

Confirmation of Aboriginality and Torres Strait Islander Identity Rule

Section 1 - Overview

(1) This Rule describes the evidence required if an individual needs to establish that they are an Aboriginal and/or Torres Strait Islander person for the purpose of accessing designated programs, services or opportunities for Aboriginal and/or Torres Strait Islander people.

Section 2 - Scope

(2) This Rule will apply to all individuals seeking to access a benefit available at the University of New England. This includes access to any student placement, scholarship or staff position specifically reserved for Aboriginal and/or Torres Strait Islander persons.

Section 3 - Rule

(3) Persons seeking to access a benefit such as student placement, scholarship or staff position specifically for Aboriginal and/or Torres Strait Islander peoples at or on behalf of the University of New England are required to confirm their status as an Aboriginal or Torres Strait Islander person through the provision of documentary evidence demonstrating that they meet the following criteria:

- a. That they are of Australian Aboriginal and or Torres Strait Islander descent; and
- b. That they identify as an Australian Aboriginal and or Torres Strait Islander person; and
- c. That they are accepted as an Australian Aboriginal and or Torres Strait Islander in the community in which they live or have lived.

(4) The documentary evidence which addresses the above criteria needs to be:

- a. A letter of confirmation of Aboriginality from an incorporated Aboriginal or Torres Strait Islander community-controlled organisation in which they live or have lived and signed in accordance with the rules of the organisation. OR
- b. A letter of confirmation of Aboriginality stamped with a Common Seal and signed by the Chairperson of an Aboriginal and or Torres Strait Islander Lands Council, in whose area the applicant lives or has lived.

(5) In situations where the above evidence is not available the panel will consider documentary evidence that a person's family heritage is Australian Aboriginal and/or Torres Strait Islander descent. The panel may request further information and/or an interview where it determines further verification is required or uncertainty exists.

(6) Proof of receipt of Abstudy will not be accepted as confirmation.

(7) Documentary evidence provided by the applicant shall be assessed by the relevant panel or responsible officer.

(8) The panel or responsible officer may seek the assistance of the Senior HR Consultant (Aboriginal Employment) or the Director Oorala Aboriginal Centre if it is determined that further verification is required or uncertainty exists.

Authority and Compliance

(9) The Vice-Chancellor and Chief Executive Officer, pursuant to Section 29 of the [University of New England Act](#), makes this University Rule.

(10) University Representatives and Students must observe it in relation to University matters.

(11) The Rule Administrator (Director People & Culture) is authorised to make procedures and guidelines for the operation of this University Rule. The procedures and guidelines must be compatible with the provisions of this Rule.

(12) This Rule operates as and from the Effective Date.

(13) Previous policy on Confirmation of Aboriginality relating to scholarships offered through Schools and Directorates must align with this Rule.

(14) Notwithstanding the other provisions of this University Rule, the Vice-Chancellor and Chief Executive Officer may approve an exception to this Rule where the Vice-Chancellor and Chief Executive Officer determines the application of the Rule would otherwise lead to an unfair, unreasonable or absurd outcome. Approvals by the Vice-Chancellor and Chief Executive Officer under this clause must be documented in writing and must state the reason for the exception.

Section 4 - Definitions

(15) A definition of Australian Aboriginal or Torres Strait Islander person is:

- a. Being an Australian Aboriginal or Torres Strait Islander person, who is of Aboriginal or Torres Strait Islander descent, and identifies as an Aboriginal or Torres Strait Islander and is known and accepted as such by the community in which they live or have lived.

(16) Effective Date means – takes effect on the day on which the Rule is published or on such later day as may be specified in the Rule.

(17) University Representative means a University employee (casual, fixed term and permanent) contractor, agent, appointee, Council member, adjunct, visiting academic and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations and other bodies falling into one or more of these categories.

(18) Student means an Admitted Student or an Enrolled Student, at the relevant time.

- a. Admitted student means a student who has been admitted to a UNE course of study and who is entitled to enrol in a unit of study or who has completed all of the units in the UNE course of study.
- b. Enrolled student means a student who is enrolled in a unit of study at UNE.

(19) UNE Act means the [University of New England Act 1993 No 68 \(NSW\)](#).

Status and Details

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Effective Date	22nd February 2018
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Approval Authority	Vice-Chancellor and Chief Executive Officer
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