

# Chapter 1

## Introduction

### **The Committee's statutory duty**

1.1 The Parliamentary Joint Committee on the National Native Title Tribunal and the Aboriginal and Torres Strait Islander Land Fund has a statutory duty to examine the annual reports of the National Native Title Tribunal (NNTT) and the Indigenous Land Corporation (the ILC). Under Section 206(c) of the *Native Title Act 1993*, ('the NT Act') the Committee is required to examine each annual report that is prepared by the President of the NNTT or by any person under Part 4A of the *Aboriginal and Torres Strait Islander Commission Act 1989* ('the ATSIC Act'). The Committee, at its discretion, reports to Parliament on any matters to which Parliament's attention should be directed.

1.2 The Committee considers the analysis of the annual reports to be an important mechanism for giving agencies comment and constructive assistance to improve performance and accountability.

### **Reports under consideration**

1.3 Pursuant to these requirements, the Committee examines three reports in this report:

- the National Native Title Tribunal (NNTT) Annual Report 2002-2003;
- the Indigenous Land Corporation (ILC) Annual Report 2002-2003; and
- the Aboriginal and Torres Strait Island Land Fund (Land Fund) Report 2001-2002.

1.4 The Land Fund Report is included in ATSIC's Annual Report 2002-2003, and presented as Appendix 1 of the ILC's annual report. The Land Fund is the source of the ILC's funding.

### **National Native Title Tribunal**

1.5 The NNTT is established under Part 6 of the NT Act. The annual report of the NNTT was tabled in the Senate and in the House of Representatives on 6 November 2003.

### **The Indigenous Land Corporation and the Land Fund**

1.6 The ILC is a statutory authority established under section 191A of the ATSIC Act. Section 191B of this Act states that the purpose of the Corporation is to assist Indigenous people to acquire and manage land, and requires the Corporation to support sustainability, as well as the social, environmental and cultural benefits in the acquisition and use of the land.

1.7 Funding for the operations of the ILC is provided from the Land Fund pursuant to Division 10 of Part 4A of the ATSIC Act. ATSIC is responsible for reporting on the Land Fund under section 193H of the ATSIC Act. ATSIC also has investment powers concerning the Land Fund, and reported on this in its annual report for 2002–2003, which was tabled in the Senate and in the House of Representatives on 14 October 2003.

1.8 The ILC's annual reports have been prepared in accordance with section 9 of the *Commonwealth Authorities and Companies Act 1997* since 1998.

### **Public Hearings**

1.9 In preparing this Report, the Committee conducted two public hearings in Canberra on:

- Thursday 12 February 2004 (the National Native Title Tribunal); and
- Tuesday 2 March 2004 (the Indigenous Land Corporation).

1.10 The Committee acknowledges the time taken to provide evidence to the Committee by both the National Native Title Tribunal and the Indigenous Land Corporation.

### **Adoption of the Report**

1.11 The Committee considered and adopted the report at a private meeting on 21 June 2004.