

South Australia

# First Nations Voice Regulations 2023

under the *First Nations Voice Act 2023*

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### 1—Short title

These regulations may be cited as the *First Nations Voice Regulations 2023*.

### 2—Commencement

These regulations come into operation on the day on which section 9 of the *First Nations Voice Act 2023* comes into operation.

### 3—Interpretation

In these regulations—

*Act* means the *First Nations Voice Act 2023*.

### 4—Regions

- (1) For the purposes of section 9(2)(a) of the Act, each region for the purposes of the Act consists of the area or areas delineated as the region in the plan lodged in the General Registry Office as GRO Plan No 15/2023 from time to time.
- (2) For the purposes of Schedule 2 clause 3(1)(b) of the Act, the regions are assigned the following names:
  - (a) in the case of the region marked "Region 1" in GRO Plan No 15/2023—Central;
  - (b) in the case of the region marked "Region 2" in GRO Plan No 15/2023—Far North;
  - (c) in the case of the region marked "Region 3" in GRO Plan No 15/2023—Flinders and Upper North;
  - (d) in the case of the region marked "Region 4" in GRO Plan No 15/2023—Riverland and South East;

- (e) in the case of the region marked "Region 5" in GRO Plan No 15/2023—West and West Coast;
- (f) in the case of the region marked "Region 6" in GRO Plan No 15/2023—Yorke and Mid-North.

## 5—Composition of Local First Nations Voices

For the purposes of section 11 of the Act, a Local First Nations Voice consists of—

- (a) in the case of the Local First Nations Voice in respect of the Central region—11 members; and
- (b) in any other case—7 members.

## 6—Native title bodies

For the purposes of section 33(2) of the Act, the following native title bodies incorporated under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* of the Commonwealth are prescribed:

- (a) the Adnyamathanha Traditional Lands Association (Aboriginal Corporation) RNTBC;
- (b) the Antakirinja Matu-Yankunytjatjara Aboriginal Corporation RNTBC;
- (c) the Arabana Aboriginal Corporation RNTBC;
- (d) the Barngarla Determination Aboriginal Corporation RNTBC;
- (e) the De Rose Hill-Ilpalka Aboriginal Corporation RNTBC;
- (f) The Dieri Aboriginal Corporation RNTBC;
- (g) the Far West Coast Aboriginal Corporation RNTBC;
- (h) the Gawler Ranges Aboriginal Corporation RNTBC;
- (i) the Irrwanyere Aboriginal Corporation RNTBC;
- (j) the Kaurna Yerta Aboriginal Corporation RNTBC;
- (k) the Kokatha Aboriginal Corporation RNTBC;
- (l) the Narungga Nation Aboriginal Corporation;
- (m) the Nauo Aboriginal Corporation;
- (n) the Ngadjuri Adnyamathanha Wilyakali Native Title Aboriginal Corporation RNTBC;
- (o) the Ngarrindjeri Aboriginal Corporation RNTBC;
- (p) the Nukunu Wapma Thura (Aboriginal Corporation) RNTBC;
- (q) The River Murray and Mallee Aboriginal Corporation RNTBC;
- (r) the Tjajuwara Unmurru Aboriginal Corporation RNTBC;
- (s) the Walka Wani Aboriginal Corporation RNTBC;
- (t) the Wangkangurru Yarluyandi Aboriginal Corporation RNTBC;
- (u) the Wilyakali Aboriginal Corporation;
- (v) the Wirangu Aboriginal Corporation;

- (w) the Wirangu and Nauo Aboriginal Corporation;
- (x) the Yandruwandha Yawarrawarrka Traditional Land Owners (Aboriginal Corporation) RNTBC;
- (y) the Yankunytjatjara Native Title Aboriginal Corporation RNTBC.

#### **7—Amount as security for costs**

For the purposes of Schedule 1 clause 21(1)(f) of the Act, the prescribed amount is \$200.

#### **8—Transitional provision—consultation with Local First Nations Voices**

Consultation with Local First Nations Voices required under section 48 of the Act will occur within 6 months after the first election of members of Local First Nations Voices after the commencement of Schedule 2 clause 3 of the Act.

#### **9—Transitional provision—first meeting of Local First Nations Voices**

The following provisions apply to the first meeting of each Local First Nations Voice after the commencement of this regulation:

- (a) the meeting must occur—
  - (i) within 2 months after the first election of members of the Local First Nations Voice after the commencement of Schedule 2 clause 3 of the Act; or
  - (ii) if the first election of members of the Local First Nations Voice after the commencement of Schedule 2 clause 3 of the Act fails and the Minister requires a supplementary election to be held in relation to the Local First Nations Voice, within 2 months after the supplementary election;
- (b) joint presiding members of the Local First Nations Voice must be elected at the meeting;
- (c) a member chosen by the members present at the meeting will preside until joint presiding members are elected.

#### **10—Transitional provision—meetings in year of first election**

The following provisions apply in respect of the calendar year in which the first election of members of Local First Nations Voices after the commencement of Schedule 2 clause 3 of the Act occurs (the *relevant year*):

- (a) a Local First Nations Voice need not comply with the requirement in section 16(2) of the Act to meet not less than 4 times in the relevant year;
- (b) the State First Nations Voice need not comply with the requirement in section 22(1) of the Act to convene, at least once in the relevant year, a meeting of all Local First Nations Voices;
- (c) the State First Nations Voice need not comply with the requirement in section 29(2) of the Act to meet not less than 4 times in the relevant year;
- (d) the requirement in section 43(1) of the Act for the State First Nations Voice and the Cabinet to meet at least twice in the relevant year need not be complied with;

- (e) the Premier need not comply with the requirement in section 45(1) of the Act to cause a Chief Executive's briefing to be held at least twice in the relevant year;
- (f) the Premier need not comply with the requirement in section 46(1) of the Act to cause an engagement hearing to be held in the relevant year.

**Editorial note—**

As required by section 10AA(2) of the *Legislative Instruments Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

on the recommendation of the Minister and with the advice and consent of the Executive Council

on 11 May 2023

No 29 of 2023