



Key information

As the native title service provider for South Australia, **SANTS** will review its decisions and actions in a fair and transparent way on request. This brochure summarises the main features and details of our Internal Review Policy.

- Native title holders and persons seeking native title can ask **SANTS** to review any decision or action that affects them
- Requests for review must be made in writing within 28 days of the original decision by **SANTS**
- The CEO will assess if the request is eligible for review within 14 days
- The CEO will appoint a Review Officer for all Internal Review requests
- The **SANTS** Board will make the final decision on the review application
- **SANTS** welcomes any comments or feedback on the Internal Review Policy

Read **SANTS'** Internal Review Policy for full details – www.nativetitlesa.org

More information

This brochure summarises the main features and details of our Internal Review functions. The full Internal Review Policy can be found on the **SANTS** website www.nativetitlesa.org



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Internal Review



Working to achieve sustainable Aboriginal Nations



What is Internal Review?

South Australian Native Title Services Ltd (**SANTS**) performs the functions of a Native Title Service Provider (**NTSP**) in the State of South Australia under the *Native Title Act 1993* (**NTA**) (Cth) sec 203FE.

Section 203BI of the **NTA** sets out the Internal Review functions of an **NTSP**, which are:

- a) to provide a process for registered native title bodies corporate, native title holders and persons who may hold native title to seek review by the representative body of its decisions and actions, made or taken in the performance of its functions or the exercise of its powers, that affect them; and
- b) to publicise that process appropriately.

SANTS is committed to a review process that is accessible and not unduly formal.

The Internal Review Policy provides a fair and transparent process for native title bodies corporate, native title holders and persons who may hold native title to seek an Internal Review of a decision or action made or taken by **SANTS** in the performance of its functions and powers.

The key terms of the Policy are set out in Attachments within the Internal Review Policy.

Review Process

Date of original decision or action of SANTS

Within 28 days:

Applicant must make request for Internal Review

Within 14 days of receiving request:

CEO notifies applicant whether request for Internal Review has been accepted or rejected

Within 14 days of notification:

CEO refers request to Review Officer

Within 56 days of receiving brief unless otherwise advised:
Review Officer seeks relevant files and allows applicant to make submissions in this time

Review Officer provides report to CEO

Next Board meeting:

Board makes final decision

With 14 days of Board decision:

CEO informs applicant of Board decision

If you are not satisfied with the outcome of the review you have a right under s203FB of the NTA to seek an external review through the Department of Prime Minister and Cabinet.

What decisions can be reviewed?

Only “decisions” and “actions” of **SANTS** made in the performance of its functions or the exercise of its powers, which affect:

- a) a registered native title body corporate;
- b) native title holders; or
- c) persons who may hold native title

can be the subject of a request for Internal Review. For the purpose of this Policy such a decision or action is an “**original Decision**”.

In its review of the Policy, **SANTS** will have regard to any comments, submissions or complaints made by native title holders about its operation.

The implementation of the Internal Review Policy does not affect a legal practitioner’s obligations to his or her client. A legal practitioner has an obligation to provide advice and services whether or not the legal practitioner is funded by **SANTS**.

