

Terms of Reference

1. Definitions

In this Terms of Reference:

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

“**Chairman**” means the Co-Chairs of the Aboriginal Advisory Council

“**Council**” means the Aboriginal Advisory Council.

“**Department**” means the Western Australian Department of the Premier and Cabinet.

“**member**” means a member of the Council under section 18(2).

“**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_governanceguide_for_public_sector_boards_and_committees_2.pdf.

3. Function of the Council

The Council is established under section 18(1) of the Act for the purpose of advising the Authority¹ on matters relating to the interests and well-being of persons of Aboriginal descent.

It provides a unique opportunity to build genuine, respectful and reciprocal relationships between Aboriginal people and the State Government to achieve better economic, social and cultural outcomes for Aboriginal people living in WA.

4. Membership

- (a) Section 18(2) of the Act provides for the Council to consist of persons of Aboriginal descent, chosen by and from persons of Aboriginal descent living in Western Australia, in accordance with such methods, and in such number, as the Minister may from time to time approve.
- (b) The Minister will, as far as is practical, appoint members to the Council who provide for representation across the State, and optimise a gender balance and other forms of diversity, relevant to the role and function of the Council.

¹ Under the 2017 Machinery of Government changes, the Department of Aboriginal Affairs was abolished. The Department of the Premier and Cabinet assumed responsibility for Aboriginal Affairs policy and, as such, replaced the Authority. The Department reports to the Minister for Aboriginal Affairs and the Council provides advice to the Minister and the government of the day.

5. Chairman

Under section 18(3) of the Act, the Chairman of the Council is to be chosen by and from amongst the members of the Council at its first meeting.

6. Meetings and Procedures

Section 18(4) of the Act provides for the Council to adopt its own meeting procedures, subject to the approval of the Minister. The procedures are set out in the Council's Charter and, where appropriate, are identified by a reference to a provision in the Act. The Council Charter is at Appendix 1.

7. Remuneration

Members of the Council will be paid such remuneration and allowances as the Minister determines, on the recommendation of the Public Sector Commission.

8. Declaration of Interest

Members are required to declare a material pecuniary interest in any matter that is before the Council. All such declarations must be recorded in the minutes of the meeting.

9. Record of Meetings

A record of the proceedings of every meeting are to be kept and certified as correct by the member presiding at that or the next meeting.

10. Queries

Any queries in relation to the Council should be directed to the Co-Chairs or the Secretariat in the first instance.

11. Leave of Absence

The Council has agreed that members are to have no more than three absences per year noting member's capacity to attend meetings online.

Aboriginal Advisory Council of Western Australia

2 Havelock Street, West Perth, WA 6005. Locked Bag 3001. West Perth WA. 6872.

Telephone (08) 6552 5000. AACWA@dpc.wa.gov.au. DPC WA.gov.au.

Acknowledgement of Country

The Aboriginal Advisory Council of WA acknowledges the traditional custodians throughout Western Australia and their continuing connection to the land, water and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders past, present and emerging.