

Role of cultural heritage bodies

The role of a cultural heritage body (CHB) is to identify who is the right Aboriginal or Torres Strait Islander party to 'speak for country'. It is the first point of contact for identifying the Aboriginal or Torres Strait Islander party for an area.

Under the *Aboriginal Cultural Heritage Act 2003* and the *Torres Strait Islander Cultural Heritage Act 2003* traditional owners (defined in the legislation as the 'Aboriginal party' or the 'Torres Strait Islander party') can seek Queensland Government recognition of a corporation as a CHB for an area.

The Department of Environment and Resource Management (DERM) is responsible for administering this legislation.

What are the advantages of becoming a cultural heritage body?

The advantages of becoming a cultural heritage body (CHB) are that it:

- ensures recognition of the CHB within traditional country as being the first point of contact for matters relating to your cultural heritage
- ensures land users, and others, will come to you for advice about who they should talk to in addressing cultural heritage issues in your traditional country
- allows you to manage your cultural heritage matters differently to any native title claim you may have registered in the Federal Court (e.g. you may wish to have different addresses for service for your cultural heritage and native title issues)
- ensures you are involved in managing your cultural heritage even though you may not have a registered native title claim for the area (provided your CHB application is supported by any other group that already has a native title claim registered over the area subject to your application).

How do you register as a cultural heritage body?

In order to become registered as a CHB, you must:

- apply in writing to DERM
- provide evidence of incorporation
- provide evidence of your capacity to carry out the functions of a CHB, outlining, for example, your current office set up, staff numbers, phone and facsimile numbers and email address

- provide a written description of the area subject to your application and, where possible, a map showing the area.

In addition, if the area of your application is subject to a registered native title claim, evidence that the registered native title claimant(s) for the area agree with your application must be provided.

Is there a limit on the size of the land area in my application?

There are no limits on the size of the land area that may be included within your application to become a CHB.

What types of incorporated organisations are acceptable?

A body incorporated or registered under one of the following pieces of legislation will satisfy the incorporation requirements of the cultural heritage legislation:

- *Corporations Act 2001* (Commonwealth)
- *Aboriginal Councils and Associations Act 1976* (Commonwealth)
- *Associations Incorporation Act 1981* (Qld) or the *Cooperatives Act 1997* (Qld)
- *Native Title Act 1993* (Commonwealth).

Under Section 37(2) of the *Aboriginal Cultural Heritage Act 2003* the Minister may provide funding for a CHB to undertake its functions.

Further information

For further information on the role of cultural heritage bodies, visit the DERM website <www.derm.qld.gov.au> or contact:

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For general enquiries contact the
Queensland Government call centre 13 13 04
or visit www.derm.qld.gov.au