCs and native title holders. For instance, a concern that was raised at the PBC Forum was that some people (whether government departments, businesses or individuals) come up to the Torres Strait region, learn knowledge, and then take it away without acknowledging that the knowledge is the intellectual property of the Traditional Owners who gave it.
- (e) The ICG Unit can assist in drafting consultation guidelines with the PBCs to ensure that PBCs have a set of rules for the provision of knowledge when people want to come and do research in the region.

AIATSIS is not a funding body and cannot provide funding to PBCs or NTHs. ICG's purpose is to provide information and resources to native title organisations, including PBCs.

Please see below some useful links:

- **2019 National PBC Survey report:** <https://aiatsis.gov.au/publication/109696>
- **Native Title Newsletters:** <https://aiatsis.gov.au/research/research-publications/native-title-newsletter>
- **Native title research and access service:** <https://aiatsis.gov.au/research/native-title-research-and-access-service>

Q: What does AIATSIS do with the data collected from each of the islands?

PBC Survey data

This data will inform the writing of the PBC Survey report which reports nationally and regionally on how PBCs are going – successes, challenges including resource needs to better meet their short term and long term aspirations in the implementation of their native title rights and interests. The invitation to PBCs to participate in the survey includes a participant information sheet for the survey which details how data will be managed including how it will be protected. (Note: the data from the Survey does not go into AIATSIS's Collection and all data collated in a PBC Survey with a particular PBC is stored securely and can be with-drawn by a PBC at any time).

AIATSIS Mura Collection

The link below explains how materials can be accessed by a PBC:

<https://aiatsis.gov.au/collection/using-collection/return-material-indigenous-communities>

Office of the Registrar of Indigenous Corporations (ORIC)



a. What does ORIC do?

The CATSI Act is a special law for the benefit of Indigenous people. It is based on the *Corporations Act 2001*.

- There are two laws which allow people or groups to set up a corporation: the CATSI Act and the Corporations Act 2001. Only Indigenous people can use the CATSI Act to set up a corporation.

- Both acts are similar, but in important ways they are different: the CATSI Act aims to take the needs and circumstances of Aboriginal and Torres Strait Islander people into consideration when running a corporation.
- Note: PBCs can only be set up under the CATSI Act, not the Corporations Act.

The CATSI Act also establishes the role of the Registrar of ORIC. The current registrar is Trush Strout. She is based in Brisbane.

ORIC has offices in Alice Springs, Brisbane, Broome, Cairns, Canberra, Coffs Harbour, Darwin and Perth.

ORIC supports and regulates the corporations that are incorporated under the CATSI Act. It provides tailored services that respond to the special circumstances of Aboriginal and Torres Strait Islander groups and corporations. It offers advice on how to incorporate, delivers training for directors, members and key staff in good corporate governance, makes sure corporations comply with the law, and intervenes when needed.



b. How can ORIC assist PBCs?

ORIC offers resources and training to PBCs.

For example, very helpful factsheets on a range of matters such as those found in the links below:

[Decision making in registered native title bodies corporate \(RTNBCs\)](#)

[Meetings for directors](#)

[Meetings for members.](#)

ORIC also runs free training sessions for directors and PBC staff. They are sometimes face-to-face and often online.

Here are some examples:

[Mastering meetings | Office of the Registrar of Indigenous Corporations \(oric.gov.au\)](#). The next one is held on 24 June. You can register here: [Register to attend - 24 June 2024 - Mastering meetings \(office.com\)](#)

You will find ORIC's training schedule for the year here: [Training schedule 2023–24 | Office of the Registrar of Indigenous Corporations \(oric.gov.au\)](#).

ORIC has also published a model rule book for PBCs: [model rule book for RNTBCs](#) includes rules for native title functions and responsibilities, and provides some example rules to help RNTBCs design rules to suit their own circumstances.

Q: Who can assist us with rule book changes?



As mentioned above, GBK can help you running workshops to discuss rule book changes. We have been running workshops with PBCs about changes to their land dispute resolution process (eg Elders Council) to make them more fit for purpose and reflect the circumstances of the PBC.

Q: Can directors apply for their Director ID via paper form & email? You can do both. Have a look at GBK's factsheet on Director IDs for details. You find it on GBK's website https://www.gbk.org.au/wp-content/uploads/2024/05/GBKGuide_DirectorIDs.pdf. Please contact the PBC Support team if you have any questions or need assistance. See contact details above.

Q: Can ORIC update members list? It is the role of PBCs to keep an up-to-date register of members and to send a list of members to ORIC. The list also needs to be attached to the general report that each PBC has to lodge with ORIC before 31 December each year. Have a look at ORIC's website for more information: <https://www.oric.gov.au/who-does-what/members>. Please contact the PBC Support team if you have any questions or need assistance. See contact details above.

Q: Can ORIC deliver training to PBC's to assist with constitutional requirements? e.g. General Reports GBK's PBC Support team can assist you with this. See contact details above. For more information see the Factsheet on General Reports on GBK's website https://www.gbk.org.au/wp-content/uploads/2024/05/GBKGuide_PBCGeneralReport.pdf. Please contact the PBC Support team if you have any questions or need assistance. See contact details above.

Attachment 1

PBC Basic Support Funding

PBCs can receive funding, called 'PBC Basic Support funding'.

What is it for?

✓ To help PBCs to meet their **corporate obligations** under the CATSI Act.

Corporate obligations include:

- Having Annual General Meetings (AGMs) and General Meetings (GMs) and Directors' Meetings (**Attachment 1** explains the difference between these meetings)
- Maintaining Register of Members
- Keeping accounts and records
- Lodging documents with the Office of the Registrar of Indigenous Corporations (ORIC)

Note: PBCs also have obligations under the Native Title Act and the PBC Regulations (**native title obligations**). For example, negotiating an Indigenous Land Use Agreement (ILUA), dispute resolution or responding to a Future Act Notice. **PBCs don't have to pay for these activities out of their PBC Basic Support Funding. The funding comes out of GBK's Native Title Service Provider funding or from third parties (for example fee for service). Speak to the Native Title team about GBK's *Facilitation and Assistance Policy* and its Operational Plan agreed with NIAA for more information.**

Who pays it?

- ✓ The National Indigenous Australians Agency (NIAA).
 - NIAA is a Commonwealth Government Agency.
 - It was created in July 2019.
 - It reports to the Minister for Indigenous Australians, Linda Burney.
 - It is responsible for whole-of-government coordination of policy development, program design, and service delivery for Aboriginal Australians and Torres Strait Islander people.

Who gets it?

- ✓ About 70 per cent of Australia's PBCs (ie about 180 out of 260 PBCs) get PBC Basic Support funding.
 - On average, PBCs get about \$50,000 - \$80,000 on the mainland.

How do PBCs get it?

- ✓ PBC Basic Support funding is only available to PBCs through their Native Title Representative Body or Service Provider.
 - GBK has applied for PBC Basic Support funding for all of its PBCs as part of its funding application to NIAA.
 - NIAA has paid GBK the PBC Basic Support funding to pass on to its PBCs.
 - GBK's board has developed a 5-tier formula that explains how much PBC Basic Support funding each of GBK's PBCs receive (see **below**).

What can it be used for?

PBC Basic Support funding can be used for things that will help PBCs to comply with its operational obligations under the CATSI Act. For example,

- Rent for an office
- office furniture and equipment
- insurance

- meeting costs for AGMs, GMs or director meetings
- cost for staff (eg part time salary)
- Training for directors and staff in governance and administration.

What can't it be used for?

- ✓ This funding is limited to basic administration and compliance.
 - PBCs looking for assistance with economic development can apply for funding for economic development activities under NIAA's PBC specific Indigenous Advancement Strategy (IAS) funding stream called 'PBC Capacity Building funding'.

Note: This funding is available for PBCs and other bodies acting on their behalf, for example Native Title Service Providers.

- But unlike the PBC Basic Support funding, PBCs can directly apply for this funding. They don't have to go through GBK.
 - GBK, however, can assist PBCs with their application.
- For more information see NIAA's website: <https://www.niaa.gov.au/indigenous-affairs/grants-and-funding/capacity-building-native-title-corporations>

How can PBCs access it?

- ✓ PBC Basic Support funding for 2023/24 was received from NIAA as part of GBK's Native Title Service Provider funding for 2023/24.
 - It is held in GBK's account.
 - For PBCs to access their PBC Basic Support and have it transferred by GBK to their accounts, PBCs need to do three things:
 1. Make sure they have a bank account ready to use.
 - To set up an account with NAB on Thursday Island, you need to pass a resolution to open the bank account including endorsing the signatories.
 - A copy of the resolution and Identification documents for the signatories will need to be provided to the NAB.

Note: If your PBC's account has signatories which need to be replaced (for example because they are no longer on the board), you need a formal resolution from the members removing the old signatories and replacing them with the new ones. A letter from the PBC and copy of that resolution and ID documents for the new signatories (the new signatories have to be present as well to verify their identity) needs to be provided to NAB. The bank can then make the change straight away.

2. Pick someone to manage their financial records (GBK or a bookkeeper).
 - GBK can provide bookkeeping service under a Service Agreement – at no cost to the PBC
 - Other services PBC receive from GBK under a Service Agreement include
 - back end financial management
 - processing payments and purchase orders
 - financial reporting
 - arranging travel and meeting logistics etc.

Note: Some of the above services (like travel/meeting arrangements/logistics) will trickle off once PBC admin officers are fully trained and have the required capacity. Admin officers continue to receive support and guidance from GBK. **It's all about building PBC's inhouse capacity.**

- PBCs can also use their funding to source their own bookkeeper to manage their funds inhouse.
- 3. Develop and endorse a budget for how they will spend the money.
 - PBCs can either use a template from GBK or make their own plan.

How GBK's board decided to distribute the PBC Basic Support funding amongst GBK's PBCs 2023/24

Level 1	RNTBCs that were Tier 1 with TSRA	\$ 200,000.00
Level 1.a	Sea Claim RNTBCs	\$150,000.00
Level 2	RNTBCs negotiating DOGIT Transfers	\$ 100,000.00
Level 3	Inhabited RNTBCs	\$ 50,000.00
Level 4	Uninhabited RNTBCs	\$ 20,000.00
Level 5	Level 1 RNTBCs that are self-sufficient generating income	\$ 15,000.00.

Badu Ar Mua Migi Lagal Torres Strait Islanders) Corporation	20,000.00
Dauanalgalw (Torres Strait Islanders) Corporation RNTBC	50,000.00
Erubam Le Traditional Land and Sea Owners (Torres Strait Islanders) Corporation RNTBC	50,000.00
Garboi (Torres Strait Islanders) Corporation RNTBC ICN 4548	20,000.00
Gebaralgal (Torres Strait Islanders) Corporation RNTBC	20,000.00
Goemulgalw (Torres Strait Islanders) Corporation RNTBC	50,000.00
Kaurareg Native Title Aboriginal Corporation RNTBC	200,000.00
Kulkalgal Torres Strait Islanders) Corporation RNTBC 3712	20,000.00
Magani Lagaugal Torres Strait Islanders) Corporation RNTBC ICN 4017	100,000.00
Malu Kiái Torres Strait Islanders) Corporation RNTBC	50,000.00
Malu Lamar Torres Strait Islanders) Corporation RNTBC	150,000.00
Maluilgal Torres Strait Islanders) Corporation RNTBC	20,000.00
Masigalgal Torres Strait Islanders) Corporation RNTBC	50,000.00
Mer Gedkem Le (Torres Strait Islanders) Corporation RNTBC	200,000.00
Mualgal Torres Strait Islanders) Corporation RNTBC	50,000.00
Mura Badulgal (Torres Strait Islanders Corporation) RNTBC	200,000.00
Northern Cape and Torres Strait United Indigenous Corporation	150,000.00
Porumalgal Torres Strait Islanders) Corporation RNTBC	50,000.00
Saibai Mura Buway Torres Strait Islanders) Corporation RNTBC	100,000.00
Ugar Ged Kem Le Zeuber Er Kep Le Torres Strait Islanders) Corporation RNTBC	100,000.00
Wakeyama Torres Strait Islanders) Corporation RNTBC	20,000.00
Warraberalgal Torres Strait Islanders) Corporation RNTBC	50,000.00

Attachment 2 – Tips for applying for grants (shared by NIAA)

At the GBK Forum, many people expressed an interest in knowing more about how to find and apply for grants. There is useful tips for applying for grants in our presentation that is attached to this report. If you want to know more about NIAA funding, the NIAA Regional Office is able to answer your questions and discuss your ideas.

To apply for Commonwealth Government Grants visit <https://www.grants.gov.au/>. You will find information on rounds coming up in Forecast Opportunities, and information on open rounds in Grant Opportunities. We recommend signing up for an account so you can receive email reminders when new opportunities open so you can begin preparing your application as early as possible. You should look at grants from every Government Department, not just the NIAA, you will be eligible for many of the grant rounds and may find something that suits your needs through another Government Department.

Queensland Government has several websites you can visit to learn more about the grants on offer through the State.

- <https://www.qld.gov.au/firstnations/grants-funding>
- <https://www.grants.services.qld.gov.au/>
- <https://advance.qld.gov.au/aboriginal-and-torres-strait-islander-innovation>

If you have an idea for a project, you should look at all three to see if there is any funding available to support your project.

Strategic plans and Business plans

We also received lots of questions on how to prepare a business plan or a strategic plan. Business plans and strategic plans are great tools to help you forecast your future steps, and to articulate your aspirations as a PBC.

Sometimes, it can be important to have a strategic plan in place for a PBC, before starting business planning. The Australian Indigenous Governance Institute (AIGI) is an internationally acknowledged centre for governance knowledge and excellence. They deliver training and resources to meet the self-determined governance needs of First Nations Australians. Their website has helpful information to develop strategic plan as well as examples, and a range of other good governance and planning tools - <https://aigi.org.au/toolkit/strategic-planning>. Developing a strategic plan provides an opportunity for a PBC to work with its Directors, members and Traditional Owners to define their long-term (e.g. 5-10 years) vision for the future, identify and prioritise goals and objectives, and identify key steps it will take to achieve its goals. A strategic plan can clarify roles, responsibilities and expectations for everyone, allow more efficient decision-making and create a greater sense of collective ownership, momentum and direction. There are many different templates and tools to develop a strategic plan, with this website providing one example. A good strategic plan usually includes a vision and purpose; strategic goals and objectives; a high level action plan including timeframes, who is responsible for each action, what resources will be required, and any key consultations or decision points; and when the plan should be reviewed and how progress will be monitored.

The Australian Government has a number of business planning supports and resources available at Business.gov.au. At this page you can find tools, templates and tips to help develop a business plan - <https://business.gov.au/planning/business-plans/develop-your-business-plan>. There are lots of different types of business plan, and these are just some of the resources available. Generally, a good

business plan can help you to identify, shortlist and prioritise viable long-term economic growth opportunities which are most appropriate for you PBC and which the PBC can realistically take forward to implementation. Once ideas have been prioritised, a business plan can also provide a practical high-level plan to implement and realise those opportunities, including identifying potential investors, partners, grants or other sources of capital needed to realise those opportunities.

Attachment 3 – Detailed description of the services the NNTT can provide to PBCs

Assistance under s 60AAA

The Post Determination Assistance (PDA) team at the NNTT:

- provides facilitation and mediation services to assist dispute resolution.
- supports PBCs and NTHs to arrive at solutions that suit them.
- is not the decision-maker.
- co-designs processes which are voluntary and confidential.
- does not place time restrictions.
- supports consultation and discussion so that the outcomes are sustainable and culturally meaningful.
- supports development of native title decision making and dispute resolution process so that PBCs and CLHs can get on with business.
- is neutral and does not advocate for one side or another.

NNTT and GBK have agreed that some requests will be referred to GBK to manage in accordance with GBK's post determination dispute resolution policy. Steps include:

- Discuss with the requester the support that GBK (as the region's native title representative body) can provide under its post determination dispute resolution policy, explaining that it has developed specific processes to assist native title holders to manage and resolve disputes.
- Where the requester does not wish to participate in any assistance GBK may provide, the NNTT will seek their consent to advise GBK of the request for assistance.

The PDA team comprises:

- two Senior Project Officers – Aboriginal and Torres Strait Islander Liaison
- two Project Officers
- one Manager

Steps include:

- Obtaining written details about the issue from the party making the request, including:
 - the history and context of the dispute; and
 - provision of supporting documentation.
- The PDA team also undertakes its own desktop review and background research regarding relevant matters such as:
 - Review of the **Native Title Determination**. For example:
 - How are the native title holders described?
 - What does the determination say about the PBC?
 - Is it an agent PBC or does it hold the native title rights on trust?
 - What does the determination say about the relevant land tenures?
 - Review of the **PBC Rule Book**. For example:
 - What does it say about the dispute resolution processes?
 - Does the Rule Book say anything about the issue in dispute, eg membership eligibility?
 - What is the broader context of the dispute?
- If assistance can be provided, the PDA team will hold a **Preliminary Conference** with the person making the request.

- The preliminary conference will be carried out by one of our **Senior Project Officers – Aboriginal and Torres Strait Islander Liaison**.
 - At the conference, we also discuss who else needs to be included to assist with the provision of information, clarification of issues and development of solutions.
- If the matter proceeds following the preliminary conference, we **Co- design** a process which addresses:
 - The sharing and exchange of relevant information between all of the relevant parties.
 - Who is authorised to speak about which issues and make decisions.
 - What type of consultation is required between individuals, families, the broader groups?
 - Do government agencies need to be involved to help clarify details? Provide information?
 - How should we close the process and record outcomes? How will the parties measure compliance? Do they require additional assistance from the NNTT regarding monitoring and compliance?
 - Should a review process be built in?
- Commence **Facilitation** in accordance with the co-design process:
 - Information is only shared with the consent of the parties.
 - Meetings are held on a voluntary basis and with consent of all of the relevant parties.
- **Mediation** may follow if a more structured process is required.
 - Mediation will be undertaken by a **Member, NNTT** (supported by the PDA Team).

The following is a response by the NNTT to concerns raised at the forum:

- **Stakeholder inclusion:** There was a concern that if a CLH approached NNTT, that the NNTT would ‘shut out’ GBK and/or the PBC. The NNTT is neutral and does not advocate for any party. The PDA Team will work with GBK, the PBC and the CLHs to facilitate the exchange of information and to clarify different understandings and expectations. The NNTT and GBK have agreed to work together. However, if a CLH or a PBC does not want GBK to be involved, that will be reflected in the co-designed process. The NNTT will maintain a space and a process for resolution by the parties concerned. In short, the NNTT will not ‘takeover’ the dispute and manage it on its own terms or in its own way.
- **Loss of control over decision making:** There was a concern that CLHs/the PBC would lose control over decision making and that they would have an outcome forced on to them. The NNTT is not a decision-maker. The NNTT will support the parties to discuss the issues, consider resolutions and then settle upon outcomes and solutions that suit the parties.
- **Location:** There was a concern that participants would need to travel away from the TS Islands. The NNTT will be able to travel to Cairns and the TS Islands. How often the NNTT can travel and for how long will be decided on a case by case basis.
- **Timelines not allowing for consultation according to traditional law and custom.** The NNTT will want to maintain momentum. However, it will not impose strict deadlines. The NNTT acknowledges that whilst maintaining momentum is good, some of these issues will take some time to resolve because sensitive and complex details will have to be discussed and reflected upon.
- **Trust.** Concerns were raised about entrusting details about conflict to ‘outsiders’ on the basis that an ‘outsider’ would not understand the challenges faced by people living on remote islands and that an outsider would not understand the cultural context. Delegates wanted to know who at the NNTT had TS heritage or cultural links to the TS. The President of the NNTT and some other staff have cultural and heritage links to the TS Islands. Members of the PDA team will take the time to understand the cultural context

and consider that it can be beneficial for a neutral party to be involved. GBK PBC support staff are also well placed to provide cultural capability.

- **Costs.** NNTT assistance is initially costs free but may proceed on a costs basis, subject to agreement and the extent of assistance to be provided.
- **Membership disputes.** Delegates were concerned that genealogical information is complex to understand and can often lead to misunderstandings and 'strong disputes'. NNTT supports information gathering & exchange. Members of the PDA team have direct experience of being a native title holder or have worked in the area for a significant period time and appreciate the complexity involved.

The NNTT can also provide assistance under s 60AAA in relation to the following issues raised at the Forum:

Structuring and designing native title decision-making processes

Delegates wanted to know who could assist them to set up processes for native title decision making. For example, how to structure decision making processes that relate to the distribution of royalties and other funds generated from other income streams.

Rule Book Review

Delegates wanted to know if the NNTT can assist with reviewing Rule Books so that they reflect traditional law and custom. The NNTT can assist with this by facilitating a process that allows for exchange of information about how the rules work now and what revisions are required and why. The NNTT would work with the PBC, CLHs, GBK and ORIC.

- Also relevant to consider, AIATSIS' development of a decision-making guide to support PBCs to establish and record these processes.

Au Esoau, Koeyma Eso, Many Thanks for being part of this important gathering of PBCs from the Torres and Endeavour Straits

