

Cultural Heritage Acts Review
Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander
Partnerships
Po Box 15397
City East Q 4002
CHA_Review@dsdsatship.qld.gov.au

28 March 2022

Dear ACHA Review team,

Submission for the Qld Cultural Heritage Acts Review

I
We have read the submission of the Quandamooka Truth Embassy, dated 28 March 2022
(Attachment A) for the Queensland Cultural Heritage Act Review.

We fully support and endorse the recommendations made in their submission, namely:

Recommendation 1: To ensure decisions are made by 'the right people for country,' legislative review should ensure traditional decision-making processes are followed in the identification and protection of cultural heritage.

Recommendation 2: Legislative review should ensure that Aboriginal people who have been excluded from the native title and PBC processes are engaged in the identification and protection of cultural heritage.

Recommendation 3: An independent body, and therefore independent processes, are required that engage pre-colonial, customary bloodline connected people to identify and protect cultural heritage.

Recommendation 4: PBCs should not be appointed as Aboriginal cultural heritage bodies.

Recommendation 5: Absolute recognition of intangible cultural heritage is required within the legislation.

Recommendation 6: The definition of '*intangible cultural heritage*' must be holistic. This definition should draw on existing frameworks that define intangible cultural heritage, including Victoria's *Aboriginal Heritage Act* (2006), UNESCO's *Convention on Intangible Heritage* (2003) and the ICOMOS *Burra Charter*.

Recommendation 7: The definition of cultural heritage within legislation must include modern living heritage and cultural practices.

Recommendation 8: The definition of cultural heritage in the Act should include the management and use of cultural resources.

Recommendation 9: The legislative review must ensure that the Act not only defines cultural heritage accurately in all of its forms but that it also ensures that all intangible forms of our knowledge are protected, and our intellectual property in that knowledge is recognised and respected.

Recommendation 10: The QCHA must be reviewed and amended to comply with the Queensland *Human Rights Act* (2019).

I am ^{my} ^{below}
~~We~~ are always happy to discuss further via ~~our~~ contact details ~~above~~.

Kind regards,

K.D. Perry

31-3-22

Kevin Perry

