

Section 150 Conferences

Participant Information

Purpose of this document

This information sheet outlines what to expect when participating in a conference convened by the National Native Title Tribunal (NNTT) under section 150 of the *Native Title Act 1993* (Cth) (the Act).

It explains the purpose and principles of the process so that all parties can participate openly, respectfully and effectively.



What is a section 150 conference?

A section 150 conference (conference) is a facilitated discussion convened by the NNTT to assist parties to resolve matters relevant to a future act Inquiry. A conference occurs within a formal Inquiry process. It provides an opportunity for the parties to:

- clarify issues in dispute
- explore options for agreement and
- make progress toward resolution before the matter is determined by a Tribunal Member.

Unless otherwise directed by the Inquiry Member, the convenor manages the conference process and determines who may participate. A party may elect to be represented by a lawyer, subject to the convenor's approval or any direction of the Inquiry Member. A support person or other representative may attend on the same basis.



Role of the NNTT

The conference will be conducted by a Tribunal Member or an NNTT officer (the convenor). The convenor will:

- facilitate structured discussions between the parties and
- assist parties to identify issues in dispute and options for resolution.



Kaurna Country, Port Willunga Beach, South Australia.



Relationship to the Inquiry process

The Inquiry Member may direct the holding of a conference to:

- assist parties to resolve matters relevant to the Inquiry
- narrow the issues in dispute and
- support efficient and timely progression of the matter.

Conferences are used by the Tribunal Members to assist in managing an Inquiry. This means:

- the Inquiry process continues alongside the conference and
- the Member may continue to make directions to assist to progress the Inquiry.



Without prejudice discussions

Section 150(3) of the Act states:

“At a hearing before the Tribunal, unless the parties otherwise agree, evidence may not be given, and statements may not be made, concerning any words spoken or act done at a conference.”

Media and social media communication

Unless all parties agree in writing, no party is to make any public comment or statement about the conference – whether to traditional media (such as television, radio, print or online news) or on social media platforms (such as Facebook, Instagram, X/Twitter, LinkedIn or similar).

No recording

Audio or video recording of any part of the conference is not permitted unless expressly authorised by all parties and the NNTT.



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Expectations of participants

If the NNTT convenes a conference, the parties are expected to:

- ✓ take all necessary steps to assist the convenor in the orderly conduct of the conference and the identification and resolution of the issues in dispute
- ✓ comply with agreed timeframes, directions and scheduling arrangements
- ✓ participate respectfully and allow all parties to be heard
- ✓ attend with appropriate authority to make decisions or obtain instructions promptly
- ✓ ensure any new representatives are appropriately briefed and
- ✓ provide relevant documents, including draft agreements or specific clauses under discussion, in a timely manner.

Notification of attendees

Parties must notify the NNTT in advance of all attendees, including representatives, advisors and support persons. No additional participants may attend without prior agreement.



Conference format

A conference may be requested by the parties or convened on direction of the Inquiry Member.

The conference process may include initial single-party sessions between the convenor and individual parties, as well as joint sessions with all parties present.

The structure and number of sessions will depend on the circumstances of the matter and the needs of the participants. Multiple sessions may be scheduled at the direction of the convenor.

Conferences are facilitated via video on Teams; however, at the request of parties, the NNTT may facilitate in-person conferences. Please contact the case manager if you would like to discuss the provision of an in-person conference.

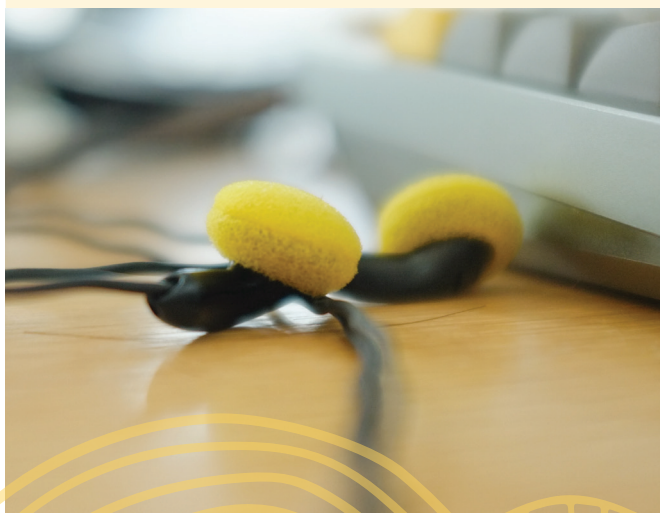


Summary of discussions and outcomes

Following each conference, the convenor may provide a brief written summary to the parties confirming:

- the names of the parties and representatives who participated
- the outcomes of the conference, including any undertakings by the parties and agreed actions and
- any future scheduling arrangements.

The NNTT does not provide detailed transcripts or minutes. Parties are encouraged to keep their own records.





Kabi Kabi Country. Glasshouse Mountains, Queensland.



Termination of the conference

The NNTT may conclude the conference where, in the opinion of the convenor:

- the dispute between the parties is resolved or the objectives of the conference have otherwise been achieved
- the conference is no longer assisting progress toward resolution or
- further discussions are unlikely to be productive.

If agreement has not been reached between the parties on the resolution of all matters in dispute, the matter may continue through the Inquiry process.



Summary of commitments

By participating, all parties agree to:

- ✓ engage constructively in the process
- ✓ make reasonable efforts to progress negotiations efficiently and
- ✓ uphold respectful and culturally appropriate communication throughout the process.

Future Acts Information Sheet Series

For further information:

Contact: your NNTT case manager

Email: enquiries@nntt.gov.au

Or visit: www.nntt.gov.au/future-acts/section-150-conferences

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A Reconciled Future