



# Aboriginality Confirmation or Endorsement

## Policy and Procedure\*

*\*Current - reviewed by Board, June 2015, July 2017 and August 2021*



## **Contents**

<b>1 POLICY.....</b>	<b>3</b>
<b>2 ELIGIBLE APPLICANTS FOR ABORIGINALITY.....</b>	<b>3</b>
<b>3 APPLICATION FOR ABORIGINALITY.....</b>	<b>3</b>
<b>4 EVIDENCE.....</b>	<b>4</b>
<b>5 BOARD MEETING.....</b>	<b>6</b>
<b>6 RECORDS.....</b>	<b>6</b>
<b>7 APPLICATION FOR ABORIGINALITY FOR CHILDREN.....</b>	<b>7</b>
<b>8 REVIEW OF BOARD DECISIONS.....</b>	<b>7</b>
<b>9 CONFIDENTIALITY.....</b>	<b>7</b>
<b>10 REVIEW OF POLICY AND PROCEDURE.....</b>	<b>7</b>

## **Attachments**

<b>Attachment 1</b>	<b>Aboriginal organisations recognised by the association</b>
<b>Attachment 2</b>	<b>Aboriginality Application Form</b>
<b>Attachment 3</b>	<b>Aboriginality Application Form for Children</b>
<b>Attachment 4</b>	<b>Confirmation of Aboriginality Certificate</b>
<b>Attachment 5</b>	<b>Confirmation of Aboriginality Letter</b>
<b>Attachment 6</b>	<b>Endorsement of Aboriginality Letter</b>



## 1. Policy

Full Members\* of the Association who wish to have their Aboriginality confirmed or endorsed by the Association, may submit a Confirmation or Endorsement application to the Secretary. (*\*Full members of the Association must be over 18 years of age and have previously been granted membership by the Board of Willum Warrain*).

If sufficient proof of Aboriginality is provided to the Board, the Board may confirm Aboriginality on behalf of applicant Full members.

The Association may also endorse Aboriginal status which has been confirmed by other Aboriginal organisations. Attachment 1 lists some of the organisations that the Association recognises as being able to confirm Aboriginality. This is not an exhaustive list and the Board may recognise other Aboriginal associations from time to time as it sees fit. A Full Member who wishes to have the Board endorse their Aboriginal status (which has previously been confirmed by another Aboriginal organisation) should be an active member of the Association and therefore be known to other Association members.

To seek election to the Board at the Annual General Meeting, a person must be a Full Member of the Association and have had their Aboriginality confirmed or endorsed by the Board.

Full Members of the Association (who have previously had their Aboriginality confirmed or endorsed by the Board of Willum Warrain) may also wish to have the Aboriginality of their children confirmed by the Association, by submitting a Confirmation application to the Secretary.

## 2. Eligible applicants for Aboriginality

In the first instance, the Board will only consider applications to confirm or endorse Aboriginality from persons who are Full Members of the Association.

In addition, the Board will only consider applications to confirm or endorse Aboriginality from persons who are active members of the Gathering Place and therefore known by this community. Exemptions to this rule may apply for persons with special circumstance.

Full members, whose Aboriginality has been confirmed or endorsed by the Board, may subsequently apply on behalf of their children to obtain confirmation of Aboriginality certificates for their children.

## 3. Application for Aboriginality from a Full Member

The applicant shall provide to the Secretary:



- a completed copy of the Aboriginality Application Form (Attachment 2 is a copy of the form),
- proof of identity (100 point check),
- a Statutory Declaration stating that the applicant is an Aboriginal person and
- certified copies of the evidence detailed in 4.3 of this procedure.

The Secretary shall then make an agenda item for the Board to consider the application at the next ordinary Board meeting. The Secretary shall inform the applicant of the time, date and place of the Board meeting and invite the applicant to attend.

For the application to be successful the applicant must attend the Board meeting and answer any questions or clarify any information that will assist the Board to make a determination.

## **4. Evidence**

### **4.1 Proof of Identity (100 point check)**

Applicants shall provide personal identity documents that add up to a minimum of 100 points. The combination of documents supplied shall, as a minimum evidence the full name and date of birth of the applicant. All documents shall be copies that have been certified as being a true copy of the original by a person listed in Schedule 2 of the Statutory Declarations Regulations 1993 (Cth) and is available from <http://www.comlaw.gov.au> or by searching for “Statutory Declarations Regulations 1993”. Documents shall be selected from the list below.

If the name used to apply for Aboriginality is different from that shown on any of the personal identity documents, evidence of the name change shall be provided, for example a Marriage or Name Change Certificate issued by a State or Territory Registry of Births, Deaths and Marriages and Divorce papers issued by the Family Court. These documents shall be certified copies and do not count towards the 100 points.

To satisfy the 100 points, one primary document shall be provided or at least one secondary document which contains a photograph.

#### **Primary documents – 70 points**

- Birth Certificate,
- Australian passport (current or expired within the previous two years but not cancelled),



- Australian Citizenship Certificate,
- International passport (current or expired within the previous two years but not cancelled),
- Other document of identity which has the same characteristics as a passport for example a diplomatic document or documents issued to refugees ie photo or signature.

**Secondary documents – 40 points (must contain a photo and a name)**

- Current licence or permit (government issued),
- Working With Children/Teachers Registration Card,
- ASIC/MSIC Card,
- Public Employee Photo ID Card (government issued),
- Department of Veteran's Affairs Card,
- Centrelink Pensioner Concession Card or Health Care Card,
- Current Tertiary Education Institution Photo ID,
- Reference from a Doctor (must have known the applicant for a period of at least 12 months),

**Secondary documents – 25 points (must contain name and signature)**

- Foreign or international driver's Licence,
- Proof of Age card (Government issued),
- Medicare Card/Private Health Care Card,
- Council Rates Notice,
- Property Lease/Rental Agreement,
- Property Insurance Papers,
- Tax Declaration,
- Superannuation Statement,
- Seniors Card,
- Electoral Roll Declaration,
- Motor Vehicle Registration or Insurance Documents,
- Professional or Trade Association Card,
- Utility Bills (eg Telephone, Gas, Electricity, Water)
- Credit/Debit Card
- Bank Statement/Passbook but not from the same financial institution as the Credit/Debit Card



## **4.2 Proof of Aboriginality**

The Board will consider applications to confirm or endorse Aboriginality if the applicant provides a Statutory Declaration that they are an Aboriginal person.

In addition the applicant shall provide:

- legal documents which confirm Aboriginality issued by another Aboriginal organisation which is recognised by the Board, or
- the results of a DNA test which confirms Aboriginality.

If these documents are not available, the applicant shall submit and provide other evidence for the Board to consider such as:-

- A letter of support from an known Elder stating connection to their country;
- Government documentation attesting to Aboriginal descent;
- Evidence of apical bloodline to country (family tree), accompanied by birth certificate(s); and
- Self-identification and acceptance by a local Aboriginal community.

## **5. Board Meeting**

The Board shall then determine whether or not to confirm or endorse the Aboriginality of the applicant and pass a resolution to that effect.

## **6. Records**

The Secretary shall record this resolution in the minutes and ensure that membership records are updated accordingly. The Secretary shall then write to the applicant informing them of the Board's decision regarding confirmation or endorsement. If the application is confirmed, the Secretary shall also provide a Confirmation of Aboriginality Certificate, signed by the President, the Vice-President, the Secretary and the Treasurer if they are present at the meeting. If any of these officer bearers are absent other members of the Board who are present at the meeting may sign the Aboriginality Certificate. In any case, a minimum of four Board members shall sign the Aboriginality Certificate and the Certificate shall be stamped with the Common Seal of the Association. If the application is endorsed, a Confirmation of Aboriginality Certificate will not be required.

If the Board decides not to confirm or endorse Aboriginality, the Board may provide guidance on further evidence that needs to be provided.



## **7. Application for Aboriginality from a Full Member on behalf of their child/ children**

A Full Member who has had their Aboriginality confirmed or endorsed by the Board may apply on behalf of their children to obtain a Confirmation of Aboriginality for their children. The Board will require the applicant parent to supply an original birth certificate for each child to be sighted by the Board or a certified copy of the original birth certificate(s) demonstrating that they are the parent of the child for whom they are applying for a Confirmation of Aboriginality.

Where the surname of the parent applicant differs from the parent name on the birth certificate, certified evidence of the name change shall be provided to the Board as in 4.1. If this is not able to be provided, then a statutory declaration by the applicant parent stating that they are the parent of the child/children on whose behalf they are applying will suffice.

## **8. Review of Board decisions**

Where the Board has confirmed or endorsed Aboriginal status, such decisions will not be revisited unless the Board is provided with significant new evidence that may invalidate the member's Aboriginality or that of their children's.

## **9. Confidentiality**

All discussions and records pertaining to the confirmation or endorsement of Aboriginality applications shall be treated with utmost confidentiality due to the sensitive personal nature of the information contained in the applications.

## **10. Review of this Policy and Procedure**

This policy and procedure was reviewed by the Board three months after the AGM at the end of June 2015 and subsequently updated in July 2017 in relation to parental applications on behalf of their children and August 2021 in relation to eligible persons must be active members of the Gathering Place.



## Attachment 1

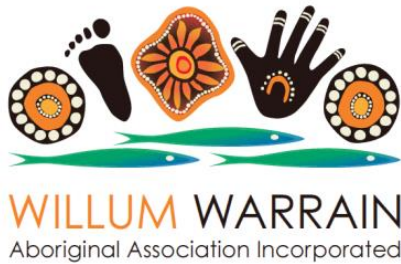
### Aboriginal organisations\* that are recognised by the Association

- Dandenong and District Aborigines Cooperative Limited
- Gunnai Kurnai Land and Waters Aboriginal Corporation
- Jawoyn Association Aboriginal Corporation
- Llaynhapuy Homelands Association
- Quandamooka Yoolooburrabee Aboriginal Corporation
- The Northern Land Council
- The Yamatji Marlpa Corporation
- Victorian Aboriginal Community Controlled Health Organisation
- Victorian Aboriginal Health Service
- Tasmanian Aboriginal Council

\* *indicative list only*



**Attachment 2**



**ABORIGINALITY APPLICATION FORM**

Prior to completing this form, applicants should carefully read the Association's "Aboriginality Confirmation or Endorsement Policy and Procedure".

I \_\_\_\_\_

[Full Name in BLOCK LETTERS]

Of \_\_\_\_\_

[Address in BLOCK LETTERS]

Home Phone \_\_\_\_\_ Mobile Phone \_\_\_\_\_

Email Address \_\_\_\_\_

Signature \_\_\_\_\_

wish to have my Aboriginality:-

[ ] Confirmed or [ ] Endorsed by the Board of the Association.

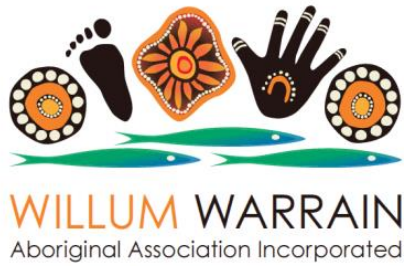
I am a Full Member of the Association and I provide the following:

- [ ] A Statutory Declaration stating that I am an Aboriginal person
- [ ] Proof of Identity documentation which totals at least 100 points
- [ ] legal documents which confirm Aboriginality issued by another Aboriginal organisation which is recognised by the Board
- [ ] DNA test results which confirms Aboriginality
- [ ] A letter of support from an Elder stating connection to country
- [ ] Government documentation attesting to Aboriginal descent
- [ ] Evidence of apical bloodline to country (family tree) accompanied by birth certificate(s)
- [ ] Self-identification and acceptance by a local Aboriginal community
- [ ] Other evidence \_\_\_\_\_

(List the other evidence)

Provide the completed copy of this form and the evidence in the form of certified copies to the Secretary of the Board.

**Attachment 3**



**CONFIRMATION OF ABORIGINALITY APPLICATION FORM BY FULL MEMBER ON BEHALF OF THEIR CHILD OR CHILDREN**

Prior to completing this form, applicants should carefully read the Association's "Aboriginality Confirmation or Endorsement Policy and Procedure".

I \_\_\_\_\_  
[Full Name in BLOCK LETTERS]

Of \_\_\_\_\_  
[Address in BLOCK LETTERS]

Home Phone \_\_\_\_\_ Mobile Phone \_\_\_\_\_

Email Address \_\_\_\_\_

Signature \_\_\_\_\_

wish to have the Aboriginality of my child/children (List full names of children in BLOCK LETTERS)

\_\_\_\_\_  
\_\_\_\_\_

Confirmed by the Board of the Association.

I am a Full Member of the Association whose has previously had my Aboriginality confirmed or endorsed by the Board of Willum Warrain and I provide the following in support of this application:-

Birth certicate(s), original or certified copies

Statutory declaration that I am the parent of the above listed child(ren)

Provide the completed copy of this form and the evidence in the form of certified copies to the Secretary of the Board.