



Australian Government
**Office of the Registrar of
Indigenous Corporations**



**National
Native Title
Tribunal**

MEMORANDUM OF UNDERSTANDING

REGISTRAR OF INDIGENOUS CORPORATIONS

AND

NATIONAL NATIVE TITLE TRIBUNAL

Memorandum of understanding
between
Registrar of Indigenous Corporations
and
National Native Title Tribunal

1. Purpose

This memorandum of understanding (MOU) sets out the broad aims and principles for cooperation between the Registrar of Indigenous Corporations (Registrar) and the National Native Title Tribunal (Tribunal or NNTT). This MOU facilitates liaison, cooperation, assistance, sharing of information, and exchange of staff to improve outcomes for registered native title bodies corporate (RNTBCs).

The Registrar and NNTT (the agencies) do not intend this MOU to create legally binding obligations between them.

2. Registrar of Indigenous Corporations

The Registrar is an independent statutory office holder appointed by the Minister responsible for Indigenous Affairs under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act) to administer and enforce the CATSI Act.

The Office of the Registrar of Indigenous Corporations (ORIC) supports the Registrar to regulate and deliver services to corporations registered under the CATSI Act. It does this in a variety of ways:

- by advising them on how to incorporate
- corporate governance training for directors, members and key staff
- providing dispute assistance
- ensuring compliance with the CATSI Act and intervening when needed.

3. NNTT

The NNTT is an independent agency established by the *Native Title Act 1993* (NTA). The Tribunal comprises statutory office holders including a president and members, who are appointed by the Governor-General under the NTA to make decisions, conduct inquiries, reviews and mediations, and assist various parties with native title applications and Indigenous land use agreements (ILUAs).

The NNTT is supported by the Native Title Registrar, also appointed by the Governor-General. Together, the various statutory office holders each have separate and specific functions and responsibilities to perform under the NTA.

4. Principled cooperation

Both agencies understand the importance placed upon trust within Aboriginal and/or Torres Strait Islander communities and RNTBCs. Therefore both agencies will endeavour to take appropriate measures to ensure that all activities are conducted to the highest

possible ethical standards. This is particularly the case where there is an existing Aboriginal and/or Torres Strait Islander ethical body related to the type of activity to be undertaken.

5. Liaison

The agencies agree that, where appropriate, they will consult with each other on matters of mutual interest. This includes the exchange of information, referral of matters, statutory activities of each agency, training, information and other services to clients, policy development and implementation, legislative amendments, research and analysis.

Each agency will appoint a liaison officer to undertake these activities as needed. The officer responsible for liaison may be changed by the relevant agency as required by informing the other agency appropriately.

6. Exchange of staff

The agencies agree that, where appropriate, they will facilitate the exchange of staff to participate in, assist with and collaborate on each other's operations to more effectively serve traditional owners and provide staff development opportunities such as rotation of staff performing similar roles.

7. Exchange of information

The agencies agree to keep each other informed, in a timely manner, of matters relevant to each other's jurisdiction subject to legislative restrictions.

8. Confidentiality

When an agency receives information from the other agency, it will take all reasonable steps to ensure the confidentiality and privacy of the information received.

9. Review of this MOU

Each agency will keep the operation of this MOU under review and will consult with the other agency to improve or resolve any matter which may arise.

10. Cancellation of this MOU

Either agency may terminate this MOU by providing written notice to the other agency. The MOU will terminate the day immediately after the date the notice was received.

11. Publication of this MOU

Either party may make the contents of this MOU public.

12. Liaison officers

NNTT: Manager
 1800 640 501
 Registrar@nntt.gov.au

ORIC: Director, Registration,
 Reporting, Complaints and
 Disputes
 1800 622 431
 info@oric.gov.au

13. Execution of this MOU

This MOU is signed for and on behalf of the parties on the 18th day of May 2017.

Raoulm Weel
signed by: PRESIDENT

on behalf of the National Native Title Tribunal

R Powrie
Signature of witness

ROBERT POWRIE
Name of witness

B
signed by:
Anthony Beven
Registrar of Indigenous Corporations

R Powrie
Signature of witness

ROBERT POWRIE
Name of witness