



NTRB Legal Masterclass

A forum for experienced NTRB staff
focussing on legal issues in native title practice

2008

The Legal Masterclass will focus on specific aspects of law which NTRB/NTSP legal staff have identified as pivotal to their native title work. The Masterclass will enable experienced legal staff to further develop their knowledge through sharing their experiences and insights, whilst drawing upon the specialist expertise of a diverse range of facilitators and guest speakers.

The program

The program will cover the following topics:

Compensation for extinguishment or impairment of native title:

- principles and considerations involved in claims and negotiations
- the pros and cons of a test case and choosing the best test case
- does time start to run once it is determined that native title existed prior to the doing of the compensable act?

Taxation issues:

- tax treatment and appropriate legal entities for compensation payments
- business and investment income and appropriate legal entities
- tax issues for NTRBs and PBCs including PBI status and salary packaging.

Recent developments in native title law including:

- the impact of recent federal court cases on the application of ss 47A and 47B that may affect both the area over which native title will be recognized and the extent of recognition
- the implications of *Gudjala v Native Title Registrar* and a related decision on strike-out and the registration test and on the recently published NNTT Guide to the test
- the changing treatment of connection before the Full Court in *Larrakia, Bennell and Rubibi*.

Outcomes and potential next steps following the Federal Court Users' Group meeting in July 2008 in Adelaide – for example, should NTRB lawyers make a submission on legislative change in relation to legal issues?

A forum for discussion of burning issues, which could include:

- expert evidence and aboriginal evidence in proving native claims
- the impact of the *Blue Mud Bay* decision on native title sea rights
- what should be asked for in settlement negotiations, that is, what is being asked for and what are Governments likely to provide?

Program dates

The program runs from 9 to 11 September 2008. It will be held at Tranby Aboriginal College in Sydney.

Registration

To register please visit: www.auroraproject.com.au/Registrations.htm or email us at the address below.

Please register early – the workshop is restricted to 25 participants so places are limited. Please register now to ensure a place. We will contact you to confirm your enrolment in the program.

For further information please email learning@auroraproject.com.au or phone (02) 9385 9050.