

NATIONAL NATIVE TITLE  
TRIBUNAL



## Section 1: Overview, appropriations and budget measures summary

### **OVERVIEW**

The role of the National Native Title Tribunal (NNTT) is to facilitate the recognition and protection of native title in accordance with the requirements of the *Native Title Act 1993*. The NNTT's performance is measured by outputs that are directly derived from the processes and obligations set out in the Act.

The NNTT is a national provider of registration, notification, mediation and arbitration services and related assistance and information for people in the Australian community involved in the resolution of native title issues.

The NNTT applies a stringent registration test to native title applications; mediates native title applications under the supervision of the Federal Court; and assists in new areas of agreement-making in relation to native title. The Act allows for the negotiation and registration of indigenous land use agreements as an alternative to future act processes and for other purposes. The NNTT facilitates these agreements where parties wish to engage its services.

### **APPROPRIATIONS**

The total appropriation for the NNTT in the 2002–03 Budget is \$33.484m. Table 1.1 shows appropriations (2002–03) and other revenue by outcome.

### **ADMINISTERED CAPITAL AND DEPARTMENTAL EQUITY INJECTIONS AND LOANS**

The NNTT does not have an appropriation for an equity injection or loan or an appropriation for administered capital.

## National Native Title Tribunal — Appropriations 2002- 03

**Table 1.1: Appropriations and other revenue (\$'000)**

Outcome	Departmental (price of outputs)					Administered			Total appropriations	
	Revenue from government (appropriations)			Revenue from other sources	Price of outputs	Annual appropriations	Special approps	Total administered appropriations		
	Bill 1	Special approps	Total			Bill 1	Bill 2 (SPPs & NAOs)			
	(A)	(B)	(C=A+B)	(D)	(E=C+D)	(F)	(G)	(H)	(I=F+G+H)	(J=C+I)
Recognition and protection of native title	33,484	-	33,484 99.4%	213	33,697	-	-	-	-	33,484
<b>Total</b>	<b>33,484</b>	<b>-</b>	<b>33,484</b>	<b>213</b>	<b>33,697</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>33,484</b>
Non-operating: equity injections, loans and previous years' outputs									-	
Administered assets and liabilities									-	
<b>Total appropriations</b>									<b>33,484</b>	

Notes:

- Columns C, D, E and I refer to information provided in Table 2.1.1.
- Under the appropriation structure, Bill 2 includes appropriations for Specific Purpose Payments (SPPs), New Agency Outcomes (NAOs), administered assets and liabilities and equity injections, loans and previous years' outputs.
- Refer to Budgeted Departmental Statement of Financial Performance for application of agency revenue.
- Revenue from other sources includes other revenue from government (eg resources free of charge) and revenue from other sources (eg sales of goods and services). Non-appropriated departmental and administered revenues are detailed in Appendix 1.
- 99.4% in column C indicates the percentage contribution of revenue from government (departmental appropriations) to the total price of outputs, by outcome.

## Section 2: Outcomes and outputs information

### **OUTCOMES AND OUTPUT GROUPS**

The National Native Title Tribunal (NNTT) has one outcome:

*Recognition and protection of Native Title*

There are four output groups with outputs for the NNTT's outcome:

*1.1 Registration*

- Claimant applications
- Native title determinations
- Indigenous land use agreements

*1.2 Agreement-making*

- Indigenous land use and access
- Claimant, non-claimant and compensation
- Future act

*1.3 Arbitration*

- Future act determinations
- Objections to the expedited procedure

*1.4 Assistance, notification and reporting*

- Assistance to applicants and other persons
- Notification
- Reports to Federal Court

Financial detail and non-financial information is provided as follows:

- Map 2.1 - details outcome and output resourcing and illustrates the relationship between the outcome and contributing outputs.
- Table 2.1.1 - details financial information for outcome 1.
- Table 2.2.1 - description of outputs.
- Table 2.3.1 - performance information for outcome 1.

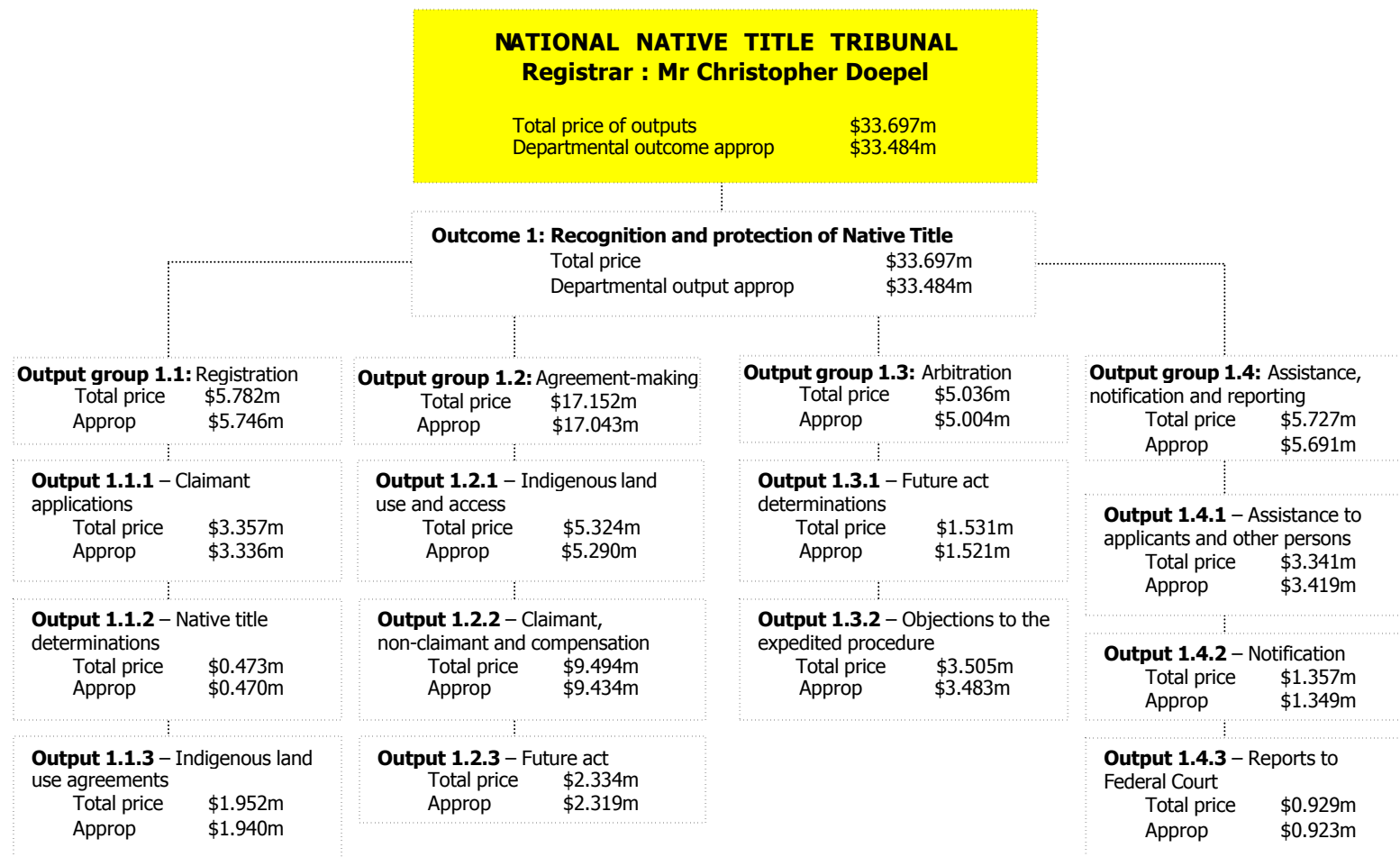
## **CHANGES TO OUTCOMES AND OUTPUTS**

The NNTT has retained, without amendment, its single outcome statement.

However, the description for output 1.4.1 has been changed to clarify the particular nature of the service being provided by the NNTT. Statements describing 'items' and 'descriptions' have been changed to better account for the services delivered (Tables 2.2.1 and 2.3.1 refer).

**Map 2.1: Outcome and output groups**

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Note:

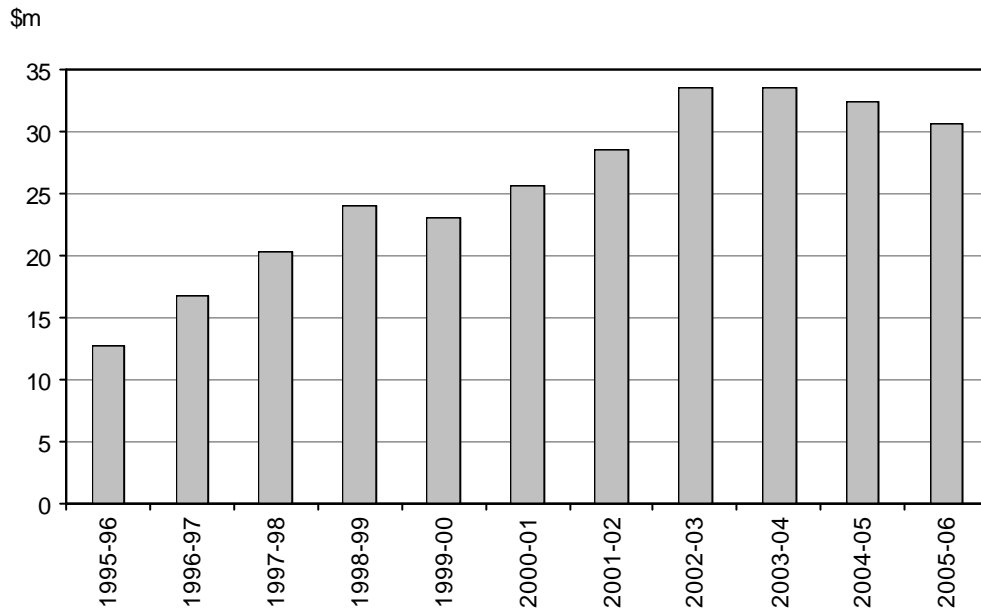
Revenue from government (appropriations) contributes 99.4 per cent to the total price of outputs for outcome 1 for 2002–03.

## OUTCOME 1 — RECOGNITION AND PROTECTION OF NATIVE TITLE

The relative balance of activity between the output groups is changing, resulting in a shift in levels of resources required for the various output groups. This activity generates higher budget requirements in the two years 2002–04, and a decline in the three years 2003–06.

Graph 2.1 shows the annual operating costs of the NNTT up to the end of 2000–01 and the forward estimate appropriations for future years.

**Graph 2.1 Annual Operating Expenses/Appropriations**



## OUTCOME 1 — RESOURCING

Table 2.1.1 shows how the 2002–03 appropriations translate to total resourcing for the NNTT for outcome 1: revenue from government (appropriations), revenue from other sources and the total price of the outputs.

**Table 2.1.1: Total resources for outcome 1 (\$'000)**

	<b>Estimated Actual 2001–02 (\$'000)</b>	<b>Budget Estimate 2002–03 \$'000)</b>
<b>DEPARTMENTAL APPROPRIATIONS</b>		
<b>Output group 1.1 – Registrations</b>		
Output 1.1.1 – Claimant applications	2,558	3,336
Output 1.1.2 – Native title determinations	228	470
Output 1.1.3 – Indigenous land use agreements	1,349	1,940
<b>Subtotal output group 1.1</b>	<b>4,135</b>	<b>5,746</b>
<b>Output group 1.2 – Agreement-making</b>		
Output 1.2.1 – Indigenous land use and access	4,120	5,290
Output 1.2.2 – Claimant, non-claimant and compensation	6,867	9,434
Output 1.2.3 – Future act	3,090	2,319
<b>Subtotal output group 1.2</b>	<b>14,077</b>	<b>17,043</b>
<b>Output group 1.3 – Arbitration</b>		
Output 1.3.1 – Future act determinations	1,867	1,521
Output 1.3.2 – Objections to the expedited procedure	2,789	3,483
<b>Subtotal output group 1.3</b>	<b>4,656</b>	<b>5,004</b>
<b>Output group 1.4 – Assistance, notification and reporting</b>		
Output 1.4.1 – Assistance to applicants and other persons	3,291	3,419
Output 1.4.2 – Notification	1,159	1,349
Output 1.4.3 – Reports to Federal Court	1,175	923
<b>Subtotal output group 1.4</b>	<b>5,625</b>	<b>5,691</b>
<b>Total revenue from government (appropriations)</b>	<b>28,493</b>	<b>33,484</b>
<b>contributing to price of departmental outputs</b>	<b>99.3%</b>	<b>99.4%</b>
<b>REVENUE FROM OTHER SOURCES</b>		
Output 1.1.1 – Claimant applications	19	21
Output 1.1.2 – Native title determinations	2	3
Output 1.1.3 – Indigenous land use agreements	10	12
Output 1.2.1 – Indigenous land use and access	31	34
Output 1.2.2 – Claimant, non-claimant and compensation	51	60
Output 1.2.3 – Future act	23	15
Output 1.3.1 – Future act determinations	14	10
Output 1.3.2 – Objections to the expedited procedure	21	22
Output 1.4.1 – Assistance to applicants and other persons	24	22
Output 1.4.2 – Notification	9	8
Output 1.4.3 – Reports to Federal Court	9	6
<b>Total revenue from other sources</b>	<b>213</b>	<b>213</b>
<b>Total price of departmental outputs</b> (Total revenue from government and other sources)	<b>28,706</b>	<b>33,697</b>
<b>Total estimated resourcing for outcome 1</b> (Total price of outputs and administered expenses)	<b>28,706</b>	<b>33,697</b>
<b>AVERAGE STAFFING LEVEL</b>	250	255

## **OUTCOME 1 — PERFORMANCE INFORMATION**

### **Registration**

Registration relates to the maintenance of various registers and the processes leading to registration. The Native Title Registrar is responsible for the Register of Native Title Claims, the National Native Title Register and the Register of Indigenous Land Use Agreements. In administering the Register of Native Title Claims, the Registrar and delegated decision makers apply a statutory registration test to each application for a determination that native title exists.

### **Agreement-making**

NNTT Members must mediate applications for determination of native title and compensation that are referred to the NNTT by the Federal Court. The NNTT assists parties to reach agreements about native title and compensation. Parties wishing to reach agreement about certain future acts affecting native title request the NNTT to mediate. Similarly, parties wishing to make an indigenous land use agreement or statutory access agreement can request the NNTT to assist them in negotiating the agreement.

### **Arbitration**

The NNTT arbitrates in relation to certain types of future acts where the parties do not reach agreement.

### **Assistance, notification and reporting**

Under the Act, the NNTT assists applicants and other persons with preparation of applications by:

- providing maps, Register and tenure information;
- providing information about native title and agreement-making processes and research reports;
- conducting seminars and workshops; and
- undertaking collaborative projects.

The NNTT must notify people or bodies whose interests may be affected by each native title application. It does so by way of advertisements and notices to individual holders of a registered property interest in land or waters affected by a native title application.

Table 2.2.1 lists the NNTT's outputs in their output groups with a description of each output.

**Table 2.2.1 Description of outputs**

Outputs	Items	Description
<b>Group 1.1: Registration</b> 1.1.1: Claimant applications 1.1.2: Native title determinations 1.1.3: Indigenous land use agreements	Decisions Registrations Decisions	Number of decisions made Number of native title determinations registered Decisions made on applications for registration of indigenous land use agreements (including compliance checking and mediation of, or inquiry into, objections)
<b>Group 1.2: Agreement-making</b> 1.2.1: Indigenous land use and access 1.2.2: Claimant, non-claimant and compensation 1.2.3: Future Act	Agreements Agreements Agreements	Indigenous land use agreements and other agreements negotiated with the assistance of the NNTT Agreements that resolve or partly resolve the application where the NNTT has assisted Agreements negotiated with the assistance of the NNTT that resolve or partly resolve applications (s.31 and s.150 matters)
<b>Group 1.3: Arbitration</b> 1.3.1: Future act determinations 1.3.2: Objections to the expedited procedure	Determinations Objections	Decisions made by the NNTT that a proposed act may or may not proceed Objections finalised
<b>Group 1.4: Assistance, notification and reporting</b> 1.4.1: Assistance to applicants and other persons	Events	Research reports for parties in agreement-making, collaborative projects, educational programmes such as seminars and workshops and production of discussion papers, library catalogues, fact sheets, newsletters and other publications.
1.4.2: Notification	Contacts Applications advertised Notification letters	Telephone discussions, correspondence and media statements providing information on native title processes and agreement-making; spatial descriptions, maps, searches against the registers; other assistance with preparation of applications and agreements. Applications advertised in newspapers and peak body publications in an area affected by a native title determination application, non-claimant application, compensation application or application to register an ILUA Written notice to individuals or bodies in an area affected by a native title determination application, non-claimant application, compensation application or an application to register an ILUA
1.4.3: Reports to the Federal Court	Reports	Mediation and status reports to the Federal Court

Table 2.3.1 provides information on the strategies chosen to deliver outcome 1, and shows the links between the outputs and the outcome.

**Table 2.3.1 Performance information for outcome 1**

<b>Effectiveness — overall achievement of the outcome</b>	
Agreements that recognise and protect native title	
<b>Performance information for departmental outputs</b>	
Output description	Performance measure
<b>Output group 1.1:</b> Registration	
Output 1.1.1: Claimant applications	Price: \$17,396 per decision Quality: 70% decided within two months of receipt from Federal Court Quantity: 193 decisions
Output 1.1.2: Native title determinations	Price: \$14,767 per determination Quality: 80% registered within two working days from receipt of notice Quantity: 32 determinations
Output 1.1.3: Indigenous land use agreements	Price: \$25,349 per decision Quality: 70% registered within six months (including 3 month notification period) where no objection lodged Quantity: 77 processed
<b>Output group 1.2:</b> Agreement-making	
Output 1.2.1: Indigenous land use and access	Price: \$106,466 per agreement Quality: Level of client satisfaction Quantity: 50 agreements
Output 1.2.2: Claimant, non-claimant and compensation	Price: \$88,727 per agreement Quality: Level of client satisfaction Quantity: 107 agreements
Output 1.2.3: Future act	Price: \$40,948 per mediation Quality: 70% of mediations concluded within eight months Quantity: 57 mediations

**Table 2.3.1 Performance information for outcome 1 (continued)**

Output description	Performance measure
<p><b>Output group 1.3:</b> Arbitration</p> <p>Output 1.3.1: Future act determinations</p> <p>Output 1.3.2: Objections to the expedited procedure</p>	<p>Price: \$66,540 per determination</p> <p>Quality: 70% determined within six months from application</p> <p>Quantity: 23 determinations</p> <p>Price: \$4,118 per objection finalised</p> <p>Quality: 80% determined within two months from application</p> <p>Quantity: 851 objections processed</p>
<p><b>Output group 1.4:</b> Assistance, notification and reporting</p> <p>Output 1.4.1: Assistance to applicants and other persons</p> <p>Output 1.4.2: Notification</p> <p>Output 1.4.3: Reports to Federal Court</p>	<p>Price: \$10,000 per event; \$205 per contact</p> <p>Quality: Level of client satisfaction</p> <p>Quantity: 55 events; 14,100 contacts</p> <p>Price: \$2,702 per application advertised; \$43 per notification letter</p> <p>Quality: Renotification (full or partial) necessary in less than 5% of applications</p> <p>Quantity: 190 applications advertised; 19,600 notification letters</p> <p>Price: \$1,313 per report</p> <p>Quality: 95% provided within timeframe set by Federal Court</p> <p>Quantity: 707 mediation and status reports</p>

**EVALUATIONS**

The NNTT will further develop and review its performance measurement and evaluation. Client surveys will assess satisfaction within the qualitative performance measures.

## Section 3: Budgeted Financial Statements

**Table 3.1: Budgeted Departmental Statement of Financial Performance for the period ended 30 June**

	Estimated Actual 2001–02 \$'000	Budget Estimate 2002–03 \$'000	Forward Estimate 2003–04 \$'000	Forward Estimate 2004–05 \$'000	Forward Estimate 2005–06 \$'000
<b>Revenues from ordinary activities</b>					
Revenues from government	28,493	33,484	33,516	32,386	30,523
Sales of goods and services	80	80	80	80	80
Interest	120	120	125	125	130
Other	13	13	13	13	13
<b>Total revenues from ordinary activities</b>	<b>28,706</b>	<b>33,697</b>	<b>33,734</b>	<b>32,604</b>	<b>30,746</b>
<b>Expenses from ordinary activities (excluding borrowing costs expense)</b>					
Employees	16,300	18,200	18,300	17,600	16,000
Suppliers	11,534	14,727	14,745	14,626	14,499
Grants	-	-	-	-	-
Depreciation and amortisation	752	620	539	228	97
Write-down of assets	-	-	-	-	-
<b>Total expenses from ordinary activities (excluding borrowing costs expense)</b>	<b>28,586</b>	<b>33,547</b>	<b>33,584</b>	<b>32,454</b>	<b>30,596</b>
<b>Net surplus or (deficit) from ordinary activities</b>	120	150	150	150	150
Gain or loss on extraordinary items	-	-	-	-	-
<b>Net surplus or (deficit)</b>	120	150	150	150	150
Capital use charge and dividends	(120)	(150)	(150)	(150)	(150)
<b>Net surplus or (deficit) after capital use charge</b>	-	-	-	-	-

**Table 3.2: Budgeted Departmental Statement of Financial Position  
as at 30 June**

	<b>Estimated Actual 2001–02 \$'000</b>	<b>Budget Estimate 2002–03 \$'000</b>	<b>Forward Estimate 2003–04 \$'000</b>	<b>Forward Estimate 2004–05 \$'000</b>	<b>Forward Estimate 2005–06 \$'000</b>
<b>ASSETS</b>					
<b>Financial assets</b>					
Cash	2,882	3,147	2,880	3,158	3,304
Receivables	240	245	245	240	235
Accrued revenues	30	30	31	31	32
<b>Total financial assets</b>	<b>3,152</b>	<b>3,422</b>	<b>3,156</b>	<b>3,429</b>	<b>3,571</b>
<b>Non-financial assets</b>					
Land and buildings	825	716	365	209	168
Infrastructure, plant and equipment	421	414	426	454	498
Intangibles	4	-	-	-	-
Other	1,010	1,015	1,020	1,020	1,020
<b>Total non-financial assets</b>	<b>2,260</b>	<b>2,145</b>	<b>1,811</b>	<b>1,683</b>	<b>1,686</b>
<b>Total assets</b>	<b>5,412</b>	<b>5,567</b>	<b>4,967</b>	<b>5,112</b>	<b>5,257</b>
<b>LIABILITIES</b>					
<b>Provisions and payables</b>					
Employees	3,045	3,195	2,595	2,745	2,895
Suppliers	425	430	430	425	420
<b>Total provisions and payables</b>	<b>3,470</b>	<b>3,625</b>	<b>3,025</b>	<b>3,170</b>	<b>3,315</b>
<b>Total liabilities</b>	<b>3,470</b>	<b>3,625</b>	<b>3,025</b>	<b>3,170</b>	<b>3,315</b>
<b>EQUITY</b>					
Capital	2,415	2,415	2,415	2,415	2,415
Accumulated surpluses or deficits	(473)	(473)	(473)	(473)	(473)
<b>Total equity</b>	<b>1,942</b>	<b>1,942</b>	<b>1,942</b>	<b>1,942</b>	<b>1,942</b>
<b>Liabilities and equity</b>	<b>5,412</b>	<b>5,567</b>	<b>4,967</b>	<b>5,112</b>	<b>5,257</b>

**Table 3.3: Budgeted Departmental Statement of Cash Flows for the period ended 30 June**

	Estimated Actual 2001–02 \$'000	Budget Estimate 2002–03 \$'000	Forward Estimate 2003–04 \$'000	Forward Estimate 2004–05 \$'000	Forward Estimate 2005–06 \$'000
<b>OPERATING ACTIVITIES</b>					
<b>Cash received</b>					
Appropriations for outputs	28,493	33,484	33,516	32,386	30,523
Sales of goods and services	73	75	80	85	85
Interest	98	120	124	125	129
<b>Total cash received</b>	<b>28,664</b>	<b>33,679</b>	<b>33,720</b>	<b>32,596</b>	<b>30,737</b>
<b>Cash used</b>					
Employees	16,200	18,050	18,900	17,450	15,850
Suppliers	11,504	14,714	14,737	14,618	14,491
<b>Total cash used</b>	<b>27,704</b>	<b>32,764</b>	<b>33,637</b>	<b>32,068</b>	<b>30,341</b>
<b>Net cash from operating activities</b>	<b>960</b>	<b>915</b>	<b>83</b>	<b>528</b>	<b>396</b>
<b>INVESTING ACTIVITIES</b>					
<b>Cash used</b>					
Purchase of property, plant and equipment	694	500	200	100	100
<b>Total cash used</b>	<b>694</b>	<b>500</b>	<b>200</b>	<b>100</b>	<b>100</b>
<b>Net cash from investing activities</b>	<b>(694)</b>	<b>(500)</b>	<b>(200)</b>	<b>(100)</b>	<b>(100)</b>
<b>FINANCING ACTIVITIES</b>					
<b>Cash used</b>					
Capital use and dividends paid	120	150	150	150	150
<b>Total cash used</b>	<b>120</b>	<b>150</b>	<b>150</b>	<b>150</b>	<b>150</b>
<b>Net cash from financing activities</b>	<b>(120)</b>	<b>(150)</b>	<b>(150)</b>	<b>(150)</b>	<b>(150)</b>
<b>Net increase in cash held</b>	<b>146</b>	<b>265</b>	<b>(267)</b>	<b>278</b>	<b>146</b>
Cash at the beginning of the reporting period	2,736	2,882	3,147	2,880	3,158
<b>Cash at the end of the reporting period</b>	<b>2,882</b>	<b>3,147</b>	<b>2,880</b>	<b>3,158</b>	<b>3,304</b>

Table 3.4: Departmental Capital Budget Statement

	Estimated Actual 2001–02 \$'000	Budget Estimate 2002–03 \$'000	Forward Estimate 2003–04 \$'000	Forward Estimate 2004–05 \$'000	Forward Estimate 2005–06 \$'000
<b>CAPITAL APPROPRIATIONS</b>					
Total equity injections	-	-	-	-	-
Total loans	-	-	-	-	-
<b>Represented by:</b>					
Purchase of non-financial assets	-	-	-	-	-
Other	-	-	-	-	-
<b>Total</b>	-	-	-	-	-
<b>PURCHASE OF NON-FINANCIAL ASSETS</b>					
Funded by capital appropriations	-	-	-	-	-
Funded internally by departmental resources	694	500	200	100	100
<b>Total</b>	<b>694</b>	<b>500</b>	<b>200</b>	<b>100</b>	<b>100</b>

**Table 3.5: Departmental Non-financial Assets — Summary of Movement (Budget Year 2002- 03)**

	Land	Buildings	Total land and buildings	Other infrastructure plant and equipment	Total infrastructure plant and equipment	Intangibles	Total
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Carrying amount at the start of year	-	825	825	421	421	4	1,250
Additions	-	400	400	100	100	-	500
Disposals	-	-	-	-	-	-	-
Revaluation increments	-	-	-	-	-	-	-
Recoverable amount write-downs	-	-	-	-	-	-	-
Net transfers free of charge	-	-	-	-	-	-	-
Depreciation/amortisation expenses	-	509	509	107	107	4	620
Write-off of assets	-	-	-	-	-	-	-
Carrying amount at the end of year	-	716	716	414	414	-	1130
<b>Total Additions</b>							
Self funded	-	400	400	100	100	-	500
Appropriations	-	-	-	-	-	-	-
<b>Total</b>	<b>-</b>	<b>400</b>	<b>400</b>	<b>100</b>	<b>100</b>	<b>-</b>	<b>500</b>

**APPENDIX 1****Receipts from Independent Sources**

	<b>Estimated Revenue 2001–02 \$'000</b>	<b>Estimated Revenue 2002–03 \$'000</b>
<b>DEPARTMENTAL REVENUE</b>		
Sales of goods and services	80	80
Interest	120	120
Resources received free of charge	13	13
<b>Total Estimated Departmental Revenue</b>	<b>213</b>	<b>213</b>

