NATIVE TITLE SERVICES GOLDFIELDS

Facilitation and Assistance Fact Sheet

Policy Document Number: FS701

What assistance can NTS Goldfields Ltd (NTSG) give?

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, 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, NTSG might give you funding to hire another lawyer to work for you, but this 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 NTSG. There is a form available on the NTSG website under the 'Community Resources – Facilitation and Assistance" tab, or you can call one of our offices and we will provide you with one.. If you have 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?

- NTSG will send you a letter/email telling you we have received your application
- NTSG will appoint a lawyer and/or an anthropologist to make an assessment of your application
- In some cases, 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 decide whether to grant you assistance.

- You will then be told in writing whether your application is successful or not. In some cases, you might be successful but NTSG cannot do anything immediately because there is not enough money in our budget. NTSG may not always assist all groups at the same time. Your request 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 NTSG does not approve your application, it will set out clear written reasons why you were not successful.

You have the right to ask NTSG to review its decision. You need to put your request for a review in writing as soon as you can, the date for such a request will be included in the response to your initial application. NTSG will appoint a person to review your original application, the reasons for the first decision and any further information you provide. This person will be different from those who made the original decision and would not have been involved in the that decision.

NTSG will tell you in writing when that person has completed the review and made a decision. If the decision is again, a refusal to provide assistance, the reasons will be set out to you in writing.

External Review

If you want to challenge this Internal Review, you can do so in either of 2 ways:

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

Any review dealt with under these acts is outside the control of NTSG. You should get legal advice about how to seek an external review.