



APPLICATION FOR ASSISTANCE

IMPORTANT!

If you would like more information or would like help in completing this application form please contact your local YMAC office at any of the addresses at the bottom of this page. This form is available in electronic format from the YMAC website.

PART A – INTRODUCTORY INFORMATION

The Yamatji Marlpa Aboriginal Corporation (“YMAC”) is the native title representative body for the Yamatji and Pilbara regions and is able to provide assistance to Aboriginal people about native title and related matters in relation to those regions.

Much of the work performed for Aboriginal people by YMAC will fall under the Facilitation and Assistance Functions of the Yamatji Land and Sea Council (YLSC) / Pilbara Native Title Service (PNTS). These functions are set out in section 203BB of the (Commonwealth) Native Title Act and are as follows:

203BB Facilitation and assistance functions.

General

- (1) *The facilitation and assistance functions of a representative body are:*
- (a) *to research and prepare native title applications, and to facilitate research into, preparation of and making of native title applications; and*
 - (b) *to assist registered native title bodies corporate, native title holders and persons who may hold native title (including by representing them or facilitating their representation) in consultations, mediations, negotiations and proceedings relating to the following:*
 - (i) *native title applications;*
 - (ii) *future acts;*
 - (iii) *indigenous land use agreements or other agreements in relation to native title;*
 - (iv) *rights of access conferred under this Act or otherwise;*
 - (v) *any other matters relating to native title or to the operation of this Act.*

Geraldton
171 Marine Tce
Geraldton WA 6530
PO Box 2119
Geraldton WA 6531
T (08) 9965 6222
F (08) 9964 5646

South Hedland
3 Brand Street
South Hedland WA 6722
PO Box 2252
South Hedland WA 6722
T (08) 9172 5433
F (08) 9140 1277

Perth
Level 2, 16 St George's Tce
Perth WA 6000
PO Box 3072 249 Hay Street
East Perth WA 6892
T (08) 9268 7000
F (08) 9225 4633

Broome
Lot 640 Dora Street
Broome WA 6725

Denham
61-63 Knight Terrace
Denham WA 6537



Under section 203BB(2), YMAC is not allowed to assist an Aboriginal group unless it is asked to help by that Aboriginal group. Accordingly, Aboriginal groups who would like assistance from YMAC must complete this *Application for Assistance* form and submit it to YMAC. YMAC has specific procedures that it follows for deciding whether assistance can be granted. These procedures are available on request from YMAC. However, in general terms, YMAC will assist a native title claim group where:

- The group's traditional country falls partially or wholly within either the Yamatji or Pilbara region;
- The group's claim is intended to be inclusive, so as to include all appropriate Aboriginal persons with native title rights or interests in the land or waters in question;
- The group's claim is representative, in that the applicants on the claim are appropriately authorised by the native title claimant group in question;
- Anthropological evidence demonstrates that the native title claimant group in question is the appropriate communal group to hold the native title;
- All available anthropological and historical evidence supports the validity of the claim;
- The preliminary legal view is to the effect that the claim has a likely prospect of success; and
- In circumstances where YMAC is already acting for another group claiming native title over the same or part of the same area, independent legal advice would be sought on the merits of the claim.

All grants of assistance are provided on certain terms and conditions. YMAC may withdraw assistance at its reasonable discretion for any breach of the conditions of assistance. These may vary from one native title claim to another depending on circumstances. Similarly, the kind of assistance that is provided may differ from claim to claim. Under no circumstances will assistance include any expenses already incurred where this is without the prior agreement in writing of YMAC. Any assistance granted is subject to the availability of YMAC's resources, YMAC's continuing assessment of the relative priorities of work, the terms of the Native Title Act, the grant conditions imposed on YMAC by FaHCSIA from time to time, the terms of any other relevant legislation and any other reasonable factor.

Completion of this application does not necessarily mean that assistance will be granted.



PART B – DETAILS OF APPLICATION FOR ASSISTANCE

1. PARTICULARS OF PERSON(S) APPLYING FOR ASSISTANCE

Name of person(s) applying for assistance:

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Name of group on whose behalf assistance is being requested:

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Has the group already lodged a native title claim or claims: Yes No

If yes, please attach the claims details in the form of a 'Register Extract'. This will be available free of charge from the National Native Title Tribunal.

2. ADDRESS FOR CORRESPONDENCE OF PERSON(S) APPLYING FOR ASSISTANCE

Address:

.....Post code:

Telephone:(Home)(Work)

.....(Mobile)(Other)

Fax:

Email:



3. PREVIOUS ADVICE YOU HAVE RECEIVED

Have you previously used a solicitor, or received advice or help with your claim from anyone?

Yes

No

If **YES**, complete the following:

If **NO** go to question 5.

SOLICITOR'S DETAILS:

Name:

Name of firm:

Address:
.....

Telephone: Fax:

CONSULTANT'S OR SUPPORTER'S DETAILS

Name:

Name of organisation:.....

Address:
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Telephone:Fax:

Please describe the assistance that has been provided:

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4. PREVIOUS FINANCIAL ASSISTANCE

Have you applied for, or been given, financial or other assistance, from any other person or organisation in relation to this claim (such as another native title representative body, ATSIC direct or a resource company)?

Yes

No

If **YES**, please provide details:

If **NO** go to question 6.

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Please attach a copy of any relevant documents.

5. CLAIM DETAILS

If you have lodged a native title claim, please describe in detail where your claim has reached within the native title process. *The National Native Title Tribunal may be of assistance to you in answering this question.*

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6. DETAILS OF PROPOSED CLAIM

Only complete this section if you have not yet lodged a native title claim.

Please specify the area that you wish to claim. Please be as specific as possible and attach maps if they are available. *The National Native Title Tribunal may be able to help you with mapping assistance.*

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7. OTHER CLAIMANTS

Are there any other Aboriginal people or groups that you know of who might have, or claim to have, native title rights or interests in the area you are claiming?

Yes

No

If **NO**, go to question 8.

If **YES**, have you discussed your claim with those people or groups? Please give details of your views on these other people or groups.

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Outline what action has been taken to ensure that your claim includes all the right people for the country in question.

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8. STATEMENT OF PERSON(S) SEEKING ASSISTANCE

- Before you sign this form are all questions in this form fully completed? Assistance may not be provided if you do not provide all the information requested. If space provided is insufficient, include additional material on a separate page and attach. Make sure all attachments are included.
- YMAC may seek your permission to reveal some or all of the information on the form to Government agencies in order to research your application. If there is any information you wish to remain confidential, please let us know, together with your reasons.

On completing the form you should send it, together with all attachments to:

Chief Executive Officer
Yamatji Marlpa Aboriginal Corporation
PO Box 3072 249 Hay Street
EAST PERTH WA 6892

I/We certify the information in this application is, to the best of my/our knowledge, complete true and correct. I/We understand that any omission or false statement made in this application may result in YMAC rejecting the application, refusing or withdrawing any assistance as the case may be.

I/We agree to YMAC making further enquiries about any statement, for the purposes of assessing this application.

I/We understand that by accepting and assessing this application, YMAC does not necessarily agree to provide assistance.

Person(s) seeking assistance to sign below.

..... (Name) (Signature) (Date)
..... (Name) (Signature) (Date)