

ABORIGINAL AFFAIRS PLANNING AUTHORITY, FUNDS

**388. Hon TOM HELM to the minister representing the Minister for Aboriginal Affairs:**

Given that the Aboriginal Affairs Department has responsibility for matters that were previously the responsibility of the Aboriginal Affairs Planning Authority, can the minister advise -

- (1) How much money was held in trust when responsibility was transferred?
- (2) How were the funds disbursed?
- (3) What arrangements are in place today for administering funds for deceased Aboriginal people?

**Hon M.J. CRIDDLE replied:**

I thank the member for some notice of this question.

- (1) \$22 770.58 was held in the intestate fund.
- (2) The funds were disbursed for funeral expenses.
- (3) If an Aboriginal person dies and leaves a valid will, that person's estate is distributed in accordance with the provisions of the will. If an Aboriginal person dies intestate, the estate is distributed in accordance with the provisions of the Administration Act 1903. If no person is entitled to inherit the estate under the Administration Act 1903, an Aboriginal person who was not a direct descendant of the deceased but who was, for example, "related" to the deceased according to Aboriginal tradition and custom, may make a moral claim application under the Aboriginal Affairs Planning Authority Act 1972. The moral claim application is assessed by the Public Trustee on the advice of Family and Children's Services and the Aboriginal Affairs Department. If the departments are satisfied that a moral claim has been properly made, the application is forwarded to the Governor in Executive Council for approval.