

GELLUNG WARL

Interim Assembly Rule-Making Rules

1 Interim Assembly Rule-Making Rules, Version 1,0,
approved 6 May 2026

gellungwarl.org



**GELLUNG
WARL**



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Lighting the Fire Stick

1 Name

The name of these rules is the Interim Assembly Rule-Making Rules.

2 Authority

- (a) As First Peoples, the source of our authority is our inherent rights.
- (b) The authority to make these rules derives from the Statewide Treaty, and they are made by the Assembly under section 33 of the Statewide Treaty Act and Schedule 1, Item 11 to that Act.

3 Teachings that have Informed the Creation of these Rules

3.1 Our Identity, Our Strength, Our Wisdom

“We, the First Peoples of this Country now called Victoria, affirm that Aboriginal Lore and Law continue. Passed down through Ancestors and Elders, carried in language, story, ceremony and Country. Though colonisation sought to silence them, they were never ceded or extinguished. These rules are created not in isolation, but as a part of this continuing legacy – a living expression of cultural authority and the right to self-determination.

In developing these rules, we are guided by the Gitjawil Yurpa.¹ Gitjawil Yurpa reminds us that governance is not only about structure or policy – it is about relationships, responsibility and respect. Our rules honour the authority of those who hold knowledge, uphold the protocols that connect us to each other and to Country, and reflect the way our communities have always made decisions. Decisions through yarning, consensus building, accountability and care.

We acknowledge that we exist within a time of legal pluralism. Aboriginal Lore and Law, the first lore/law of this place, has never ceased to operate, even as a colonial

¹ Gitjawil Yurpa expresses *many having to put forth* in Dja Dja Wurrung language.

⁴ Interim Assembly Rule-Making Rules, Version 1.0, approved 6 May 2026

legal system has tried to deny it. We recognise the need to navigate between legal systems, and in doing so, we affirm that Aboriginal Lore and Law are not secondary, symbolic or historical – but are legitimate, living and continuing. These rules are created as a bridge between systems. They speak to our people, they speak back to the state, they speak to all who wish to engage with it.

The fact that we are here, making rules in our own name, is a testament to our survival. It reflects generations of resistance – through public leadership, quiet strength, cultural practice and legal knowledge carried in kinship, Country and ceremony. This is not a new beginning, but a continuation of what has always been true, that we are the First Peoples.

As we are our Ancestors, and we are our Country, we claim our Ancestral birthright. It is in this spirit that the fire stick has been lit, to tend to the fires awoken by our Elders and Ancestors, for this fire stick to be carried and nurtured by Gellung Warl. The fire stick is how we take fire across Country, across generations – for Gellung Warl to light its own fire. One that will cleanse, will nourish, will maintain Country, will draw on many voices to carry forward one strength.

In a time now shaped by treaty-making, truth-telling and institutional change, we hold firm to what must not be lost – our ways of being, our cultural foundations, our obligations to future generations. These rules are made not only to meet current needs but to reflect who we are, where we come from, and where we are going. They are made with respect for the past, commitment to the present, and vision for the future we traverse in the Treaty era.”

3.2 Grounded in Culture

The making or amending of rules is a cultural act, a weaving together of voices, responsibilities, and the lessons of generations. It recognises that this land has always held Lore and Law – before paper and policies, before corporations and committees, there was, and always will be, Country. Country speaks, breathes, teaches, guides us to make rules the proper way. To be here, to make rules in our own name, is a reclaiming of everything our people have been denied. It is an expression of our authority, of our self-determination, and of our continuing sovereignty as peoples.

4 Purpose

These rules set out interim processes and procedures in relation to preparing and making substantive rules and internal rules to uphold and respect:

- (a) transparency and accountability;
- (b) lawfulness and procedural compliance; and
- (c) cultural protocols.

5 Application

These rules apply to the Assembly and the CEO.

6 Commencement

These rules commence on the day they are made by the Assembly.

7 Definitions

- (a) Unless the contrary intention appears, a term has the same meaning given to it in the Statewide Treaty Act or in any other internal rules made by the Assembly.
- (b) Unless the contrary intention appears, in these rules the following terms have the corresponding meaning:

Term	Meaning
Assembly	First Peoples' Assembly.
Assembly Chamber	A meeting of the First Peoples' Assembly called under the Assembly Meeting and Decision-Making Rules.
Assembly Co-Chair	A person elected Assembly Co-Chair under the Assembly Internal Governance Rules.
Assembly Internal Governance Rules	Internal rules made or amended by the Assembly and in force from time to time under section 33 of the Statewide Treaty Act that provide for the matters set out in Schedule 1, Items 1, 4 and 5 to that Act relating to internal governance.
Assembly Meeting and Decision-Making Rules	Internal rules made or amended by the Assembly and in force from time to time under section 33 of the Statewide Treaty Act that provide for matters set out in Schedule 1, Items 1, 2 and 9 to that Act relating to meetings and decision-making.
CEO	The Chief Executive Officer of Gellung Warl.
Elders' Group	A group of Elders to be determined by the Assembly, from time to time, to whom the Assembly assigns, from time to time, functions that are culturally appropriate for Elders to perform.
Electoral Rules	Internal rules made or amended by the Assembly and in force from time to time under section 33 of the Statewide Treaty Act that provide for the matters set out in Schedule 2 to that Act.
Statewide Treaty Act	The <i>Statewide Treaty Act 2025</i> (Vic).

Carrying the Fire Stick

8 Substantive Rules

Outline

Rule 8 sets out the processes and procedures for preparing and making substantive rules.

8.1 Preparing a substantive rule

8.1.1 Consultation and engagement

- (a) The Assembly may make procedures setting out processes for consultation and engagement:
 - (i) with eligible persons in relation to any proposed or existing substantive rules; and
 - (ii) with any person or group, or on any other matter relating to substantive rules.

8.1.2 Community Engagement Charter

- (a) Section 39(2) of the Statewide Treaty Act applies to a substantive rule and requires that a substantive rule be made in accordance with the Community Engagement Charter once that Charter is in force.

8.1.3 Scrutiny of a substantive rule

- (a) Before preparing or making any substantive rules, the Assembly must establish a Committee with the function of scrutinising proposed substantive rules, or confer that function on an existing Committee that has been established under the Assembly Internal Governance Rules.
- (b) A Committee responsible for the scrutiny of proposed substantive rules under [rule 8.1.3\(a\)](#) must consider and prepare a written report on:
 - (i) whether the proposed substantive rule meets the requirements of section 34 of the Statewide Treaty Act; and
 - (ii) compatibility of the proposed substantive rule with the human rights set out in the *Charter of Human Rights and Responsibilities Act 2006* (Vic).
- (c) A Committee responsible for the scrutiny of proposed substantive rules under [rule 8.1.3\(a\)](#) may include in its written report how the proposed substantive rules respect Aboriginal Lore, Law and Cultural Authority and, in doing so, may:
 - (i) seek advice and guidance from the Elders' Group (if any); and
 - (ii) consider matters documented or described by the Assembly under [rule 8.1.3\(d\)](#).

- (d) The Assembly may, from time to time, document or describe Aboriginal Lore, Law and Cultural Authority relevant to the making of substantive rules.

Example: Gitjawil Yurpa.

- (e) A report prepared by a Committee under [rule 8.1.3\(b\)](#) may include recommendations that amendments be made to the proposed substantive rule to address the matters considered by the Committee.
- (f) A report prepared by a Committee under [rule 8.1.3\(b\)](#) must be provided to the CEO and the Assembly Co-Chairs within a time specified by the CEO to enable the report to be presented at the Assembly Chamber at which the proposed substantive rule is to be made.

8.1.4 Certification process

- (a) Section 38 of the Statewide Treaty Act applies to a substantive rule and requires the Assembly to obtain a certificate from a qualified certifier stating that the person is of the opinion that the proposed substantive rule complies with the requirements of the Statewide Treaty Act relating to substantive rules.
- (b) A certification prepared by a qualified certifier under [rule 8.1.4\(a\)](#) must be provided to the CEO and the Assembly Co-Chairs within the time specified by the CEO to enable the certification to be presented at the Assembly Chamber at which the proposed substantive rule is to be made.

8.2 Making a substantive rule

8.2.1 Decision to make a substantive rule

- (a) A decision to make a substantive rule is a decision of the Assembly and must be made in accordance with the Assembly Meeting and Decision-Making Rules and the requirements of this rule.

8.2.2 Certification and scrutiny report

- (a) The CEO will ensure the scrutiny report prepared under [rule 8.1.3\(b\)](#) and the certification obtained under [rule 8.1.4](#) are presented at the Assembly Chamber at which the proposed substantive rule is to be made.

8.2.3 Considerations

- (a) When making a substantive rule, the Assembly must give proper consideration to:
 - (i) any relevant human rights in the *Charter of Human Rights and Responsibilities Act 2006* (Vic);
 - (ii) the scrutiny report prepared under [rule 8.1.3\(b\)](#); and.
 - (iii) the certification obtained under [rule 8.1.4](#).

8.3 Amending or repealing a substantive rule

- (a) The process for preparing and making substantive rules applies with any necessary modifications to a proposed amendment to or repeal of a substantive rule.

9 Internal Rules

Outline

Rule 9 sets out the processes and procedures for preparing and making internal rules.

9.1 Preparing an internal rule

9.1.1 Consultation with Treaty Authority

- (a) Section 36 of the Statewide Treaty Act applies if the Assembly intends to make an internal rule under Item 6 or 7 of Schedule 1 to the Statewide Treaty Act that involves complaints handling or dispute resolution by the Treaty Authority and requires the Assembly to consult with the Treaty Authority before making the relevant rule.
- (b) Subject to [rule 9.1.1\(a\)](#), the Assembly may otherwise consult with the Treaty Authority in respect of an internal rule before making the rule.

9.1.2 Community Engagement Charter

- (a) Section 39(2) applies to an internal rule and requires that an internal rule is made in accordance with the Community Engagement Charter once that Charter is in force.

9.1.3 Requirement for certain electoral rules

- (a) Section 35 of the Statewide Treaty Act applies to an internal rule that is an electoral rule changing the period of member terms.

9.1.4 Incorporation by reference

- (a) Section 33(4)(f) of the Statewide Treaty Act applies to an internal rule made by the Assembly.
- (b) To avoid doubt, a document applied, adopted or incorporated by reference under section 33(4)(f) by an internal rule may include an internal rule made or amended by the Assembly under section 33 of the Statewide Treaty Act, as in force from time to time, including an internal rule not yet made and in force at the time of application, adoption or incorporation.

9.1.5 Certification process

- (a) Section 38 of the Statewide Treaty Act applies to an internal rule and requires the Assembly to obtain a certificate from a qualified certifier stating that the person is of the opinion that the proposed internal rule complies with the requirements of the Statewide Treaty Act relating to internal rules.
- (b) A certification prepared by a qualified certifier under [rule 9.1.5\(a\)](#) must be provided to the CEO and the Assembly Co-Chairs within the time specified by the CEO (if any) to enable the certification to be presented at the Assembly Chamber at which the proposed internal rule is to be made.

9.2 Making an internal rule

9.2.1 Decision to make an internal rule

- (a) A decision to make an internal rule is a decision of the Assembly and must be made in accordance with the Assembly Meeting and Decision-Making Rules (once in force) and the requirements of this rule.

9.2.2 Certification

- (a) The CEO will ensure the certification obtained under [rule 9.1.5](#) is presented at the Assembly Chamber at which the proposed internal rule is to be made.

9.2.3 Considerations

- (a) When making an internal rule, the Assembly must give proper consideration to:
 - (i) any relevant human rights in the *Charter of Human Rights and Responsibilities Act 2006* (Vic); and
 - (ii) the certification obtained under [rule 9.1.5](#).
- (b) When making an internal rule, the Assembly may consider how the proposed internal rule respects Aboriginal Lore, Law and Cultural Authority.
- (c) For the purposes of [rule 9.2.3\(b\)](#), the Assembly may, from time to time, document or describe Aboriginal Lore, Law and Cultural Authority relevant to the making of internal rules.

Example: Gitjawil Yurpa.

9.3 Amending or repealing an internal rule

- (a) The process for preparing and making internal rules applies with any necessary modifications to a proposed amendment to or proposed repeal of an internal rule.

10 Validity of Acts and Transitional Rule

- (a) An act done by a person under or in connection with these rules is to be taken to have been an act done in accordance with these rules even if there was a vacancy in the role or office, or it is later discovered the appointment of that person to the role or office was defective or had ceased.
- (b) Where a procedural step was taken in connection with preparing an internal rule under [rule 9.1](#) before the commencement of that rule, the Assembly may determine that the step is taken to have been done in accordance with that rule if satisfied that the step complies with the requirements of that rule.

Nurturing the Fire Stick

11 Information Walking with these Rules

At the time these rules were made, the following rules and other documents are relevant to their operation. Other rules and other documents may be made from time to time that are also relevant to their operation.

11.1 Internal rules

- (a) Assembly Internal Governance Rules
- (b) Assembly Meeting and Decision-Making Rules
- (c) Electoral Rules

12 Amendments

Version	Date Approved	Approved By	Review Date	Changes Made

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