











The first identifying person must be either a Torres Strait Islander who lives in the Protected Zone or adjacent coastal area of Australia and is an Australian citizen who maintains traditional customary associations with the area in relation to subsistence or livelihood or social, cultural or religious activities; or an Aboriginal traditional inhabitant of the Torres Strait or the northern peninsula area as defined under the Torres Strait Treaty and who is a resident of that area. The identifying person may also request the applicant to supply a family tree, and/or evidence to support the applicant's claim. This is a remarkably simple process. It does not require the creation of a Commissioner or associated bureaucracy (secretariat). There are no hearings and it does not require a court arbitral power in the processing of the application. Applying this model to the registration of births associated with Meriba Omasker Kaziw Kazipa, would mean that an identifying person ensures that the form is correctly completed and sent locally to the Births, Deaths and Marriages Registry.

#### **8. Industrial Relations**

Utilising the current provisions of the *Industrial Relations Act 2016*, Council negotiated a certified agreement that incorporates "traditional adoption" in the terms of personal leave; provides discretion for paid or unpaid cultural leave and expands cultural leave to include "the communities of the Torres Strait, including the Treaty Villages and those above the 11<sup>th</sup> degree parallel". There is provision for leave to other parts of Australia. The inclusion of the proposed parental leave clauses is supported and would, absent the amendments, be practised by Council, in any event.

#### **9. Conclusion**

Council has raised a number of concerns regarding the Bill as expressed by various members of the community. No doubt they will have other concerns not documented in this submission and hence Council very much supports these community members, impacted by the Bill or who are/have been part of traditional adoptions, appearing before the Committee in both a private and public capacity. They look forward to the opportunity to be consulted.

On behalf of Council, I submit this response to the Queensland Parliament, Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee Meriba Omasker Kaziw Kazipa Bill.

Yours faithfully,



*Dalassa Yorkston*

**CHIEF EXECUTIVE OFFICER - TORRES SHIRE COUNCIL**