



Funding application – native title respondent funding scheme

The native title respondent funding scheme is administered under the *Native Title (Assistance from Attorney-General) Guideline 2012* (the guideline).

Questions in this form must be answered in full. Please do not cross-reference answers provided in a previous application form, as these will not be considered by the department.

Additional information about this scheme can be found at <www.ag.gov.au>.

GENERAL INFORMATION

1. Name and address of applicant (individual, name of respondent group or organisation):

2. Applicant's solicitor's name: _____

3. Contact address: _____

4. Email: _____

5. Telephone: _____

6. Is the application for a group of respondents with similar interests or a sole respondent?

Group of respondents

You must **ATTACH** a list of the group's membership.

Sole respondent

You must provide full details of the respondent's financial circumstances, including annual income from all sources, total value of all assets and total balance of all savings/shares.

You must **ATTACH** supporting documentation, such as recent bank statements, latest tax assessment notice or annual financial statement.

INFORMATION ABOUT THE NATIVE TITLE PROCEEDINGS

7. Name of native title proceedings: _____

8. Under what subsection of the *Native Title Act 1993* (the Act) are you applying for legal financial assistance?

- Subsection 213A(1) Subsection 213A(2) Subsection 213A(3)*

*Note: Assistance under subsection 213A(3) is only available for disbursement costs.

9. At what stage is the inquiry, mediation, proceeding, agreement or dispute? _____

10. Who are the parties to the inquiry, mediation, proceeding, agreement or dispute? _____

11. What interests are you seeking to protect through participation in the inquiry, mediation, proceeding, agreement or dispute? _____

12. If applying for legal representation costs under subsections 213A(1) or (2) of the Act, please address the relevant criteria set out in subsection 4.6 of the guideline.

*Note: Applications under subsection 213A(1) should address subsections 4.6(1) and (2); applications under subsection 213A(2) should address subsections 4.6(1) and (3). (Attach a separate page if insufficient space.)

13. What has happened in the proceedings during the past six months?

(for example, level of activity allocated by the court, nature of any orders made, meeting and mediation outcomes, directions hearings, development of agreement) _____

14. What is anticipated to happen in the proceedings during the next six months?

(for example, level of activity allocated by the court, date of next directions hearing, date/reason for anticipated meetings/mediation, development of agreement) _____

15. If applicable, how does the anticipated workload in Question 14 compare to the work done in the past six months? (for example, do you expect an increase, decrease or similar workload?) _____

COST ESTIMATE

16. Based on your answer to Question 14, please estimate your anticipated legal costs in relation to the proceedings for the next six months.

You must provide a breakdown of anticipated professional fees, travel disbursements and general disbursements with reference to the *Commonwealth Legal Financial Assistance Schemes Assessment of Costs* document, available from the department’s website <www.ag.gov.au>.

**Note:* This scheme is akin to legal aid and commercial rates for legal costs are not payable.

PLEASE ATTACH AN ITEMISED BUDGET TO YOUR APPLICATION

DECLARATION

I, _____ (applicant/solicitor/agent) declare that the information provided in this application is true and correct to the best of my knowledge and belief. I agree:

- that the department may obtain information about the application/proceedings (including a legal opinion) from other government or industry bodies or from the applicant's solicitor
- that the department may disclose information in the application or information obtained from the applicant to another applicant or government or industry body for the purposes of deciding whether to authorise assistance, and
- to adhere to the general terms and conditions of the native title respondent funding scheme if a grant of assistance is approved as a result of this application.

Signed: _____

Dated: _____

Please submit this application via email to finass@ag.gov.au.

The department does not require a hard copy. Please advise the department on (02) 6141 4770 if you do not have access to email.

Only complete applications will be accepted and processed. Your application will be deemed incomplete if:

- any relevant questions are not answered, or are only partially answered, and/or
- the required supporting documentation is not provided.