Checklist: Information to be submitted at the time of application

Background

1. The *Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cth)* (ATSIHP Act) requires specific information to be provided as part of the application before it can be actioned by the Minister.

2. The following checklist notes the minimum information that is required when submitting an ATSIHP Act application. This checklist is not exhaustive and in some cases you may need to provide additional information. Applications that are incomplete cannot be processed until relevant material has been provided.

3. Applications can be made orally but will be recorded in writing by departmental staff.

4. The Minister or Department may need to provide all or part of the information that is provided and/or gathered to other parties for reasons of procedural fairness, as part of a review process and/or in the case of a declaration being made.

Information Checklist – new application

<table>
<thead>
<tr>
<th>1. Date of Application</th>
<th>Submitted</th>
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<tr>
<td>2. Contact Details - name and contact details, including a postal or email address and phone number.</td>
<td>Submitted</td>
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<tr>
<td>3. Aboriginality - An application must be made by or on behalf of an Aboriginal person(s). Under the Act, Aboriginal means a person of the Aboriginal race of Australia or a descendant of the Indigenous inhabitants of the Torres Strait Islands. Are you an Aboriginal person? Are you making the application on behalf of an Aboriginal person or persons? If you are acting on behalf of an Indigenous person or group, please name the Indigenous person or group. Attach evidence that you are authorised to make the application.</td>
<td>Submitted</td>
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<td>4. Under which part(s) of the ATSIHP Act (s9, s10, s12, s18, or s20) is the application being made?</td>
<td>Submitted</td>
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<td>5. Area or objects to be protected by declaration - Adequate information must be provided to clearly determine the exact location of the area or objects that are requested for protection. This information should include: Location Nearest town State or territory Boundaries Description (object) Features (if relevant)</td>
<td>Submitted</td>
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6. **Why is the area(s) or object(s) significant according to Aboriginal [and Torres Strait Islander] tradition/s?**

   - Describe in detail what is significant about this area(s) or object(s), including Indigenous stories or songs, customs, beliefs, observances or lore.
   - To support your case, attach evidence such as letters (statutory declarations) from Indigenous people; tape recordings; heritage surveys or reports; reports by anthropologists or archaeologists; historical records; state/territory Indigenous site records; court determinations, or any other information that you think is important.
   - This information should be specific to the area or objects that protection is being requested for.

7. **What is the threat?**

   - What action will injure or desecrate the area(s) or object(s) unless a declaration is made?
   - Why will the action result in the area(s) or object(s) being injured or desecrated?
   - When is the action likely to occur?

8. **Confidential or restricted information**

   - Is any of the information you have given confidential or restricted e.g. women’s or men’s business? Please tell us which information is confidential or restricted. The Minister or Department may need to provide all or some of the information in this application and any supporting information.
   - For reasons of procedural fairness restricted or confidential material that is unavailable to an affected party may not be able to be considered by the Minister in making a decision.

9. **List of supporting information**

   - To assist in processing your application attach clearly labelled maps, reports or other documents that support this application.

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**Declaration**

It is an offence under the *Criminal Code Act 1995* (Commonwealth) to provide false or misleading information in the application or any documents that are part of the application.

**Send application to:**

The Hon Josh Frydenberg MP  
Minister for the Environment and Energy  
Parliament House  
CANBERRA ACT 2600

For all general enquiries please phone **1800 803 772**.