



Application for Appointment as a Recognised Aboriginal Representative Body

This form is for:

- Registered Native Title Claimants
- Aboriginal parties to Indigenous Land Use Agreements, and
- general applicants

seeking appointment as a Recognised Aboriginal Representative Body (RARB) under the *Aboriginal Heritage Act 1988 (SA)* (Act).

A Registered Native Title Prescribed Body Corporate (RNTBC) wishing to have its RARB appointment approved, generally for its determined native title area, should complete the Election to be Appointed as a RARB form.

People completing this form should read *Aboriginal Heritage Guidelines 1 - Recognised Aboriginal Representative Bodies*. This is available online at: dpc.sa.gov.au/guidance.

Information provided in this form will be used solely to assist the State Aboriginal Heritage Committee (Committee) to assess and decide upon the application. Any confidential information provided will be treated accordingly. If you have any concerns about providing any information, please ring DPC-AAR on 08 8226 8900 or 1800 127 001 (freecall) to discuss your concerns.

Please attach additional sheets if there is not enough space to provide any of the information sought below. This form is also available electronically at: dpc.sa.gov.au/rarbs.

Section 1 – Applicant Information

RARBs may be an individual or an organisation, but must be incorporated before RARB status can be granted. Incorporation is available under various legislation. Please attach evidence of incorporation and a copy of your constitution, rule book, code of conduct, common seal and any other relevant corporate governance information. GST registration is not required to become a RARB, but may be required if the RARB engages in significant enterprise.

Name of applicant: _____

Authorised representative: _____

Postal address: _____

Telephone number: _____ Fax number: _____

Email address: _____

GST Registration: Yes / No ABN _____

Incorporating Legislation: _____

Date of Incorporation: _____

Section 2 – Description of the heritage you wish to represent

Please provide a detailed description of the Aboriginal area, site, object or ancestral remains (collectively heritage) that you wish to represent as a RARB. The description must be sufficiently detailed to allow the Committee to conclusively identify the heritage. Where appropriate, please attach a map and photos to generally identify the location of the heritage. DPC-AAR may be able to assist with mapping if necessary.



Please describe your relationship or links to the heritage that you wish to represent under the Act.

What evidence can you provide to support the above relationships or links?

Explanatory Note

Supporting information evidencing connections to heritage can include:

- family oral histories or testimony of elders about country or links to country
- anthropological and/or archaeological reports and research articles
- historical sources (books, journals etc) identifying the traditional country of the applicant's apical ancestors
- statements from Aboriginal people or organisations recognising the applicant as representing the Traditional Owners in the application area
- research materials supporting the applicant's representation of the Traditional Owners.

These are examples only. You are not required to provide all the above information and may supply information not listed.

RARBs must know and represent the views of Traditional Owners. Accordingly, the Committee strongly encourages you to discuss your application with all relevant Traditional Owners and peak Aboriginal bodies associated with the application area.

If you are not a Traditional Owner of the heritage you want to represent, you should make every effort to obtain and attach the written support of Traditional Owners and/or their associated peak and/or representative body(ies) before making your application.



Section 5 – Your Land Access Rights

Please detail your legal, equitable and/or traditional rights to access and/or occupy land associated with the heritage you wish to represent, including land owned, mortgaged, leased, licensed or granted to you, as well as easements, rights of way, temporary rights, contingent rights and rights yet to vest. Where relevant, please explain how long those rights will exist for and any limitations to them. Please attach evidence.

Section 6 – Experience in Cultural Heritage Management

Please describe your experience in managing and protecting Aboriginal cultural heritage in the application area and/or generally. Please attach evidence of any past activities and any current or proposed policies and procedures that you would use to properly manage heritage in accordance with the wishes of its Traditional Owners.

Section 7 – Organisational Ability and Sustainability

The Committee seeks to appoint RARBs that can perform their obligations fairly, consistently, transparently and on a long-term basis. Please provide any information that supports your current or future organisational sustainability. This might include evidence of your past performance, existing or proposed corporate policies and procedures, premises available to conduct business, governance and/or engagement training undertaken or proposed, availability of administrative support, access to legal, commercial or financial advice, proxy arrangements for RARB members, auditing and reporting arrangements, funding sources etc. Please provide evidence wherever possible.



Section 8 – Proposed Consultation Procedures

The ongoing and key role of RARBs is to understand and represent the views of Traditional Owners. RARBs can only make agreements about heritage after adequately consulting with relevant Traditional Owners. Your ability to transparently engage and consult with Traditional Owners is therefore a key consideration for the Committee in assessing applications.

How will you let Traditional Owners know when your RARB receives a proposal that might affect heritage?

How will relevant Traditional Owners have an opportunity to comment on proposals? What timeframes are proposed? What assistance will be available to them to help them understand and comment? How will they be advised of the RARB's decisions?

How will the RARB arrange for and conduct surveys of heritage? How will people be selected to participate?



What protocols are you proposing for the management of heritage? What policies and procedures would apply if a land use proponent discovered new heritage in an area or site for which you were the RARB?

How do you propose to deal with disputes that may arise between the RARB and Traditional Owners, or between the RARB and a land-use proponent?

Do you have any general comments about your proposed approach for ongoing consultation with Traditional Owners and others if you are appointed as a RARB?

Section 9 – Repeat Applications

If you have previously applied for appointment as a RARB and your application was not approved, please describe how this application varies from your original. Please address any reasons given by the Committee for its original decision. Please provide the date of previous RARB application and a copy of the Committee's decision.



Section 11 – Authorisation of Application

By signing this application form, you warrant and represent that:

- all information provided is true and complete
you are authorised to make the application
the application is made consistently with any legislation, corporate constitution or other rules applying to you
you have consulted or made all reasonable endeavours to inform and consult with relevant Traditional Owners, and
you are willing and capable of performing the functions of a RARB as required by the Aboriginal Heritage Act 1988 (SA).

Please attach a copy of any corporate resolution made authorising or endorsing this application.

SIGNED for and on behalf of THE PARTY
NAMED IN SECTION 1 in the presence of:

Corporate Seal (where used or required)

Witness Signature

Authorised Signatory

Name

Name

Phone Number

Organisation (where applicable)

Date

Phone Number

Date

Please return this form together with any additional pages and copies (not originals) of all supporting documentation marked 'confidential' to:

The Chairperson
State Aboriginal Heritage Committee
C/- Department of the Premier and Cabinet – Aboriginal Affairs and Reconciliation
GPO Box 2343
ADELAIDE SA 5001
Email: DPC.AARHeritage@sa.gov.au

Please call DPC-AAR on 08 8226 8900 or 1800 127 001 (freecall) if you wish to discuss any aspect of your application.



Supporting Documentation Checklist

You are required to provide the Committee with robust evidence substantiating the information in your application, and demonstrating why you are the best person or group to represent the heritage you have asked to speak for under the Heritage Act.

A checklist of the documents generally required to have your application approved is set out below. Not all of these will be required or appropriate for every application, while other relevant information is also encouraged.

All information provided will be treated sensitively and confidentially.

Please send scans or copies of documents, not originals.

- Certificate of Incorporation
- Constitution, rule book, corporate policies and all relevant governing documents, especially heritage related documents
- Copy of your common seal, by way of a photograph etc.
- A description of the area, site, object and/or ancestral remains (heritage) that you wish to represent
- Maps of claim or ILUA area and heritage to be represented (include photos where appropriate)
- ILUA Agreement or Native Title Claim registration
- (General applicants only) Evidence of consultation with Traditional Owners you intend to represent
- (General applicants only) Supporting information evidencing connections to heritage
- Evidence of your experience in and/or proposed methods for Aboriginal cultural heritage management
- Evidence of your consultation with and any support of relevant Traditional Owners
- Evidence of your organisational capacity and sustainability
- References from peak and recognised bodies endorsing your application
- Evidence of land rights connected with or supporting the heritage
- Proposed methods of consultation with Traditional Owners and others affected by proposals related to heritage, including dispute resolution provisions
- Details of any previous applications to be appointed as a RARB
- Copy of the corporate motion endorsing your application
- Names of any directors and members of your organisation
- Any other information you believe will assist the Committee to understand that you are the best person or group to speak for the Aboriginal heritage you have asked to speak for under the Heritage Act.