



# DESIGNING A SELF-DETERMINATION FUND

To benefit all Aboriginal people in Victoria throughout the Treaties process and beyond

The *Advancing the Treaty Process with Aboriginal Victorians Act 2018* (Vic) requires the Assembly to work with the State to set up a self-determination fund (the fund). This will be a large, independent pool of money to support fair and equitable negotiations with the State.

In the longer-term, it will build the future capacity, wealth and prosperity for Aboriginal people in Victoria.

## SELF-DETERMINATION FUND FUNCTIONS

### FUNCTION ONE

Aboriginal people are able to negotiate Treaties on equal standing with the State



### FUNCTION TWO

Providing an independent resource to support capacity, wealth and prosperity building



### FUNCTION THREE

Any additional purpose agreed by the Assembly and State



## Research and consultation

Community

First Nations experts

Economists

International examples

E.g. Treaty of Waitangi, British Columbia Treaty Process

Local examples of agreements

E.g. New South Wales Land Council and Noongar Settlement

Key questions the Assembly will need to consult and agree on

- Who should manage the fund?
- How should it be resourced?
- What should it be spent on?



## How will the fund benefit Aboriginal peoples in Victoria?

The fund will be an independent pool of money managed by Aboriginal people, for Aboriginal people. Community will have a direct say in aspirations for the fund, but it will have the following functions:

- Give access to resources to support a level playing field when negotiating Treaties (e.g. getting legal, economic and resource management advice, building capability and Treaty education)
- Empower Aboriginal people in Victoria to build capacity, wealth and prosperity beyond Treaties over the longer term. There are infinite opportunities, but could look like education scholarships and supports, career opportunities and building governance capacity within groups.

## Who will manage the fund?

The Act currently requires the Assembly to manage the fund. However, the Assembly is considering options on who is best placed to hold and manage the fund. For example, this could be the responsibility of the First Peoples' Assembly, the Treaty Authority, or a dedicated body.

We're kickstarting consultations on this question now. If you or your community has thoughts and recommendations, please let your local Assembly Member know, or email us at the address below.

## How will the fund be resourced? Will it be secure?

There are a range of options for this. Options include sourcing funding directly from the State budget, from a State revenue source (for example a percentage of Land Tax or the Environmental Contribution Levy) and possibly bolstering State funds with charitable donations.

Future security of the fund is a top priority of the Assembly. The Assembly is looking at a range of options to reduce the risk of future governments redirecting or stopping access to funds.

## When will the fund be established?

The Assembly needs to set up a Treaty Authority before it can go about agreeing a Treaty negotiation framework (the framework) or self-determination fund.

The fund is closely tied to the progress of the framework (a lot of decisions about the fund will be shaped by who is negotiating and represented by Treaties, which is a question of the framework) – the two will develop in parallel.

Once Assembly Members have individually and collectively consulted with community, we anticipate discussions with the State Government on the design of the fund will begin in late 2021.

## Will communities have a say about the fund?

Yes. Community will inform every step of the process.

Formal consultations will commence once this work ramps up in early 2021, but if you have thoughts on this work now – reach out to your local Assembly Member or call the Assembly on **1800 TREATY**.

Alternatively, email your thoughts on the self-determination fund to [engagement@firstpeoplesvic.org](mailto:engagement@firstpeoplesvic.org).