

My responses

Questions:

1. Has the Aboriginal Advancement Account been established?

To the best of my knowledge, the Account was established by subsection 5(3) of the Financial Management Legislation Amendment Act 1999.

2. What material difficulties would be encountered if were proposed that section 38 of the *Aboriginal Land (Lake Condah and Framlingham Forest) Act 1987* be amended to establish only one Special Account, called, say, the Aboriginal Advancement Account?

That there are three Accounts created under the Act is a result I believe of negotiations that the Commonwealth entered into with the two Aboriginal groups who benefit from this legislation in Western Victoria. Those groups have significant cultural, historical and political differences and thus I believe the Commonwealth ultimately agreed that to the extent there is any mining activity on their land and royalties are paid, the CRF should be debited for equivalent amounts to be paid into separate accounts for each group. The other policy consideration that led to the establishment of 3 accounts was the view of the Commonwealth at that time (and I am not aware of any change) that a proportion of mining royalty equivalents paid to Aboriginals affected by mining should be available for the general benefit of other Aboriginals in a State or Territory. Thus, the reason for creating the Aboriginal Advancement Account.

If the Accounts were to be merged into one Account, the material difficulties would include the need, from our point of view, to seek to negotiate and reach agreement with the Aboriginal groups about the new Account, and also finding a means of distributing any moneys which are received in the future in a way that is fair and practical to all of the beneficiaries. These problems are not insurmountable but will take time and resources of the Commonwealth to resolve.

Brian Stacey