



Australian Government
Attorney-General's Department

13/6190-04

30 April 2014

Director, Legislation and Documents
Senate Table Office
SG 25
PARLIAMENT HOUSE CANBERRA 2006

Dear Director, Legislation and Documents

Native Title (Assistance from Attorney-General) Amendment Guideline 2013 – Amendment to the Explanatory Statement

Please find enclosed an amended explanatory statement for the legislative instrument, the *Native Title (Assistance from Attorney-General) Amendment Guideline 2013*.

The *Native Title (Assistance from Attorney-General) Amendment Guideline 2013* [F2013L02084] was tabled in the Senate on 11 February 2014. This legislative instrument amends the *Native Title (Assistance from Attorney-General) Guideline 2012* eligibility requirements for legal financial assistance for native title respondents' legal representation costs, pursuant to section 213A of the *Native Title Act 1993*.

On 12 February 2014, the Senate Standing Committee on Regulations and Ordinances wrote to the Attorney-General's Senior Adviser seeking additional information on consultation undertaken prior to amending the legislative instrument. The Committee requested that the accompanying explanatory statement be updated.

The Attorney-General's Department has amended the explanatory statement to confirm that no specific consultation process was undertaken with relevant stakeholders prior to making amendments to the legislative instrument. The amendments reinstated the eligibility test for legal representation costs for native title respondents that was in place prior to 1 January 2013 and had wide stakeholder support. Given this, the department considered that the nature of the amendments were such that specific consultation was unnecessary, consistent with section 18 of the *Legislative Instruments Act 2003*.

If you have any queries, please contact the Financial Assistance Section on (02) 6141 4770.

Yours sincerely

Matt Minogue
A/g Deputy Secretary
Attorney-General's Department