

CHAPTER 1

INTRODUCTION

Background

1.1 On 7 December 2006, the Senate referred the provisions of the Native Title Amendment Bill 2006 (the Bill) to the Senate Legal and Constitutional Affairs Committee, for inquiry and report by 23 February 2007.

1.2 The Bill amends the *Native Title Act 1993* (Native Title Act) to implement reforms to a number of aspects of the native title system. The proposed reforms were originally announced in September 2005 by the Attorney-General. Six connected elements of reform were identified:

- an independent review of native title claims resolution processes;
- technical amendments to the Native Title Act;
- consultation on measures to encourage the effective functioning of Prescribed Bodies Corporate (PBCs);
- reform of the native title non-claimants (respondents) financial assistance program to encourage agreement-making rather than litigation;
- measures to improve the effectiveness of Native Title Representative Bodies (NTRBs); and
- increased dialogue and consultation with the state and territory governments to promote and encourage more transparent practices in the resolution of native title.

1.3 The Bill gives effect to most of the recommendations from the independent review of the claims resolution process, together with reforms to PBCs, funding for non-claimant third parties, and the establishment, functions and accountabilities of NTRBs.

Conduct of the inquiry

1.4 The committee advertised the inquiry in *The Australian* newspaper on 12 December 2006 and 7 February 2007. Submissions were invited by 19 January 2007. Details of the inquiry, the Bill and associated documents were placed on the committee's website. The committee also wrote to over 60 organisations and individuals.

1.5 The committee received 18 submissions which are listed at Appendix 1. Submissions were placed on the committee's website for ease of access by the public. The committee held a public hearing in Sydney on 30 January 2007.

Acknowledgement

1.6 The committee thanks those organisations and individuals who made submissions and gave evidence at the public hearing.

Note on references

1.7 References in this report are to individual submissions as received by the committee, not to a bound volume. References to the committee Hansard are to the proof Hansard: page numbers may vary between the proof and the official Hansard transcript.