

What assistance can NTS Goldfields (NTSG) give?

The NTSG can help traditional owners make a claim for native title or to seek compensation for loss of, or damage to, your native title rights.

In some cases the NTSG may not be able to help you directly because it already works for another group who are claiming rights over the same area. In those cases the NTSG might give you funding to hire another lawyer to work for you, but that will not happen in every case.

How do I apply for assistance?

To apply for assistance you need to send a request in writing to the NTSG. There is a form at the end of this fact sheet to make this application. If you are having trouble filling out the form you can contact the NTSG native title legal team and ask them to help you.

There are a number of important things you need to tell the NTSG in your application

- Who is your claim group
- What area of land do you say is your country
- Have you had any meetings with your mob and agreed to lodge a claim for assistance
- Have you made any claims before
- Who are the best people for NTSG to speak to who can talk about your law and culture

What happens after I lodge an application for assistance?

- The NTSG will send you a letter/email telling you we have received your application
- The NTSG will appoint a lawyer and/or an anthropologist to make an assessment of your application
- In some cases the NTSG might have to do a little more research and talk to someone in your mob to get more information about your claim
- The lawyer or anthropologist will make a recommendation to the CEO about whether we can provide you with assistance.
- The CEO will then make a decision about whether to grant you assistance.

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- You will then be told whether your application is successful or not. In some cases you might be successful but the NTSG cannot do anything immediately because there is not enough money in our budget. We can't always assist all groups at the same time. Your claim will be put on a list to start work when more funds are available.

What happens if my application is not approved?

Internal Review

If the NTSG does not approve your application it will set out clear written reasons why you were not successful.

You have the right to ask the NTSG to review its decision. You need to put your request for a review in writing as soon as you can. The NTSG will appoint a Review Committee or an external consultant to review your original application and the reasons for the first decision and any further information you provide. This Review Committee/consultant will be different people from those who made the original decision.

The NTSG will tell you in writing when the Review Committee/consultant has made its decision. If the Review Committee/consultant again refuses to provide assistance it will set out its reasons in writing for you.

External Review

If you want to challenge this decision you can do so in either of 2 ways:

1. Seek an external review of the decision under s203FB of the *Native Title Act*, or
2. Seek a review in court under the *Administrative Decisions (Judicial Review) Act 1977*

The review will be dealt with under either of those Acts and is outside the control of the NTSG. You should get legal advice about how to seek an external review.

Facilitation and Assistance Request Form

Policy Document Number: FM701

To be completed by the Applicant, with assistance from NTSG if requested, and submitted to the CEO. Please complete all sections.

The Applicant	
Full Name / Organisation:	
Is the application made on behalf of an Individual <input type="checkbox"/> or Family / Organisation? <input type="checkbox"/>	
Applicant / Representative Contact Details Postal Address: Phone: Email:	
Name and contact of person providing assistance to complete form (if applicable)	
Description of Request	
<p><i>Please provide a short explanation of the assistance you are requesting from NTSG</i></p> <p>These are the types of Facilitation & Assistance that NTSG is able to provide under the NTA - s.203BB of the NTA</p> <ul style="list-style-type: none"> ➤ conduct research and prepare native title applications (NTSG undertakes research about an area and prepares a native title claim); ➤ facilitates research for native title applications (NTSG funds external research about an area); ➤ provide representation for dealings relating to native title applications (NTSG represents or funds legal representation for a claim); ➤ future acts (NTSG represents or funds legal representation for future act matters); 	

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<ul style="list-style-type: none"> ➤ ILUAs or other agreements (NTSG represents or funds legal representations for agreement negotiations); and ➤ Access rights conferred under the NTA ➤ Any other matters relating to native title 	
<p>Detail of request</p> <p><i>Please provide background information about your request, including:</i></p> <ol style="list-style-type: none"> 1. Whether the request covers an area which has previously been or is currently the subject of a native title claim; 2. Whether you were or are entitled to be a member of any previous or current native title claim(s) over the area the subject of the request; and 3. If you are entitled to be a member of a current claim, if relevant, are your concerns able to be addressed via that claim? If not why? Have you attempted to resolve your concerns within the claim? 4. Any new or additional information or research you can provide in support of your request for assistance. 	<p><i>Attach additional page(s) as required</i></p>
<p>Geographical Area to which request relates (name all places you consider relevant)</p>	<p><i>Attach map(s) as additional pages</i></p>
<p>Date of Request:</p>	<p>Signed by the Applicant:</p> <p>Signature:</p> <hr/>