

NETWORK MESSAGE



New South Wales
Aboriginal Land Council

1 February 2023

Guide for LALCs: *Aboriginal Land Rights Amendment Act 2022*

NSWALC has prepared a brief Guide for Local Aboriginal Land Councils (**LALCs**) outlining key changes to the *Aboriginal Land Rights Act 1983 (NSW)* (**ALRA**) made by the [Aboriginal Land Rights Amendment Bill 2022 \(Bill\)](#).

The Bill passed NSW Parliament on 16 November 2022 and came into force on 25 November 2022¹.

The Bill is the first stage of reforms outlined in the 2021 Statutory Review of the ALRA, undertaken in accordance with section 252A of the ALRA, and in line with the guiding principles of consistency, efficiency and empowerment.²

NSWALC undertook engagements with Local Aboriginal Land Councils (**LALCs**) in 2021 on possible reform proposals and welcomed the overarching findings of the ALRA review report³.

The changes are largely administrative and operational, as outlined in the ALRA review report.

[The Guide is available here](#)

LALCs are encouraged to review the Bill and explanatory note⁴ for a full list of changes.

Overall, the Bill is an initial set of reforms intended to improve the operation of the ALRA. NSWALC is keen to see work progress on broader reforms⁵ in accordance with the next stages outlined in the ALRA review report:

¹ Most *Aboriginal Land Rights Amendments Bill 2022* provisions came into force on 25 November 2022, except for provisions relating to the administration of NSWALC elections, which will be commenced by proclamation

² 2021 ALRA review report available: https://www.aboriginalaffairs.nsw.gov.au/media/website_pages/land-rights/the-aboriginal-land-rights-act-1983-ala/legislative-review/Aboriginal-Land-Rights-Act-1983-2021-Statutory-Review-Report.pdf

³ See NSWALC network message, 24 November 2021: <https://alc.org.au/newsroom/network-messages/review-of-the-aboriginal-land-rights-act-1983-nsw/>

⁴ *Aboriginal Land Rights Amendment Bill 2022* explanatory note available at: <https://www.parliament.nsw.gov.au/bill/files/4039/XN%20%E2%80%94Aboriginal%20Land%20Rights%20Amendment%20Bill.pdf>

⁵ NSWALC's submission to the 2021 ALRA review is available: <https://alc.org.au/wp-content/uploads/2021/11/NSWALC-submission-ALRA-review.pdf>

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- Stage 2 - improving options to allow Aboriginal Land Councils to utilise land holdings for social, cultural and economic purposes, subject to native title, and
- Stage 3 - consideration and consultation on ideas for broader aspirational reforms including Aboriginal culture and heritage, strategic land use improvements, compensatory mechanisms, compliance and regulatory roles, and housing.

The updated ALRA, incorporating changes as a result of the [Aboriginal Land Rights Amendment Bill 2022](#), is available on online at: <https://legislation.nsw.gov.au/view/whole/html/inforce/current/act-1983-042>

More information

If LALCs have any queries or would like further information, please contact the Strategy & Policy Unit on 02 9689 4444 or policy@alc.org.au.