

INTRODUCTION

The Indigenous Land Corporation (ILC) is an independent statutory authority established to provide economic, environmental, social and cultural benefits for Aboriginal persons and Torres Strait Islanders by assisting in the acquisition and management of an Indigenous land base. To assist in achieving this the ILC receives an annual draw down from the Aboriginal and Torres Strait Islander Land Fund Reserve (the Land Fund).

BACKGROUND

The establishment of the Land Fund was a part of the Commonwealth Government's response to the High Court's decision on the 'Mabo case'. The first part of the response was the enactment of the *Native Title Act 1993*, while the establishment of the Land Fund, and subsequently the ILC, formed the second part.

ENABLING LEGISLATION

The ILC came into existence on the 1st June 1995 on the commencement of the *Land Fund and Indigenous Land Corporation (ATSIC Amendment) Act 1995*, which repealed Part 10 of the *Native Title Act 1993* and amended the *Aboriginal and Torres Strait Islander Commission Act 1989* (the ATSIC Act) by inserting into the Act a new Part 4A. The ILC was established as a Commonwealth Authority (s.191 ATSIC Act) with land acquisition and land management functions (s. 191C ATSIC Act).

RESPONSIBLE MINISTER

The ILC is accountable to the Parliament through the Minister for Immigration and Multicultural and Indigenous Affairs. The Minister is responsible for appointing the ILC Board of Directors (s. 191X(1) ATSIC Act), but is not empowered to direct the ILC in relation to any of its activities except as expressly provided for in the ATSIC Act (s. 191L) or under the *Commonwealth Authorities and Companies Act 1997* (CAC Act). The ILC is required to provide the Minister with a copy of the National Indigenous Land Strategy (NILS) and a copy of any changes to the NILS (s. 191N(6)). The Minister is required to table these in Parliament (s. 191N(7)).

The ILC is also required to provide the Minister with a copy of a Regional Indigenous Land Strategy (RILS) on request. The ILC, under section 15 of the CAC Act, is required to inform the Minister of any events of significance such as involvement in business ventures.

The ILC is also required by section 16 of the CAC Act to keep the Minister informed of its operations and provide the Minister and, additionally, the Minister for Finance with such reports, documents and information in relation to the operations of the ILC as required from time to time.

FUNCTIONS AND POWERS OF THE INDIGENOUS LAND CORPORATION

