



**TSRA**  
www.tsra.gov.au

## TORRES STRAIT NATIVE TITLE TRANSITION

### ABOUT THE TRANSITION

---

The TSRA was first recognised as the Native Title Representative Body (NTRB) in 1996 and has continuously been recognised as a NTRB for the past 26 years. The TSRA's recognition period ends on 30 June 2022.

The Hon Minister for Indigenous Australians Ken Wyatt MP and National Indigenous Australians Agency (NIAA), determined from 1 July 2022, GBK will be the Native Title Service Provider (NTSP).

As part of this arrangement:

- GBK and TSRA are working closely with the NIAA to transition the native title functions.
- TSRA are working with existing clients to seek permission to transfer all native title files to GBK and support the transition of active matters (including claims before Court, resolution of intramural disputes, land use agreements etc).
- The TSRA Native Title Office (NTO) will cease operation on 30 June 2022 with GBK commencing operations as a NTSP from 1 July 2022.

The transition aligns with GBK's, Registered Native Title Bodies Corporate's (PBCs) and native title holders' aspiration for greater self-determination.

### WHAT IS THE DIFFERENCE BETWEEN A NTRB AND NTSP

---

NTRBs are organisations recognised by the Minister and, except for the TSRA, are funded by the NIAA to assist native title claimants and native title holders to protect their native title rights and interests. The TSRA has used its own funding - totalling \$71 million since 1994-95 - to deliver native title services.

NTSPs are funded under the NIAA Program Funding Agreement to do the same work as NTRBs in areas where there is no NTRB. There are currently 15 NTRB/NTSPs in Australia (see map on Page 3).

Both NTRBs and NTSPs are responsible to assist Aboriginal and Torres Strait Islander people with all aspects of native title under the Native Title Act. Their functions include:

- **facilitation and assistance** (eg researching for, or preparing, a native title claim) under section 203BB
- **certification** (eg of Indigenous Land Use Agreements (ILUA)) under section 203BE
- **dispute resolution** (eg of intermural disputes) under section 203BF
- **notification** (of future act notices received by the NTRB/SP for native title holders) under section 203BG
- **agreement making** (eg support to negotiate an ILUA) under section 203BH
- **internal review** (of decisions made by the NTRB/SP that affect native title holders) under section 203BI
- **other functions** under section 203BJ.

For further information please contact **TSRA on 4069 0725** or **GBK on 0417 188 726**

[www.tsra.gov.au](http://www.tsra.gov.au)

[www.gbk.org.au](http://www.gbk.org.au)



## OUR REGION

Since the historic High Court *Mabo* decision on 3 June 1992, the Federal Court of Australia has made 28 native title determinations in the Torres Strait, covering nearly 100 islands, cays, islets (including 14 inhabited islands) and approximately 40,000km<sup>2</sup> of sea country.

There are 5 active native title claims in our region:

- QUD9/2019 Badulgal, Mualgal & Kaurareg Peoples (Warral & Ului)
- QUD27/2019 Torres Strait Regional Sea Claim Part B
- QUD26/2019 Kaurareg People #1
- QUD10/2019 Kaurareg People #2
- QUD24/2019 Kaurareg People #3

The region's 21 PBCs are responsible for holding, protecting and managing native title on behalf of native title (common law) holders. PBCs are required to fulfil their responsibilities under the *Native Title Act, Corporations (Aboriginal and Torres Strait Islanders) Act 2006 (Cth)*, *Native Title (Prescribed Body Corporate) Regulations 1999 (Cth)* and *Native Title (Indigenous Land Use Agreements) Regulations 1999 (Cth)*.

## ABOUT GBK

GBK is a not-for-profit organisation registered with the Office of the Registrar of Indigenous Corporations (ORIC) in 2012 to be a peak body of all PBCs in the Torres Strait. GBK was established to empower the native title holders and PBCs in our region to fulfil their responsibilities to hold and manage the sea and lands in accordance with Aboriginal lore and Ailan Kastom. GBK was established with the vision to become the native title service provider for the Torres Strait.

Since 2019, GBK has successfully delivered native title outcomes on behalf of the Traditional Owners and PBCs, including support for Indigenous Land Use Agreements, Dispute Resolution, and grant funding. During this time, GBK has built, and demonstrated, its capacity to become the lead entity to deliver culturally appropriate and a responsive native title service.

## SERVICES WILL TSRA PROVIDE FOLLOWING THE TRANSITION

The TSRA, an Australian Government Statutory Authority, will continue to provide the following programmes for Torres Strait Islander and Aboriginal people in the region following the transition:

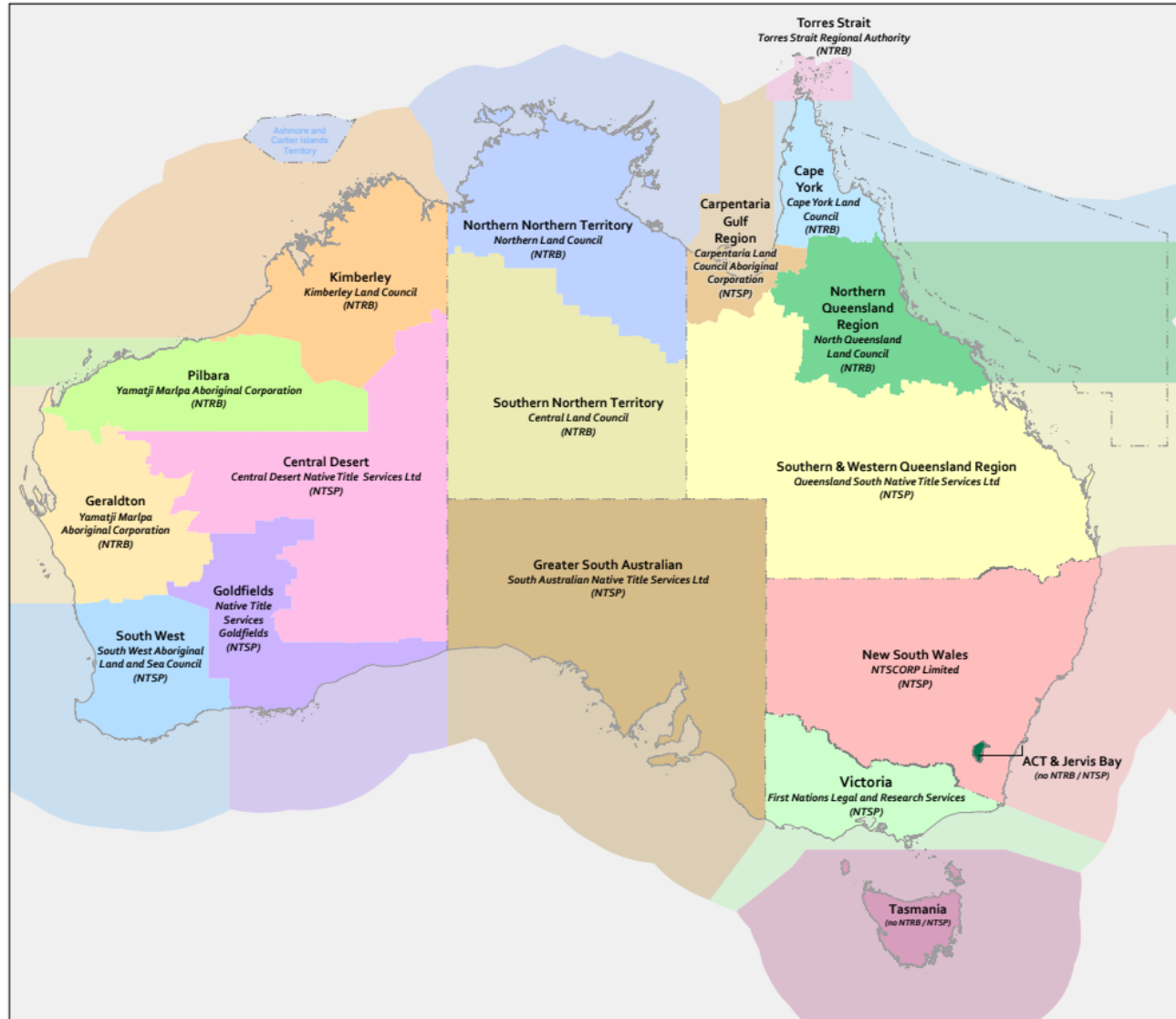
Economic Development	Environmental Management
Fisheries	Healthy Communities
Regional Infrastructure	Safe Communities
Culture, Arts and Heritage	Governance and Leadership

TSRA will also continue to provide support for PBCs to engage in environmental projects and create economic development opportunities.

For further information please contact **TSRA on 4069 0725** or **GBK on 0417 188 726**

[www.tsra.gov.au](http://www.tsra.gov.au) [www.gbk.org.au](http://www.gbk.org.au)

Map of Representative Aboriginal and Torres Strait Islander Body Areas as at 1 April 2022



National Native Title Tribunal  
Representative Aboriginal/Torres Strait Islander Body Areas  
As at 1 April 2022

**NTRB - Native Title Representative Body**  
Is recognised under section 203AD and funded under section 203FE of the Native Title Act.

**NTSP - Native Title Service Provider**  
Is funded under section 203FE of the Native Title Act and perform the same functions as a NTRB in areas where there is no NTRB.

Prepared by:  
Geospatial Services, National Native Title Tribunal 28/04/2022

Spacial data sourced from and used with permission of:  
Geoscience Australia, Australian Government. Reference to ACT also includes Jervis Bay Territory. © Commonwealth of Australia.

Does not depict external territories invitation area which includes Ashmore and Carter Islands, Christmas Island, Cocos (Keeling) Islands, Coral Sea Islands, the Territory of Heard and McDonald Islands, Norfolk Island and together with the Australian Antarctic Territory (no recognised body or service provider).

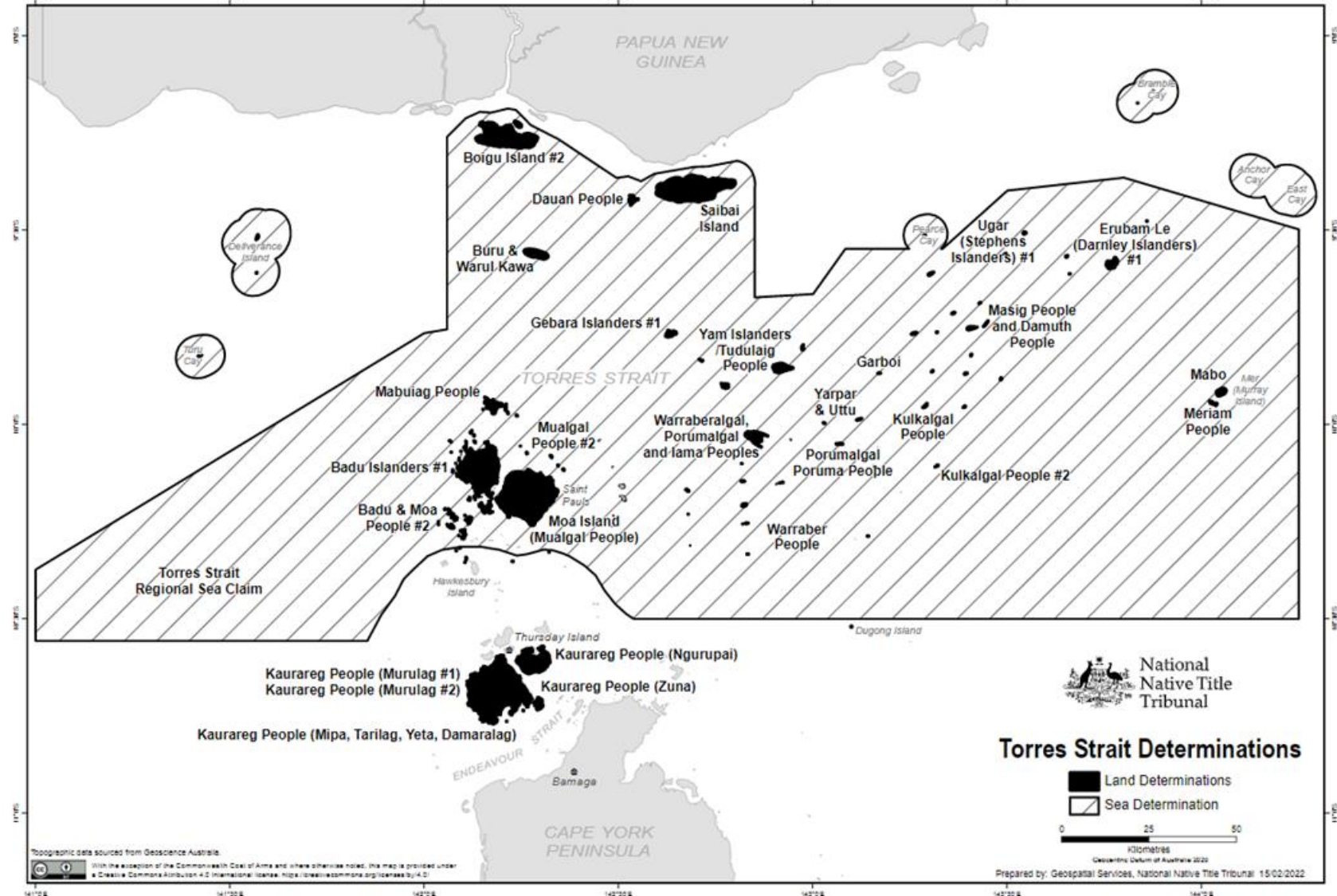
With the exception of the Commonwealth Coat of Arms and where otherwise noted, this map is provided under a Creative Commons Attribution 4.0 International license:  
<https://creativecommons.org/licenses/by/4.0/>

While the National Native Title Tribunal (NNTT) and the Native Title Registrar (Registrar) have exercised due care in ensuring the accuracy of the information provided, it is provided for general information only and on the understanding that neither the NNTT, the Registrar nor the Commonwealth of Australia is providing professional advice. Appropriate professional advice relevant to your circumstances should be sought rather than relying on the information provided. In addition, you must exercise your own judgment and carefully evaluate the information provided for accuracy, currency, completeness and relevance for the purpose for which it is to be used. The information provided is often supplied by, or based on, data and information from external sources, therefore the NNTT and Registrar cannot guarantee that the information is accurate or up-to-date. The NNTT and Registrar expressly disclaim any liability arising from the use of this information. This information should not be relied upon in relation to any matters associated with cultural heritage.

For further information please contact TSRA on 4069 0725 or GBK on 0417 188 726

[www.tsra.gov.au](http://www.tsra.gov.au) [www.gbk.org.au](http://www.gbk.org.au)

### Map of Torres Strait Determinations



For further information please contact TSRA on 4069 0725 or GBK on 0417 188 726

[www.tsra.gov.au](http://www.tsra.gov.au) [www.gbk.org.au](http://www.gbk.org.au)