

2023

The Parliament of the  
Commonwealth of Australia<sup>1</sup>

SENATE

*Presented and read a first time*

## **Indigenous Local Government Administration (Indigenisation) Bill 2023**

**No. , 2023**

*(Minister SmugDemoness)*  
*(Written By: SmugDemoness)*

**A Bill for an Act to establish Indigenous Self-Government, and  
for related purposes**

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<sup>1</sup> This publication is a part of AustraliaSim (r/AustraliaSim), a reddit based simulation of Australian politics. This has no connection with the Australian Government, nor intends to imply such a connection.

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# A Bill for an Act to establish Indigenous Autonomous Councils , and for related purposes

The Parliament of Australia enacts:

## Part 1—Preliminary

### 1 Short title

This Act is the *Indigenous Local Government Administration (Indigenisation) Act 2023*.

### 2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
1. The whole of this Act	The day this Act receives Presidential Assent.	

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

### 3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

#### 4 Objects of this Act

The objects of this act are:

- (a) To establish Indigenous Autonomous Councils in majority Indigenous Local Government Areas.
- (b) Majority Non-Indigenous Councils will be required to have Indigenous representation in their Legislature's.

#### 5 Simplified Outline of the Act

The Act sets up Indigenous Autonomous Councils in order to foster Indigenous Self-Government and Autonomy and also requires Councils that have Indigenous People but are not a majority to make Indigenous Representation within their respective legislature to empower Indigenous People and to reverse the erasure of their cultures and languages.

#### 6 Definitions

In this Act:

***Imperative Mandate*** means Councillors are required to enact policies in accordance with instructions received from voters.

***Recall*** means voters can remove an elected official from office through a referendum before the official's term in office has ended.

***Indigenous*** is a person or group of Aboriginal or Torres Strait Islander descent who identifies as an Aboriginal or Torres Strait Islander and is accepted as such by the community in which they live.

## **Part 2—Indigenous Autonomous Councils**

### **7 Establishment of the Autonomous Councils**

- (1) There shall be Indigenous Autonomous Councils in Majority Indigenous Local Government Areas, which shall replace the existing Local Government Areas.
- (2) The Indigenous Autonomous Councils shall have the same Powers, Responsibilities and Principles as prescribed to Local Governments in these Acts in their Respective State:
  - (a) *Local Government Act 2009* of Queensland;
  - (b) *Local Government Act 1993* of New South Wales;
  - (c) *Local Government Act 2020* of Victoria;
  - (d) *Local Government Act 1999* of South Australia;
  - (e) *Local Government Act 1995* of Western Australia;
  - (f) *Local Government Act 1993* of Tasmania; and
  - (g) *Local Government Act 2019* of the Northern Territory.

### **8 Councillors and their Imperative Mandate**

- (1) Councillors shall be elected by their constituencies under an Imperative Mandate and shall be recalled at any moment from office should a majority of their Constituents deem it appropriate through a Referendum.
- (2) The Referendum shall be initiated should a petition that is submitted to the Indigenous Autonomous Council that is signed by the majority of the Constituents of that Constituency. The Referendum shall also be initiated should it be found that the Councillor(s) has broken their Imperative Mandate.
- (3) Councillors are bound by their respective Imperative Mandate and shall act as the mouthpiece for the instructions of their constituency and shall have no autonomy from their constituency's instructions.

### **9 Additional Rights, Powers and Protections of the Indigenous Autonomous Councils**

- (1) Indigenous Autonomous Council's reserve the right to administrate in their native language(s) and to educate in their language.

- (2) The States are not allowed to interfere or change the structure of the Indigenous Autonomous Councils, unless the Council fails to uphold this act, with federal supervision.
- (3) The Structure of the Indigenous Autonomous Councils shall be decided by the local indigenous people so long as it does not contradict with the Principles of Democracy, Imperative Mandate and doesn't discriminate against other Non-Indigenous Groups.
- (4) Indigenous Autonomous Councils shall have the power to establish Cultural Institutions and Language Schools to promote their local culture(s) and language(s).
- (5) Indigenous Autonomous Councils shall have the power to run their own Industry, Infrastructure and to engage in local economic activities, to run their own Census, to establish their own Constitution (So long as it doesn't contradict the Australian Constitution), to establish their own Governmental Institutions and promote Indigenous people of merit into their own local Administration.
- (6) Through a Referendum and consent of other Indigenous Autonomous Councils via a Referendum, they have the right to merge themselves with other Indigenous Autonomous Councils.

## **10 Indigenous Representation in Non-Indigenous Majority Local Government Areas**

- (1) Local Government Areas shall set aside the proportion of the number of seats in the legislature in accordance with the proportion of Indigenous People in the general population of the Local Government Area, so long as the Indigenous population is 3%+, should the Indigenous Population be 50%+ of the LGA's population, it shall be considered an Indigenous Autonomous Council and must make all arrangements made to conform in accordance to this act.
- (2) The respective State that the LGA is located within must help with the transition into a Indigenous Autonomous Council, which

the Council shall be granted the additional Rights, Powers and Protections and must enact the Imperative Mandate.