

Annual roll comparison

Section 59(1) - Aboriginal Land Rights Act

Overview of Membership Roll Responsibilities

Under the Aboriginal Land Rights Act 1983 (ALRA), both the Office of the Registrar, ALRA (ORALRA) and Local Aboriginal Land Councils (LALCs) play key roles in ensuring that membership information is accurate, up to date, and properly maintained.

The Registrar is responsible for preparing and maintaining the Consolidated Membership Roll, which brings together membership details from all LALCs across New South Wales.

LALC CEOs must keep their membership roll up to date. Under **section 59(1) of the ALRA**, each LALC must provide the Registrar with a copy of its membership roll **no later than 10 weeks before the start of each financial year and advise in writing of any changes to the membership roll that have occurred since a copy was last sent to the Registrar.**

This requirement ensures the Registrar can verify and update the Consolidated Membership Roll.

➤ Why the Consolidated Roll must be accurate

The Registrar has statutory responsibilities under the ALRA that rely on the ORALRA Roll being current and complete, including:

- Determining whether a person is a voting member of more than one LALC.
- Assessing and recording change of voting area requests.
- Certifying the roll to the authority conducting NSWALC elections.
- Ensuring that eligible members can participate in LALC elections (full board and casual vacancies).
- Responding to and investigating complaints.

➤ How the Registrar supports LALCs and Members

An accurate ORALRA Roll helps the Registrar assist LALCs and their members, such as:

- Supplying replacements for lost or unavailable membership rolls.
- Helping identify or correct missing information.
- Providing access to historic membership data.

➤ What needs to be recorded on the LALC roll?

Clause 47 of the Aboriginal Land Rights Regulation 2020 (ALRR) sets out the mandatory information that each LALC must record on the membership roll for every member:

- **Full Name**
- **Residential Address**
- **Date of Birth**
- **Date the member was added to the roll**
- **Voting Status** (voting or non-voting)
- **Basis of Membership** – whether the member qualifies by: Residence, Association, Registered Aboriginal Owner
- **Suspension Status** – whether the member is currently suspended
- **Membership of other LALCs** – indicating if the person is also a member of another LALC

➤ What does the LALC Chief Executive Officer (CEO) need to do?

Under the ALRA, the CEO is responsible for ensuring the membership roll is accurate, up to date, and properly maintained. This includes:

- **Adding new Members:** Recording details of individuals who have been formally accepted as members of the LALC at a members' meeting.
- **Removing Members:** Updating the roll to remove individuals who have been removed under Section 58 of the ALRA.
- **Updating voting status:** Ensuring changes to a member's voting eligibility are accurately reflected.
- **Maintaining Member information:** Recording any updates to member contact details or personal information.
- **Managing Inactive Members:** Complying with the requirements of section 57A of the ALRA when declaring members inactive (only active members are counted when calculating the quorum for a valid members meeting).
- **Working with the Registrar:** Collaborating with ORALRA to resolve any discrepancies identified during the roll comparison process, and ensuring the Registrar is promptly advised of all membership updates so both rolls remain accurate and aligned.

➤ What happens after the LALC submits its Certified Membership Roll?

Once the LALC submits its certified membership roll, ORALRA undertakes a formal comparison between:

- The LALCs certified roll, and
- ORALRA's membership roll.

This comparison identifies any differences between the two rolls.

After the review is completed:

- A **summary of all discrepancies** is emailed to the LALC CEO for action and comment.
- The purpose of this process is to ensure **both rolls are accurate, aligned, and identical.**

ORALRA works collaboratively with each LALC to resolve these differences. To keep membership records current, it is important that LALCs return the requested information or supporting documents promptly. Timely responses help ensure:

- The LALC roll remains accurate and compliant.
- The ORALRA roll is kept fully up to date.

➤ Common challenges identified during Roll Comparison

During the annual roll comparison process, several recurring challenges can make it difficult to align LALC membership rolls with ORALRA records. These include:

- **Lack of notification to ORALRA**

Changes to membership — such as new members, removals, suspensions, or voting status updates — are sometimes not reported to ORALRA, leading to inconsistencies between rolls.

- **Insufficient evidence or record keeping**

Missing documentation (e.g., membership forms, meeting minutes) can prevent ORALRA from either verifying updates or resolving discrepancies.

- **Workload pressures on CEOs**

CEOs have multiple responsibilities, which can delay the processing of membership changes or responses to roll comparison queries.

- **Periods without a CEO**

When a LALC is without a CEO, membership updates may not be actioned, creating gaps or delays in maintaining the roll.

- **Misunderstandings about membership processes**

Uncertainty about requirements under the ALRA and ALRR can lead to errors in recording membership details or applying membership rules.

➤ Support available from ORALRA

ORALRA is available to support CEOs and LALC administrative staff throughout the roll comparison process. LALCs can book a Microsoft Teams meeting with the ORALRA team to go through the identified discrepancies together.

These sessions have proven highly effective in helping LALCs understand:

- What information is missing
- Why certain discrepancies occur
- What documents or evidence are required
- How to update or correct membership records

This collaborative approach ensures LALCs feel supported and confident in meeting their membership roll obligations.

Frequently asked questions

Why does the CEO need to send a certified copy of the LALC membership roll to the Registrar's office?

So that the Registrar can make sure that the consolidated roll kept by the Registrar is correct and up to date.

How often does the CEO need to send a certified copy of the LALC membership roll to the Registrar's office?

- Roll comparison – every year
- Full Board or casual vacancy elections – as they occur
- NSWALC elections – every four years

Can the CEO get a copy of the Registrar's consolidated roll?

No, the Registrar does not provide a copy of the consolidated roll to anyone, but the Registrar can supply LALCs with a copy of their last submitted certified roll.

What happens if the certified membership roll is submitted late?

- The CEO must send the Registrar a certified copy of the LALC membership roll no matter how late.
- This can also eventually lead to a compliance direction.

What happens if the CEO chooses not to send the LALC certified roll at all?

- The CEO may be subject to a compliance direction from the Registrar due to non compliance.
- Failure to comply with a compliance direction is included in the definition of 'misconduct' under the ALRA

Will the CEO get into trouble if they have missed something or made a mistake on the LALC certified roll?

Generally no. If the CEO has made a genuine mistake, then Registrar will work with the CEO to try and resolve the issue.

What happens if the LALC does not have a CEO?

The Chairperson will need to send the Registrar a certified copy of the membership roll. The Registrar will assist the Chairperson through the process if necessary.

What if the CEO is unsure about what is being requested of them in fixing the identified issues?

Contact the Registrar's membership team and they will assist you in any way they can.

What support will the Registrar's office give CEO?

The Registrar's office can assist by sending the CEO a full report on the differences between the LALC certified roll and the ORALRA roll and how to fix the issues.

How often can the CEO contact the Registrar's office?

The CEO can contact the membership team as frequently as they require. The membership team will try to assist with all concerns.

Can the CEO only discuss the differences with the membership team over the phone?

The CEO can also book a Teams Meeting, the Registrar understands CEOs may be very busy. It is recommended to book a time that suits to work through the differences via a Teams Meeting.