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## **Native Title tax hampering economic progress**

The economic development of Aboriginal and Torres Strait Islander peoples is being hampered by complex and inappropriate tax laws, a report released today states.

The report is the result of a research project led by Dr Lisa Strelein, Director of Research at the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) Native Title Research Unit. It tackles the complex interaction of native title and taxation.

At the online release of the report, Dr Strelein said Australia must rethink how benefit packages from native title agreements are taxed.

“The appropriate tax interpretation of native title benefits has eluded policy makers for a decade,” Dr Strelein said.

“The question is whether native title payments to traditional owners are compensation or income. There is an urgent need to clarify the tax treatment of native title to ensure that the economic benefits that do flow to the traditional owners can be maximised.”

The report states that the economic potential of native title and the economic agency of traditional owners are undermined by the interpretation of native title by the legislature and the courts. Yet Indigenous people are entering into agreements with industry who want access to their lands.

“Native title is a unique legal concept that seeks to bridge the rights held by Indigenous peoples under their own law and accommodation and protection of those rights within Australian law.

“The current tax treatment of benefits from native title agreements has not come to terms with the uniqueness of native title,” Dr Strelein said.

### **Media contact:**

For further comment, Dr Lisa Strelein can be contacted on 0413 051 923.

Report available by clicking on Strelein, L, 2008 **Taxation of Native Title Agreements** at:

[http://ntru.aiatsis.gov.au/major\\_projects/taxation\\_trusts.html#publications](http://ntru.aiatsis.gov.au/major_projects/taxation_trusts.html#publications)