



Attachment 1.

ABORIGINAL AFFAIRS COORDINATING COMMITTEE

Terms of Reference

(Adopted 27 May 2020)

1. DEFINITIONS

In this Terms of Reference:

“Act” means the *Aboriginal Affairs Planning Authority Act 1972*.

“Chairman” means the Director General of the Department of the Premier and Cabinet¹

“Chairman of the Aboriginal Advisory Council” means the Co-Chairs²

“Committee” means the Aboriginal Affairs Coordinating Committee.

“Council” means the Aboriginal Advisory Council.

“member” means a member of the Aboriginal Affairs Co-ordinating Committee under section 19(1).

“Minister” means the Minister for Aboriginal Affairs to whom administration of the *Aboriginal Affairs Planning Authority Act 1972* is committed.

“person of Aboriginal descent” means any person living in Western Australia, wholly or partly descended from the original inhabitants of Australia, who claims to be Aboriginal and who is accepted as such in the community in which they live.

2. INTRODUCTION

Public sector boards and committees contribute greatly to the public sector, providing strategic leadership, direction and accountability across government. They provide a voice for the community and enable the varied interests of Western Australians to be considered in government decision making processes.

Further information about the role and responsibilities of public sector boards and committees can be found on the Public Sector Commission’s website at publicsector.wa.gov.au/sites/default/files/documents/board_essentials_good_governance_guide_for_public_sector_boards_and_committees_2.pdf.

3. FUNCTION OF THE COMMITTEE

The Aboriginal Affairs Coordinating Committee (the Committee) is established under s. 19(1) of the Act and its function under s.19(3) is to coordinate effectively the activities of all persons and bodies, corporate or otherwise, providing or proposing to provide service and assistance in relation to persons of Aboriginal descent.

It provides a unique opportunity to build genuine, respectful and reciprocal relationships

¹ Under the 2017 Machinery of Government changes, the Department of Aboriginal Affairs was abolished. The Department of the Premier and Cabinet (DPC) assumed responsibility for Aboriginal affairs policy and, together with DPC’s then Land and Native Title Unit, formed DPC’s Aboriginal Policy and Coordination Unit. DPC reports to the Minister for Aboriginal Affairs and the Aboriginal Affairs Coordinating Committee provides advice to the Minister and the government of the day.

² Following the refreshment of the Aboriginal Advisory Council by the Minister for Aboriginal Affairs, the Council elected Co-Chairs in place of a single Chairman.



between Aboriginal people and the State Government to achieve better economic, social and cultural outcomes for Aboriginal people living in Western Australia.

The Committee's work will include policy challenges that require a cross-portfolio response and/or collaboration with the Commonwealth Government and/or the local government sector.

Alignment with the Aboriginal Advisory Council, through joint planning, will form a core part of the Committee's mandate.

4. MEMBERSHIP

4.1 Section 19(1) of the Act provides for the Committee to consist of:

- (a) the CEO, who shall be the chairman of the Committee; and
- (b) the chairman for the time being of the Aboriginal Advisory Council; and
- (c) the chief executive officer of each of the following —
 - (i) the department of the Public Service for which the Under Treasurer is the chief executive officer;
 - (ii) the Department as defined in section 3 of the *Health Legislation Administration Act 1984*;
 - (iii) the Department as defined in section 3 of the *Children and Community Services Act 2004*;
 - (iv) the department referred to in section 228 of the *School Education Act 1999*; and
 - (v) the Housing Authority.

4.2 Under section 19(2) of the Act, the Committee may invite any person, having special knowledge, experience or responsibility, to assist it in relation to the planning of Aboriginal affairs or in the performance of the function of the Committee. These persons may take part in the proceedings of the Committee, but shall not be entitled to a vote.

In light of this section, the following will be additional invitees to represent key agencies relevant to the Aboriginal affairs portfolio:

- (a) the CEO of the Department of Planning, Lands and Heritage;
- (b) the CEO of the Department of Justice;
- (c) the Commissioner of Police;
- (d) the Mental Health Commissioner; and
- (e) two Aboriginal Advisory Council members, who have been appointed by the Aboriginal Advisory Council as Western Australia's Co-Chair representatives for the Commonwealth-led Closing the Gap Forums.

5. FIRST SCHEDULE – CONSTITUTIONAL PROVISIONS

Section 19 (4) of the Act provides for these terms of reference to be read in conjunction with the First Schedule – Constitutional provisions relating to the Aboriginal Affairs Coordinating Committee – which sets out the operating parameters for the Committee.