

**Parliamentary Joint Committee on
Native Title and the Aboriginal and
Torres Strait Islander Land Fund**

OPERATION OF THE NATIVE TITLE ACT

**Inquiry Into The Effectiveness Of
The National Native Title Tribunal**

Submission No:3

Mr R B Wilkins

Director-General

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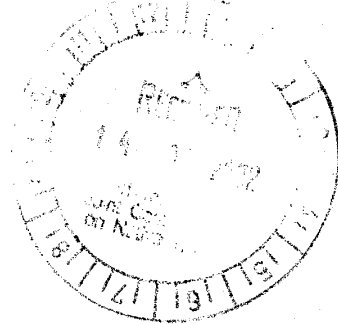


THE CABINET OFFICE
NEW SOUTH WALES

TCO/15162.LB

Mr Peter C Grundy
Secretary
Parliamentary Joint Committee on
Native Title and the Aboriginal and
Torres Strait Islander Land Fund
Parliament House
Canberra ACT 2600

- 4 JAN 2001



Dear Mr Grundy

I refer to the Parliamentary Joint Committee's inquiry into the effectiveness of the National Native Title Tribunal and provide the following comments on behalf of the New South Wales Government.

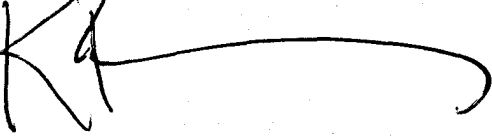
The National Native Title Tribunal is seen as beneficial in resolving internal disputes among indigenous parties. Internal disputes have the capacity to bring general mediation of native title claims to a halt and precipitate otherwise unnecessary litigation. The assistance of the Tribunal in resolving these disputes is welcome.

However, there is a perception that funding of the activities of the National Native Title Tribunal is perhaps disproportionate compared to funding made available to representative bodies. In view of the reduced role of the Tribunal since the 1998 amendments to the *Native Title Act 1993*, it is suggested that some of the funding allocated to the Tribunal might be better used in funding the representative bodies.

A practical point that has been raised is the ability of the Tribunal to search its registers to ascertain native title claims for the purpose of following the right to negotiate under Subdivision P of the *Native Title Act*. I am advised that the Tribunal can only conduct searches based on local government areas and not on specific parcels of land that may be included in a minerals title. This results in additional unwanted information being provided. It would be useful if the searches could be conducted on specific parcels of land as opposed to the whole local government area.

Thank you for providing the New South Wales Government with the opportunity to respond to the inquiry.

Yours sincerely

A handwritten signature in black ink, appearing to be 'R B Wilkins', with a long horizontal flourish extending to the right.

R B Wilkins
Director-General