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Recognition just part of the battle

FOR some native title claimants, having their native title recognised is only part of the battle.

Once native title is found to exist, claimants are required by law to set up a Prescribed Body Corporate (PBC) to manage their native title interests.

There are two types of PBC – the trust PBC and the agent PBC.

Although both have different legal consequences, to effectively perform its native title and corporate responsibilities both require basic infrastructure, staff and access to professional services.

However, PBCs receive no direct funding from the Federal Government and many lack the resources to attain or maintain a basic level of sustainability.

In the case of the Mualgal Torres Strait Islander Native Title Corporation PBC, lack of funding has meant that the Mualgal people have seen very little benefit from their native title since it was recognised eight years ago on Moa Island.

The Corporation's Council Chairman, David Bosun, said that although he had plenty of plans in place that would

Native Title and You



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benefit his people economically and culturally, it would be difficult to achieve this without assistance.

Proposed reforms to PBC assistance

and funding are currently being discussed in Parliament as part of the Native Title Amendments (Technical Amendments) Bill 2007.

Amendments in the Bill will not become law until they have passed through Parliament and reached Royal Assent, but there are alternatives available now for Indigenous groups struggling to establish a PBC.

The National Native Title Tribunal's research department produced a guide in January this year titled 'Guide to sources of assistance and funding for Prescribed Bodies Corporate'.

This guide provides an outline of some sources of assistance that may be available to PBCs directly and of application-based assistance and funding programs.

It lists the organisations that may be able to assist, a summary of what the organisations do and organisation contact details.

A copy of the guide is available for download from the Tribunal's website at <http://www.nntt.gov.au/research/reports.htm#Occasionalpapersseries>