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fact sheet

NEW SOUTH WALES ABORIGINAL LAND COUNCIL

Amendments to the *Aboriginal Land Rights Act 1983 (NSW) (ALRA)*

Under new amendments to the land dealing provisions in the ALRA a community development levy is being introduced. The purpose of this levy is to redistribute wealth between LALCs .

What will the community development levy be used for?

The community development levy is a levy payable by LALCs on any dutiable transaction to which the levy applies. For more information on how the levy works and the transactions it applies to, see the 'What is the community development levy?' Fact Sheet.

How does the levy work?

Under the amendments NSWALC is required to establish the NSWALC Community Fund. If a transaction attracts the levy, the LALC must pay the levy to the Office of State Revenue who will process the payment and pay the money to the NSWALC Community Fund. NSWALC will then be required to match the amount paid by the LALC and pay that amount into the Fund.

The Minister may waive payment of the whole or part of NSWALC's payment if the Minister is of the opinion that it is appropriate to do so having regard to the financial circumstances of NSWALC.

What will happen to the money collected from the levy?

As the purpose of the community development levy is to help re-distribute wealth among LALCs, the money from the fund is to be used by NSWALC to provide grants to LALCs for:

- community benefit schemes;
- assistance with land acquisition and land management; and
- other purposes authorised under the ALRA.

NSWALC will develop a policy about the new NSWALC Community Fund and the processes around:

1. how and when LALCs can apply to NSWALC for grants in relation to the fund and
2. how NSWALC might set priorities for the consideration of applications.

Once this policy has been prepared it will be provided to LALCs for comment.

Note: the content of this fact sheet is intended for information purposes only. It is not intended as advice and should not be relied upon as advice. All parties should seek independent advice that is suited to their own specific circumstances.

9

FACT SHEET

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