

Victoria's Treaty & Statewide Treaty Act 2025

Treaty is an opportunity to come to grips with the history we share – and create a better and fairer future together.

The State of Victoria and the First Peoples' Assembly of Victoria have signed a Statewide Treaty. The Statewide Treaty Act 2025 gives effect to this Treaty.

The path to Treaty

For too long, laws and policies have been made about First Peoples - without First Peoples.

Australia's first formal truth-telling process, the Yoorrook Justice Commission, heard evidence of the historical and ongoing injustices experienced by First Peoples in Victoria.

The work of the Commission helps us understand our history from the perspective of Aboriginal people, how it impacts on their present, and how Treaty can be the pathway to practical changes and solutions.

In Victoria, we have been on the path to Treaty for nearly a decade. We have laid a strong foundation.

Treaty is key to closing the gap so that all Victorians have the same opportunities.

When First Peoples lead the way to design policies and solutions, we get better outcomes.

Treaty gives us a pathway to change what isn't working, by ensuring First Peoples can make decisions about issues that impact their communities.

Establishing Gellung Warl

The *Statewide Treaty Act 2025* (the Act) establishes a new entity Gellung Warl (*Gullung-Warl*, from Gunaikurnai language) which is

evolved from Victoria's successful First Peoples' Assembly, with three main parts:

- **First Peoples' Assembly**, consisting of democratically elected members, to inform Parliament and the Victorian Government on matters that affect First Peoples, and make decisions about issues that impact First Peoples.
- **Nginma Ngainga Wara** (*Ng-in-ma Ng-eye-nga Wa-ra*, a Wadi Wadi word), to implement the commitment under the National Agreement on Closing the Gap to establish an independent accountability mechanism and improve outcomes.
- **Nyerna Yoorrook Telkuna** (*Nyern-ah Yoorrook Terl-kun-ah*, a Wamba Wamba word), to establish truth-telling in local communities about our history, supporting ongoing education, healing and reconciliation.

Gellung Warl operates as an ongoing democratic, representative and deliberative body for First Peoples in Victoria. It will lead the renewed relationship with the State created by Treaty. Working with the State, it will use its functions and powers to action Statewide Treaty reforms – the practical outcomes set out in the Statewide Treaty.

While operating independently from government, Gellung Warl is subject to Parliamentary sovereignty. The operations of Gellung Warl do not impact the Parliament's ability to make laws, and it does not impact the Victorian Government's ability to govern for all Victorians.

Gellung Warl has no powers to veto policy or legislation. Gellung Warl will be subject to the

same oversight bodies as other independent agencies including VAGO, IBAC and the Ombudsman.

Decision-making on First Peoples' matters

The Act empowers Gellung Warl's elected Assembly to make rules and guidelines about specific matters that directly affect First Peoples. These include:

- Making its own internal rules, including regarding structure, governance, operations and community answerability and engagement.
- Making rules regarding the 'acceptance by community' aspect of Confirmation of Aboriginality
- Appointing the existing First Peoples' representatives to the Heritage Council and Victorian Aboriginal Heritage Council
- Making guidelines for the trading and sharing of First Peoples' existing water entitlements with other First Peoples
- Making guidelines regarding First Peoples' cultural safety, including for specific agencies or sectors that can be voluntarily adopted by non-First Peoples organisations
- Guidelines made are non-binding, optional, and must not be contrary to existing State or Commonwealth legislation.

Gellung Warl will action important reforms set out in Treaty. These reforms include to:

- Use the Yoorrook Justice Commission's Official Public Record as a curriculum resource to support the implementation of truth-telling in schools

- Participate in place-naming of specified geographic features limited to waterways, waterfalls and National and State parks on Crown land to increase opportunities for the use of traditional or language place names
- Establish a First Peoples Infrastructure Fund to provide grants for Aboriginal community infrastructure and infrastructure development
- Deliver Aboriginal events and awards, such as the Ricci Marks Award and the Victorian Aboriginal Honour Roll.

The *Statewide Treaty Act* does not:

- Change the Victorian or Commonwealth Constitution
- Establish a 'third chamber of Parliament' in the legislative chamber or house of Victoria's Parliament
- Change tax laws or provide individual financial 'reparations'.

Treaty will unite Victorians

Treaty will help all Victorians to build a shared connection with the Aboriginal history and living cultures of Victoria.

Treaty provides an opportunity to bring Victorian communities together and share pride in Aboriginal heritage, history and culture.

This Treaty does not take away anyone's rights.

Treaty is about ensuring that all Victorians have access to the same opportunities and building a better future for all.

Find out more:

treatyvictoria.vic.gov.au

We acknowledge the Traditional Owners of Country throughout Victoria and pay our respect to them, their culture, and their Elders past and present.

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