



# Aboriginal Cultural Heritage Bill 2021

## Improvements over the Aboriginal Heritage Act 1972

The *Aboriginal Cultural Heritage Bill 2021* will replace outdated Aboriginal cultural heritage laws. The Bill includes significant improvements to increase protection of Aboriginal cultural heritage and provide a role for Aboriginal people in consultation and decision making.



- Mandatory consultation with Aboriginal people
- Recognised formal roles for Aboriginal people and organisations
- Decision making by Local Aboriginal Cultural Heritage Service
- Majority Aboriginal membership on Aboriginal Cultural Heritage Council



- Replaces controversial Section 18 process with tiered approach
- Focus on agreement making
- Informed consent – without coercion, intimidation or manipulation



- New broader definition of Aboriginal Cultural Heritage
- Empowering Aboriginal people to determine protected cultural heritage
- Greater transparency



- Addresses flaws in 1972 Act that contributed to Juukan Gorge
- Substantially increased penalties
- Longer statute of limitations for prosecutions



- Mandatory Due Diligence
- Full and proper disclosure by the proponent of the method and other feasible alternative methods for their proposed activities.
- Stop Activity, Prohibition and Remediation Orders

For more information on the Aboriginal Cultural Heritage Bill 2021, visit <https://www.wa.gov.au/aboriginal-cultural-heritage-bill-2021>.