

**PRIME MINISTER**

76/93

**STATEMENT BY THE PRIME MINISTER, THE HON P J KEATING, MP**

I have today written to the Premiers and Chief Ministers informing them of how the Commonwealth is proceeding on the Mabo issue.

We are proposing Commonwealth legislation which will provide the framework for certainty in land management and a just and workable approach towards native title. I have invited the Premiers and Chief Ministers to co-operate. A complementary Commonwealth - State approach remains our preferred course.

I am prepared to consult on the proposed legislation bilaterally with Premiers/Chief Ministers who have accepted the fundamental premises that native title is a reality which must be recognised, identified and dealt with justly, and that the objective is a national approach, not fragmentation across the country. Consultation will also continue at officials level.

CANBERRA  
18 JUNE 1993



PRIME MINISTER

CANBERRA

18 JUN 1993

My dear Premier

Since our discussions at COAG, I have naturally given thought to how we should proceed on the Mabo issue.

It has long been clear – and I think that there is no disagreement about this – that legislation will be required to deliver certainty and fairness in terms of land management.

It remains my firm view that the resolution of the Mabo issue is a national imperative and that we should be striving for a coherent approach across Australia. Thus I favour a legislative approach which integrates State and Territory responsibilities for land management with Commonwealth responsibilities for setting a framework of standards and principles. You will recall that the various documents which were put on the table at COAG referred to a "national" legislative framework and that, in the final event, I referred explicitly to Commonwealth legislation.

Accordingly, the Commonwealth will now focus on developing draft legislation, while continuing to address the wider Mabo issues. Notwithstanding some of the obviously strong disagreements at Melbourne, we will be taking into account views expressed – and progress made there.

We will fulfil our responsibilities to set a framework which recognises the need for just treatment of native title, workable ways of managing land throughout Australia, and the wellbeing of the economy.

But we continue to seek, if possible, a complementary approach with the States and Territories. State and Territory law, processes and institutions would apply if they measure up to the requirements established in the Commonwealth bill.

In essence, the following are the main matters the Bill will cover

- . recognition, protection and appropriate ways of dealing with native title
- . provisions to facilitate the validation of existing grants
- . principles or bench marks for future dealings in land which impact on native title
- . establishment of Tribunals for the registration of claims, and for their determination
- . parameters in relation to compensation.

I am prepared to consult on the proposed legislation. My preferred outcome is to achieve a solid package, in co-operation. By the same token, individual jurisdictions will do the national interest no service with attempts to go it alone.

Suggestions have been made for a further discussion at the Premiers' Conference in early July. I think it is hard to judge at this stage whether it would be fruitful to list the item on the conference agenda.

I have asked Commonwealth officials to meet with State counterparts to see what common ground can be reached and to help inform the preparation of our draft bill.

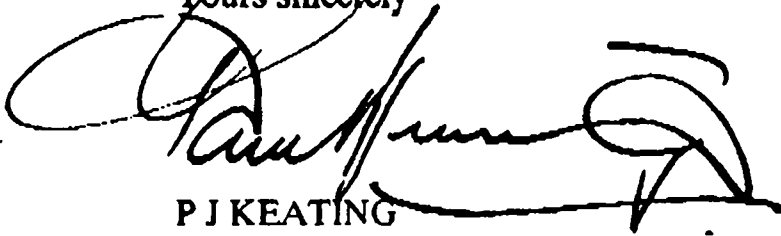
I am myself prepared to talk bilaterally to Premiers/Chief Ministers over the next couple of weeks provided the fundamental premises are accepted that

- . native title is a reality which must be recognised, identified and dealt with justly; and

the objective is a national approach, not fragmentation of the approach across the country.

We can then, I suggest, judge closer to the event whether it would be useful to aim for a further formal discussion of Mabo.

Yours sincerely

A handwritten signature in black ink, appearing to read 'P J Keating', written in a cursive style. The signature is positioned above the printed name 'P J KEATING'.

P J KEATING