Aboriginal Land Rights (Northern Territory) Act 1976

No. 191, 1976

Compilation No. 15A

Compilation date: 12 November 1991

Includes amendments: SR No. 340, 1991

Prepared by the Office of Parliamentary Counsel, Canberra

Authorised Version C2025C00542 registered 03/10/2025

About this compilation

This compilation

This is a compilation of the *Aboriginal Land Rights (Northern Territory) Act 1976* that shows the text of the law as amended and in force on 12 November 1991 (the ***compilation date***).

The notes at the end of this compilation (the ***endnotes***) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. Any uncommenced amendments affecting the law are accessible on the Register (www.legislation.gov.au).

Application, saving and transitional provisions

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Presentational changes

The *Legislation Act 2003* provides for First Parliamentary Counsel to make presentational changes to a compilation. Presentational changes are applied to give a more consistent look and feel to legislation published on the Register, and enable the user to more easily navigate those documents.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. Any modifications affecting the law are accessible on the Register.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

Contents

Part I—Preliminary 1

1 Short title....1
2 Commencement....1
3 Interpretation....1
3A Crown land vested in Northern Territory....8
3B Act binds the Crown....8
3C Act has effect despite Lands Acquisition Act....9

Part II—Grants of land to Aboriginal Land Trusts 10

4 Land Trusts....10
5 Functions of Land Trusts....12
6 Land Trust not empowered to accept moneys....13
7 Membership of Land Trust....13
8 Termination of appointment of members of Land Trusts....15
9 Resignation of member of Land Trust....15
10 Recommendations for grants of Crown land described in Schedule 1....15
11 Recommendations for grants of Crown land, other than that described in Schedule 1....17
11A Land Councils may enter into agreements concerning land under claim....24
12 Grants of land to Land Trusts....25
12AAA Additional grant to Tiwi Land Trust....30
12AA Agreements with respect to roads on land described in Schedule 1....31
12AB Declaratory orders with respect to roads on land described in Schedule 1....31
12AC Effect of agreement or order....32
12AD Compensation for loss of licences, &c.....33
12A Occupation of land by Director....34
12B Arbitration on agreement between Land Council and Director....34
12C Minister may grant lease in certain circumstances....35
13 Grants of interests in land the subject of a deed in escrow....35
14 Occupation, &c., by the Crown, &c., of Aboriginal land vested in Land Trust....36
15 Payments to Land Council in respect of occupation of land by the Crown, &c.....37

Authorised Version C2025C00542 registered 03/10/2025

16 Payments to Land Council by the Crown in respect of interests in Aboriginal land 37
17 Appropriation, &c., of payments to Land Council 38
18 Occupation or use of Aboriginal land by mission 38
18A Occupation or use of land in Ranger Project Area 39
18B Occupation or use of land in Alligator Rivers Region, other than the Ranger Project Area 40
18C Section 18A or 18B not to authorize mining, &c. 41
19 Dealings, &c., with interests in land by Land Trusts 42
20 Leases in compliance with obligations of the Commonwealth 45
20A Northern Territory transfer of land law to apply 46

Part III—Aboriginal Land Councils 47

21 Establishment of Land Councils 47
22 Land Council to be body corporate, &c 48
23 Functions of Land Council 48
23A Power of Land Council to obtain information and documents 50
23B Application to Supreme Court for order with respect to information or documents 51
23C A person authorized by Land Council to have access to buildings and places in Region 52
23D Application to Supreme Court for order with respect to access 53
23E Secrecy 54
24 Register of traditional Aboriginal owners 55
25 Duty of Land Council to attempt conciliation of disputes 55
26 Land Council to meet expenses, &c, of Land Trust 56
27 Powers of Land Council 56
28 Delegation 57
29 Membership of Land Council 58
29A Committees 59
30 Chairman and Deputy Chairman of Land Council 59
31 Meetings of Land Council 60
32 Bank accounts 61
33 Borrowing by Land Council 61
34 Estimates of expenditure by Land Council 62
35 Application of money of Land Council 62
35A Incorporated communities or groups to lodge financial records with Land Councils 65
36 Other payments to be approved by Minister 66

Authorised Version C2025C00542 registered 03/10/2025

37 Financial records to be kept 67
37AA Interim financial reports....67
37A Annual reports by Land Councils 67
38 Audit of financial records 68

Part IV—Mining 70

40 Grants of exploration licences 70
41 Application for consent to exploration licences 70
42 Response of Land Council and Minister to application....73
43 National interest cases 77
44 Determination of conditions of exploration licences....78
44A Terms and conditions of exploration licences 80
45 Mining interest not to be granted in certain circumstances 81
46 Terms and conditions to which grant of mining interest subject 82
47 Vitiation of consent....87
48 No further applications within certain periods 88
48A Land Council may enter agreement concerning exploration or mining of land subject to claim 91
48AA Special provisions relating to specified areas 92
48B Variation of terms and conditions....94
48C Application of Acts authorising mining on Aboriginal land 95
48D Payments in respect of mining under Acts 95
48E Arbitration on required agreement....96
48F Appointment as Mining Commissioner....96
48G Proclamations to be laid before Parliament 98
48H Agreements for entry on Aboriginal land....99
48J Offence in connection with mining interest....100

Part V—Aboriginal Land Commissioners 101

49 Aboriginal Land Commissioner....101
50 Functions of Commissioner....101
51 Powers of Commissioner....105
52 Appointment of Commissioner....105
53 Judge to be appointed as Commissioner....106
53A Protection for Commissioner, &c. 106
54 Power to require person to answer questions and produce documents 106
54A Person wishing to give information, &c., to Commissioner....107
54AA Commissioner may restrict publication, &c. 108

Authorised Version C2025C00542 registered 03/10/2025

54B Person not to furnish false information, &c.....109
54C Financial assistance in respect of legal representation 109
54D Reference of question of law to Federal Court.....110
55 Interests of Commissioner in any business.....111
56 Leave of absence.....111
57 Acting appointments.....111
58 Resignation 112
59 Staff to assist Commissioner.....112
60 Consultants to Commissioner 112
61 Annual report, &c., by Commissioner.....113

Part VI—Aboriginals Benefit Trust Account 114

62 Aboriginals Benefit Trust Account.....114
62A Repeal of section 21 of Northern Territory (Administration) Act and consequent provision.....114
63 Payments into Trust Account.....115
64 Payments out of Trust Account 116
64A Transfer of amounts from Trust Account to Consolidated Revenue Fund in certain circumstances.....118
64B Accounts, financial statements and annual report 120
65 Trust Account Advisory Committee.....121

Part VII—Miscellaneous 122

66 Interpretation.....122
67 Aboriginal land not to be resumed, &c.....122
67A Estates or interests not to be granted while land subject to traditional land claim 122
68 Roads over Aboriginal land 124
69 Sacred sites 125
70 Entry, &c., on Aboriginal land 126
71 Traditional rights to use or occupation of Aboriginal land.....127
72 Aboriginal land to continue to be reserve under Northern Territory law 127
73 Reciprocal legislation of the Northern Territory 128
74 Application of laws of Northern Territory to Aboriginal land 129
74A Financial assistance in respect of legal representation in closure of seas applications.....129
75 Application of miner's right in relation to Aboriginal land.....130
76 Delegation by Minister 130
77 Remuneration and allowances 131
77A Consents of traditional Aboriginal owners 131

Authorised Version C2025C00542 registered 03/10/2025

77B Conduct by director, servants or agents....132
77C Amendment of Schedule 1....132
78 Regulations....133

Schedule 1 134

Part 1 134

Part 2 151

Part 3 154

Schedule 2 167

Schedule 3 168

Schedule 4 170

Schedule 5 172

Endnotes 174

Endnote 1—About the endnotes 174

Endnote 2—Abbreviation key 176

Endnote 3—Legislation history 177

Endnote 4—Amendment history 182

Authorised Version C2025C00542 registered 03/10/2025

Authorised Version C2025C00542 registered 03/10/2025

An Act providing for the granting of Traditional Aboriginal Land in the Northern Territory for the benefit of Aboriginals, and for other purposes

Part I—Preliminary

1 Short title

This Act may be cited as the *Aboriginal Land Rights* (*Northern Territory*) *Act 1976*.

2 Commencement

(1) This Act, other than section 70, shall come into operation on a date to be fixed by Proclamation.

(2) Section 70 shall come into operation on a date to be fixed by Proclamation, being a date later than the date fixed for the purposes of subsection (1).

3 Interpretation

(1) In this Act, unless the contrary intention appears—

Aboriginal means a person who is a member of the Aboriginal race of Australia;

Aboriginal Council has the same meaning as in the *Aboriginal Councils and Associations Act 1976*;

Aboriginal land means—

(a) land held by a Land Trust for an estate in fee simple; or

(b) land the subject of a deed of grant held in escrow by a Land Council;

Aboriginal tradition means the body of traditions, observances, customs and beliefs of Aboriginals or of a community or group of

Authorised Version C2025C00542 registered 03/10/2025

Aboriginals, and includes those traditions, observances, customs and beliefs as applied in relation to particular persons, sites, areas of land, things or relationships;

adult Aboriginal means an Aboriginal who has attained the age of 18 years;

alienated Crown land means Crown land in which a person (other than the Crown) has an estate or interest, but does not include land in a town;

Alligator Rivers Area (No. 3) means the land described in Schedule 4;

area, in relation to a Land Council, means an area for which the Council is established under this Act;

Authority means an authority established by or under a law of the Commonwealth or a law of the Northern Territory;

Commissioner means an Aboriginal Land Commissioner holding office under Part V;

community purpose means a purpose that is calculated to benefit primarily the members of a particular community or group;

conservation zone means a conservation zone declared under section 8A of the National Parks Act;

Crown Land means land in the Northern Territory that has not been alienated from the Crown by a grant of an estate in fee simple in the land, or land that has been so alienated but has been resumed by, or has reverted to or been acquired by, the Crown, but does not include—

(a) land set apart for, or dedicated to, a public purpose under an Act; or

(b) land the subject of a deed of grant held in escrow by a Land Council;

Director means the Director of National Parks and Wildlife;

Authorised Version C2025C00542 registered 03/10/2025

exploration licence includes:

(a) a prospecting authority; and

(b) a permit in respect of land under the *Petroleum (Prospecting and Mining) Act 1954* of the Northern Territory; and

(c) a permit granted under the *Petroleum Act 1984* of the Northern Territory; and

(d) a right to explore for minerals under:

(i) if subsection 53(2A) of the *Lands Acquisition Act 1955* applies by virtue of subsection 124(8) of the *Lands Acquisition Act 1989*—the first- mentioned subsection; or

(ii) if subparagraph (i) does not apply—regulations made for the purposes of subsection 124(1) of the *Lands Acquisition Act 1989*;

exploration retention lease means an exploration retention lease or exploration retention licence granted under a law of the Northern Territory relating to mining for minerals and includes a retention licence granted under the *Petroleum Act 1984* of the Northern Territory as amended from time to time;

extractive mineral means—

(a) soil; or

(b) sand, gravel, clay or stone, being sand, gravel, clay or stone that is suitable for use in construction or building works;

extractive mineral deposit means a deposit of extractive minerals;

Gimbat, or ***Goodparla***, means, in each case, the area described by that name (being an area of land that is or was subject to a pastoral lease) on the map referred to in the definition of "Alligator Rivers Region" in section 3 of the *Environment Protection* (*Alligator Rivers Region*) *Act 1978*;

grant, in relation to an interest in land (including any interest referred to in a paragraph of subsection (2) of this section), includes the doing of any action by reason of which the interest arises;

Authorised Version C2025C00542 registered 03/10/2025

Incorporated Aboriginal Association has the same meaning as in the *Aboriginal Councils and Associations Act 1976*;

Incorporated Aboriginal Association means an Aboriginal association incorporated under the *Aboriginal Councils and Associations Act 1976*;

intending miner, in respect of Aboriginal land, means:

(a) a person who makes application, under a law of the Northern Territory relating to mining for minerals, for the grant of a mining interest in respect of that land, while the person:

(i) holds an exploration licence under that law in respect of that land; or

(ii) being a person who has held an exploration licence in respect of that land, holds under that law an exploration retention lease or exploration retention licence, or has made an application for the grant of such a lease or licence, in respect of that land or a part of that land; or

(b) a person who:

(i) if subsections 51(1A) and 53(2A) of the *Lands Acquisition Act 1955* apply by virtue of subsection 124(8) of the *Lands Acquisition Act 1989*— makes an application, under subsection 51(1A) of the first-mentioned Act for the grant of a lease or licence to mine for minerals on that land, while the person holds, under subsection 53(2A) of that Act, a right to explore for minerals on that land; or

(ii) if subparagraph (i) does not apply—makes an application for the grant, under regulations made for the purposes of subsection 124(1) of the *Lands Acquisition Act 1989*, of a right to mine for, or recover, minerals on that land, while the person holds, under the regulations, a right to explore for minerals on that land;

Land Council means an Aboriginal Land Council established by or under this Act;

Authorised Version C2025C00542 registered 03/10/2025

Land Trust means an Aboriginal Land Trust established under this Act;

law of the Northern Territory means a law made under, or having effect in the Northern Territory by virtue of, the *Northern Territory (Self-Government) Act 1978*;

mineral royalties means royalties payable to the Commonwealth or the Northern Territory in respect of the mining of minerals;

minerals includes—

(a) gold, silver, copper, tin and other metals;

(b) coal, shale, petroleum and valuable earths and substances;

(c) mineral substances;

(d) gems and precious stones; and

(e) ores and other substances containing minerals,

whether suspended in water or not, and includes water but does not include extractive minerals;

miner's right means a miner's right or other authority issued under a law of the Northern Territory relating to mining for minerals, being a right or authority that empowers the holder to take possession of, mine or occupy land, or take any other action in relation to land, for any purpose in connexion with mining;

mining interest means:

(a) any lease or other interest in, or right in respect of, land granted under a law of the Northern Territory relating to mining for minerals (other than a lease or other interest in land, or a right, relating to the mining or development of extractive mineral deposits); or

(b) if subsections 51(1A) and 53(2A) of the *Lands Acquisition Act 1955* apply by virtue of subsection 124(8) of the *Lands Acquisition Act 1989*—any lease, licence or other right granted under any of those provisions; or

(c) if regulations have been made for the purposes of subsection 124(1) of the *Lands Acquisition Act 1989*—any

Authorised Version C2025C00542 registered 03/10/2025

right granted under those regulations to explore for, mine for, or recover, minerals;

but does not include, when the expression is used in Part IV, any such lease, licence, interest or right that is an exploration licence or exploration retention lease;

mission means a religious society or association the purposes of which are, or include, furthering the spiritual, cultural or economic welfare of Aboriginals, and includes a trustee or trustees empowered to hold land on behalf of such a society or association;

National Parks Act means the *National Parks and Wildlife Conservation Act 1975*;

Northern Territory Mining Minister means the person holding ministerial office under section 36 of the *Northern Territory* (*Self-Government*) *Act 1978* who is responsible for the administration of the law of the Northern Territory relating to mining for minerals;

park means a park for the time being declared under section 7 of the National Parks Act;

petroleum means—

(a) any naturally occurring hydrocarbon, whether in a gaseous, liquid or solid state;

(b) any naturally occurring mixture of hydrocarbons, whether in a gaseous, liquid or solid state; or

(c) any naturally occurring mixture of one or more hydrocarbons, whether in a gaseous, liquid or solid state, and one or more of the following, that is to say, hydrogen sulphide, nitrogen, helium and carbon dioxide;

sacred site means a site that is sacred to Aboriginals or is otherwise of significance according to Aboriginal tradition, and includes any land that, under a law of the Northern Territory, is declared to be sacred to Aboriginals or of significance according to Aboriginal tradition;

Authorised Version C2025C00542 registered 03/10/2025

town has the same meaning as in the law of the Northern Territory relating to the planning and developing of towns and the use of land in or near towns, and includes any area that, by virtue of regulations in force under that law, is to be treated as a town;

traditional Aboriginal owners, in relation to land, means a local descent group of Aboriginals who—

(a) have common spiritual affiliations to a site on the land, being affiliations that place the group under a primary spiritual responsibility for that site and for the land; and

(b) are entitled by Aboriginal tradition to forage as of right over that land;

traditional land claim, in relation to land, means a claim by or on behalf of the traditional Aboriginal owners of the land arising out of their traditional ownership;

Trust Account means the Aboriginals Benefit Trust Account established by section 62;

unalienated Crown land means Crown land in which no person (other than the Crown) has an estate or interest, but does not include land in a town.

(2) Unless the contrary intention appears, a reference in this Act to an estate or interest in land includes a reference to an interest by way of a right against the Crown to a grant of an estate or interest in land, but does not include a reference to—

(a) a mining interest;

(b) an interest arising out of the operation of the *Atomic Energy Act 1953* or any other Act authorizing mining for minerals;

(ba) a lease or other interest in land, or a right granted in respect of land, under a law of the Northern Territory relating, in whole or in part, to the mining or development of extractive mineral deposits.

(c) an interest arising out of the taking possession, mining or occupation of land by virtue of a miner's right; or

Authorised Version C2025C00542 registered 03/10/2025

(d) an interest by way of the occupation or use, with the licence or permission of the Crown, of land by an Authority or a mission.

(3) A reference in this Act to an Act authorizing mining for minerals shall be read as a reference to such an Act whether passed before or after the commencement of this section and as including a reference to section 124 of the *Lands Acquisition Act 1989*.

(4) A reference in this Act to the granting of a mining interest in respect of Aboriginal land shall be read as not including a reference to the renewal, in accordance with an option or other right conferred before the land became Aboriginal land, of a mining interest that was in existence when the land became Aboriginal land.

(5) A description of land in Schedule 1 shall be deemed not to include any land on which there is, at the commencement of this section, a road over which the public has a right of way.

(6) A reference in this Act to the Crown shall be read as a reference to the Crown in right of the Commonwealth or the Crown in right of the Northern Territory or both, as the case requires.

3A Crown land vested in Northern Territory

(1) Notwithstanding any law of the Northern Territory, the application of this Act in relation to Crown land extends to Crown land that is vested in the Northern Territory.

(2) Notwithstanding any law of the Commonwealth or of the Northern Territory, the Commonwealth is not liable to pay to the Northern Territory any compensation by reason of the making of a grant to a Land Trust of Crown land that is vested in the Northern Territory.

3B Act binds the Crown

This Act binds the Crown in right of the Commonwealth and of the Northern Territory.

Authorised Version C2025C00542 registered 03/10/2025

3C Act has effect despite Lands Acquisition Act

This Act has effect despite anything contained in the *Lands Acquisition Act 1989*.

Authorised Version C2025C00542 registered 03/10/2025

Part II—Grants of land to Aboriginal Land Trusts

4 Land Trusts

(1) The Minister may, by notice published in the *Gazette*, establish Aboriginal Land Trusts to hold title to land in the Northern Territory for the benefit of Aboriginals entitled by Aboriginal tradition to the use or occupation of the land concerned, whether or not the traditional entitlement is qualified as to place, time, circumstance, purpose or permission, and shall so establish Land Trusts to hold the Crown land described in Schedule 1.

(1AA) A Land Trust to hold any Crown land described in Part 2 or 3 of Schedule 1 must be established not later than 2 years after the commencement of this subsection.

(1A) Nothing in this Act shall be taken to imply that the Minister cannot establish, under this section, Land Trusts to hold different areas of land each of which is included within a single area of Crown Land that is described in Schedule 1.

(1B) Where—

(a) the traditional Aboriginal owners of an area of land constituting the whole or a part of the land that is held by a Land Trust are also the traditional Aboriginal owners of an area of land constituting the whole or a part of land that is held by another Land Trust or in which an estate in fee simple would be likely, but for the operation of this subsection, to be granted to another Land Trust; and

(b) those traditional Aboriginal owners are in favour of the amalgamation, within a single Land Trust, of the areas of which they are the traditional owners,

the Land Council or Land Councils in the area or areas of which the areas of land proposed for amalgamation are situated may request the Minister, in writing, to take action under subsection (1C) to effect that amalgamation.

Authorised Version C2025C00542 registered 03/10/2025

(1C) Where the Minister, upon receiving a request to take action under this subsection to effect the amalgamation of the whole or parts of 2 or more areas of affected land, is of the opinion that, in all the circumstances of the case, it is appropriate to do so, the Minister may—

(a) by notice published in the *Gazette* vary the specifications of the boundaries of a Land Trust established to hold affected land, with effect from the day upon which a new deed of grant, or new deeds of grant, relating to the land that that Land Trust was established to hold is or are delivered by the Governor-General in accordance with the recommendations of the Minister under subsection 10(2A) or 11(1B), so that the boundaries as so varied of the land to be held by that Land Trust relate—

(i) to all the land that is proposed to be amalgamated; or

(ii) to any affected land that was held by that Land Trust but that is not proposed to be amalgamated with other land; or

(b) by notice published in the *Gazette* pursuant to subsection (1), establish a new Land Trust—

(i) to hold all the land that is proposed to be amalgamated; or

(ii) to hold any affected land that is not proposed to be amalgamated with other land.

(1D) In subsection (1C), ***affected land*** means any area of land to which a deed of grant in fee simple under section 12, or an application referred to in paragraph 50(1)(a), relates, being land the whole or a part of which is proposed to be amalgamated with other land.

(2) A notice published under subsection (1) shall—

(a) specify the name of the Land Trust; and

(c) set out the boundaries of the land to be held by the Land Trust.

(3) A Land Trust—

(a) is a body corporate, with perpetual succession;

Authorised Version C2025C00542 registered 03/10/2025

(b) shall have a common seal;

(c) subject to this Part, may acquire, hold and dispose of real and personal property; and

(d) may sue and be sued in its corporate name.

(4) The common seal of a Land Trust shall be kept by a member of the staff of the Land Council in the area of which the Land Trust holds land who has been authorized by the Land Council for the purpose.

(5) Subject to subsection (5A), the common seal of a Land Trust shall be affixed to a document only with a written authority signed by the Chairman and at least 2 other members of the Land Trust.

(5A) The common seal of a Land Trust in relation to which the Minister has made a determination under subsection 7(1A) shall be affixed to a document—

(a) if the determination was a determination of the kind referred to in paragraph 7(1A)(a)—only with a written authority signed by a majority of the members of the Land Trust; or

(b) if the determination was a determination of the kind referred to in paragraph 7(1A)(b)—only with a written authority signed by the Chairman and at least one other member of the Land Trust.

(6) All courts, judges and persons acting judicially shall take notice of the common seal of a Land Trust affixed to a document and shall presume that it was duly affixed.

5 Functions of Land Trusts

(1) The functions of a Land Trust are—

(a) to hold title to land vested in it in accordance with this Act;

(b) to exercise its powers as owner of land referred to in paragraph (a) for the benefit of the Aboriginals concerned; and

(c) where the Land Trust is named as the grantee of land in a deed of grant held in escrow by a Land Council—to acquire, as and when practicable, the estates and interests of other

Authorised Version C2025C00542 registered 03/10/2025

persons in the land with a view to the surrender to the Crown of those estates and interests and the delivery to the Land Trust of the deed of grant held by the Land Council.

(2) A Land Trust—

(a) shall not exercise its functions in relation to land held by it except in accordance with a direction given to it by the Land Council for the area in which the land is situated; and

(b) where such a direction is given to it—shall take action in accordance with that direction.

(3) The *Lands Acquisition Act 1989* does not apply to the acquisition by a Land Trust, under this Act, of an estate or interest in land.

6 Land Trust not empowered to accept moneys

A Land Trust is not empowered to accept moneys due and owing to it or to give a valid discharge for such moneys, but such moneys may be paid to the Land Council for the area in which the Land Trust holds, or is established to hold, land.

7 Membership of Land Trust

(1) A Land Trust shall, unless the Minister, in accordance with subsection (1A), determines that the Land Trust shall be differently constituted, consist of a Chairman and such other members not less than 3 in number as the Minister appoints.

(1A) Where, on the application, in writing, of the Land Council for the area in which the land to be held by a Land Trust established, or about to be established, under section 4, is situated, being an application made after the commencement of this subsection and before any person is appointed to be a member of that Land Trust, the Minister is satisfied that it is appropriate so to do, the Minister may, by writing under his hand, make, in respect of the Land Trust—

(a) a determination that the Land Trust shall not have a Chairman but shall consist of such number of members, not

Authorised Version C2025C00542 registered 03/10/2025

being less than 3, as the Minister specifies in the determination; or

(b) a determination that the Land Trust shall consist of a Chairman and 2 other members,

and, where a determination is so made in relation to a Land Trust, the Land Trust shall be constituted in accordance with the determination.

(2) The members of a Land Trust shall be appointed by the Minister on a nomination received by him under subsection (3).

(3) For the purposes of subsection (2), the Minister may request a nomination of a person from—

(a) the Land Council for the area in which the Land Trust is to hold land; or

(b) where the Land Trust is to hold land in the area of an Aboriginal Council—that Aboriginal Council.

(4) A member of a Land Trust shall be appointed as a part-time member.

(5) The exercise or performance of a power or function by a Land Trust is not affected by reason only of there being a vacancy in the office of a member of the Land Trust.

(6) All members of a Land Trust shall be Aboriginals living in the area of the Land Council in the area of which the land of the Land Trust is situated or whose names are set out in the register maintained by that Land Council in accordance with section 24.

(7) Subject to this Act, a member of a Land Trust holds office for such period, not exceeding 3 years, as is specified in the instrument of his appointment and on such terms and conditions as the Minister determines, but is eligible for re-appointment.

(8) Where a member of a Land Trust is, or is about to be, unable, whether on account of illness or otherwise, to perform the duties of his office, the Minister may appoint an Aboriginal to act in the

Authorised Version C2025C00542 registered 03/10/2025

place of that member during the period during which that member is unable to perform the duties of his office.

(9) A person appointed to act in the place of a member of a Land Trust has all the functions, powers and duties of that member.

8 Termination of appointment of members of Land Trusts

Where the Land Council for the area in which a Land Trust holds, or is established to hold, land requests the Minister, in writing, to remove a member of the Land Trust on the ground that he has, in the opinion of the Land Council, failed properly to perform the duties of his office, the Minister shall, if he is satisfied that the request is reasonable, terminate the appointment of the member.

9 Resignation of member of Land Trust

A member of a Land Trust may resign his office by writing under his hand delivered to the Minister, but the resignation does not have effect until it is accepted by the Minister.

10 Recommendations for grants of Crown land described in Schedule 1

(1) Where—

(a) a Land Trust has been established in respect of land constituting, or included within, an area of land described in Schedule 1; and

(b) subsection (2) does not apply in relation to that land or applies in relation to a part only of that land,

the Minister shall recommend to the Governor-General that a grant of an estate of fee simple in that land, or in the part of that land to which subsection (2) does not apply, be made to that Land Trust.

(2) Where—

(a) a Land Trust has been established in respect of land constituting, or included within, an area of land described in Schedule l; and

Authorised Version C2025C00542 registered 03/10/2025

(b) a person (other than the Crown) has an estate or interest in the whole or a part of that land,

the Minister shall recommend to the Governor-General that the Governor-General execute a deed of grant of an estate in fee simple in that land, or that part of that land, to that Land Trust and deliver it to the Land Council for the area in which that land, or that part of that land, is situated to be held in escrow until all of the estates and interests in that land, or that part of that land, held by a person (other than the Crown) have come to an end, whether by surrender to the Crown or otherwise, and then to be delivered by the Land Council to that Land Trust.

(2A) Where an amalgamation in respect of which the Minister has taken action under subsection 4(1C) involves an area of land that was the subject of a deed of grant (in this subsection referred to as the ***former deed***) to an existing Land Trust, not being a deed of grant that is held in escrow by a Land Council, the Minister shall recommend to the Governor-General that the Governor-General execute, in lieu of the former deed—

(a) if that area of land is wholly to be held by another Land Trust—a new deed of grant of an estate in fee simple in that area to that other Land Trust; or

(b) if that area of land is to be held, as to part of that area, by that existing Land Trust and as to part of that area, by another Land Trust—new deeds of grant of estates in fee simple in the respective parts of that area to the respective Land Trusts that are to hold those respective parts of that area.

(2B) Where an amalgamation in respect of which the Minister has taken action under subsection 4(1C) involves an area of land that was the subject of a deed of grant (in this subsection referred to as the ***former deed***) to an existing Land Trust, being a deed of grant that is held in escrow by a Land Council, the Minister shall recommend to the Governor-General—

(a) that the Governor-General execute, in lieu of the former deed—

Authorised Version C2025C00542 registered 03/10/2025

(i) if that area of land is wholly to be held by another Land Trust—a new deed of grant of an estate in fee simple in that area to that other Land Trust; or

(ii) if that area of land is to be held, as to part of that area, by that existing Land Trust and as to part of that area, by another Land Trust—new deeds of grant of estates in fee simple in the respective parts of that area to the respective Land Trusts that are to hold those respective parts of that area; and

(b) that the Governor-General deliver the new deed or the new deeds to that Land Council upon the same terms as the former deed was delivered.

(3) For the purposes of this section, a lease of land granted under a law of the Northern Territory relating to mining for minerals shall be deemed to be an estate or interest in that land if the lease was granted before the date of commencement of this section or in pursuance of an agreement entered into by the Commonwealth before that date.

(4) For the purposes of this section, any estate or interest in the area of land described in Schedule 1 under the heading 'Uluru' that is held by the Director shall be taken to be an estate or interest held by the Crown in right of the Commonwealth.

11 Recommendations for grants of Crown land, other than that described in Schedule 1

(1) Where—

(a) a Commissioner has, before the commencement of the *Aboriginal Land Rights Legislation Amendment Act 1982*, recommended, or, after the commencement of that Act, recommends, to the Minister in a report made to him under paragraph 50(1)(a) that an area of Crown land should be granted to a Land Trust for the benefit of Aboriginals entitled by Aboriginal tradition to the use or occupation of that area of land, whether or not the traditional entitlement is qualified as to place, time, circumstance, purpose or permission; and

Authorised Version C2025C00542 registered 03/10/2025

(b) the Minister is satisfied—

(i) that the land, or a part of the land, should be granted to a single Land Trust to be held for the benefit of Aboriginals who are the relevant Aboriginals in relation to that land or that part of that land; or

(ii) that different parts of the land should be granted to different Land Trusts so that each Land Trust holds the land granted to it for the benefit of Aboriginals who are the relevant Aboriginals in relation to that last-mentioned land,

(c) establish—

(i) in a case where he is satisfied that the land, or a part of the land, should be granted to a single Land Trust—a single Land Trust under section 4 to hold that land, or that part of that land, for the benefit of Aboriginals who are the relevant Aboriginals in relation to the land, or the part of the land, proposed to be held by that Land Trust; or

(ii) in a case where he is satisfied that different parts of the land should be granted to different Land Trusts—2 or more Land Trusts under section 4 respectively to hold those different parts of that land for the benefit of Aboriginals who are the relevant Aboriginals in relation to the parts of the land respectively proposed to be held by each of those Land Trusts;

(d) where land in respect of which a Land Trust has been or is proposed to be established in accordance with paragraph (c) is, or includes, alienated Crown land, ensure that the estates and interests in that land of persons (other than the Crown) are acquired by the Crown by surrender or otherwise; and

(e) after any acquisition referred to in paragraph (d) has been effected in relation to land and a Land Trust has been established in accordance with paragraph (c) in respect of that land, recommend to the Governor-General that a grant of an estate in fee simple in that land be made to that Land Trust.

Authorised Version C2025C00542 registered 03/10/2025

(1AA) Where the Minister has, before the commencement of this sub-section, taken action, or, after that commencement, takes action, in pursuance of subsection (1) in relation to a part or parts of the area of land to which a recommendation that is contained in a report made to him by a Commissioner under paragraph 50(1)(a) relates, the taking of that action does not preclude the Minister from taking further action in pursuance of subsection (1) in relation to any other part or parts of the land to which the recommendation relates, being further action involving the establishment of a Land Trust that is, or Land Trusts each of which is, different from the Land Trust or from any of the Land Trusts established by the first-mentioned action.

(1AB) Where the Minister—

(a) after taking action in pursuance of subsection (1), whether before or after the commencement of this subsection, to establish a Land Trust to hold part only of an area of land to which a recommendation that is contained in a report made by a Commissioner to the Minister under paragraph 50(1)(a) relates; or

(b) after taking action in relation to a Land Trust in accordance with paragraph (c) of this subsection by virtue of a previous application of this subsection,

is satisfied that that Land Trust (in this subsection referred to as the ***previously established Land Trust***) should hold another part of the area of land to which the recommendation relates for the benefit of Aboriginals who are the relevant Aboriginals in relation to that other part of that area of land, the Minister shall—

(c) by notice published in the *Gazette*, declare that that previously established Land Trust is to be treated, for all purposes of this Act or any other law of the Commonwealth, of a State or of a Territory, as if it had also been established under section 4 to hold title to that other part of the area of land to which the recommendation relates for the benefit of Aboriginals who are relevant Aboriginals in relation to that other part of that area of land;

(d) where the land to be held by the previously established Land Trust is, or includes, alienated Crown land, ensure that the

Authorised Version C2025C00542 registered 03/10/2025

estates and interests in that alienated Crown land of persons (other than the Crown) are acquired by the Crown by surrender or otherwise; and

(e) after any acquisition referred to in paragraph (d) has been effected in relation to the land to be held by the previously established Land Trust, recommend to the Governor-General that a grant of an estate in fee simple in that land be made to that previously established Land Trust.

(1AC) Upon the publication in the *Gazette* of a notice under paragraph (1AB)(c) the declaration contained in that notice has effect according to its tenor.

(1AD) Where—

(a) a Commissioner has, whether before or after the commencement of this subsection, in a report made to the Minister under paragraph 50(1)(a), made 2 or more recommendations to the Minister that areas of Crown land should be granted to Land Trusts for the benefit of Aboriginals entitled by Aboriginal tradition to the use or occupation of those respective areas of land, whether or not that traditional entitlement is qualified as to place, time, circumstance, purpose or permission;

(b) in respect of each of at least 2 of those recommendations the Minister has not taken action under subsection (1) or (1AB) in respect of the land, or any part of the land, to which the recommendation relates; and

(c) the Land Council for the area in which all the land to which the recommendations in respect of which the Minister has taken no action (in this subsection referred to as ***relevant recommendations***) relate is situated applies in writing to the Minister for the Minister to take action under this subsection in relation to that land,

the Minister shall, if he is satisfied that it is appropriate to do so—

(d) establish—

(i) a single Land Trust under section 4 to hold—

Authorised Version C2025C00542 registered 03/10/2025

(A) an area comprising all the respective parcels of land to which the relevant recommendations relate; or

(B) a part of that area, being a part that includes the whole or a portion of each of the parcels of land to which the relevant recommendations respectively relate,

for the benefit of all the Aboriginals who are the relevant Aboriginals in relation to the area of land proposed to be held by that Land Trust; or

(ii) 2 or more Land Trusts under section 4 to hold different areas of land, each area comprising the whole or a portion of each of the parcels of land to which 2 or more of the relevant recommendations respectively relate, for the benefit, in the case of each Land Trust so established, of all the Aboriginals who are the relevant Aboriginals in relation to the area of land proposed to be held by that Land Trust;

(e) where land in respect of which a Land Trust has been or is proposed to be established in accordance with paragraph (d) is, or includes, alienated Crown land, ensure that the estates and interests in that alienated Crown land of persons (other than the Crown) are acquired by the Crown by surrender or otherwise; and

(f) after any acquisition referred to in paragraph (e) has been effected in relation to land and a Land Trust has been established in accordance with paragraph (d) in respect of that land, recommend to the Governor-General that a grant of an estate in fee simple in that land be made to that Land Trust.

(1AE) Where—

(a) a Commissioner recommends to the Minister in two or more reports made under paragraph 50(1)(a) that areas of Crown land should be granted to two or more Land Trusts for the benefit of Aboriginals entitled by Aboriginal tradition to the use or occupation of those respective areas of land, whether

Authorised Version C2025C00542 registered 03/10/2025

or not the traditional entitlement is qualified as to place, time, circumstance, purpose or permission; and

(b) the Minister is satisfied that the areas of land or parts of the areas of land to which each of at least two of those reports respectively relate should be granted to a single Land Trust to be held for the benefit of Aboriginals who are the relevant Aboriginals in relation to each of those areas or each of those parts,

the Minister shall—

(c) establish a single Land Trust under section 4 to hold those areas or those parts of those areas for the benefit of Aboriginals who are the relevant Aboriginals in relation to the land proposed to be held by that Land Trust;

(d) where land in respect of which a Land Trust has been or is proposed to be established in accordance with paragraph (c) is, or includes, alienated Crown land, ensure that the estates and interests in that alienated Crown land of persons (other than the Crown) are acquired by the Crown by surrender or otherwise; and

(e) after any acquisition referred to in paragraph (d) has been effected in relation to land and a Land Trust has been established in accordance with paragraph (c) in respect of that land, recommend to the Governor-General that a grant of an estate in fee simple in that land be made to that Land Trust.

(1AF) Where land that is contiguous to Aboriginal land would have been the subject of a recommendation by the Minister under subsection (1), (1AB), (1AD) or (1AE) but for the existence on that land of—

(a) a road over which the public has a right of way; or

(b) a stock route (other than a stock route to which subsection 50(2E) applies),

then—

(c) in a case where paragraph (a) applies—if there no longer exists on that land a road over which the public has a right of way; or

Authorised Version C2025C00542 registered 03/10/2025

(d) in a case where paragraph (b) applies—if the land ceases to be a stock route,

the Minister may, on the application of the Land Council for the area in which the land is situated, recommend to the Governor-General that a grant of an estate in fee simple in that land or part of that land be made to the Land Trust that holds, or to one of the Land Trusts that hold, contiguous Aboriginal land.

(1A) Notwithstanding anything to the contrary in this section, where land the subject of a recommendation contained in a report made to the Minister under paragraph 50(1)(a) is land in a park, being land in which all the estates and interests not held by the Crown are held by the Director, the Minister is not required to ensure that the estates and interests of the Director in the land are acquired by the Crown.

(1B) Where an amalgamation in respect of which the Minister has taken action under subsection 4(1C) involves an area of land that was the subject of a deed of grant (in this subsection referred to as the ***former deed***) to an existing Land Trust, the Minister shall recommend to the Governor-General that the Governor-General execute, in lieu of the former deed—

(a) if that area of land is wholly to be held by another Land Trust—a new deed of grant of an estate in fee simple in that area to that other Land Trust; or

(b) if that area of land is to be held, as to part of that area, by that existing Land Trust and as to part of that area, by another Land Trust—new deeds of grant of estates in fee simple in the respective parts of that area to the respective Land Trusts that are to hold those respective parts of that area;

(2) If the Commission appointed by instrument published in the *Gazette* on 16 July 1975 under section 11 of the *Environment Protection (Impact of Proposals) Act 1974* to conduct an inquiry in relation to the proposal for the development of uranium deposits in the Northern Territory has, for the purposes of its inquiry, made a finding that a group or groups of Aboriginals are entitled by Aboriginal tradition to the use or occupation of an area of land, this

Authorised Version C2025C00542 registered 03/10/2025

section has effect as if a Commissioner had recommended to the Minister in a report made by him under paragraph 50(1)(a) that the area should be granted to a Land Trust for the benefit of that group or those groups of Aboriginals.

(3) A reference in subsection (1), (1AB), (1AD) or (1AE) to land shall be read as not including a reference to any land on which there is a road over which the public has a right of way.

(4) In this section, ***relevant Aboriginals***, in relation to an area of land, means Aboriginals entitled by Aboriginal tradition to the use or occupation of that area of land, whether or not the traditional entitlement is qualified as to place, time, circumstance, purpose or permission.

(5) A recommendation under paragraph (1)(e), (1AB)(e), (1AD)(f) or (1AE)(e) that a grant of an estate in fee simple in land be made to a Land Trust may include a recommendation that the deed of grant not be delivered to the grantee until a condition specified in the recommendation has been complied with.

11A Land Councils may enter into agreements concerning land under claim

(1) A person who desires to obtain an estate or interest in land the subject of an application of the kind referred to in paragraph 50(1)(a) may, before the land (in this section referred to as ***the relevant land***) is granted to a Land Trust, make representations to the Land Council in the area of which the relevant land is situated concerning the person's plans in respect of the relevant land.

(2) Subject to subsection (3), a Land Council to which representations are made pursuant to subsection (1) may, at any time before the relevant land is granted to a Land Trust, agree with the person who made the representations that it will, if the relevant land is granted to a Land Trust, direct the Land Trust to grant an estate or interest in that land to that person and that agreement shall specify the terms and conditions on which the proposed grant is to be made.

Authorised Version C2025C00542 registered 03/10/2025

(3) A Land Council shall not enter into an agreement under subsection (2) unless it is satisfied that—

(a) the traditional Aboriginal owners of the relevant land understand the nature and purpose of the proposed grant and, as a group, consent to it;

(b) any Aboriginal community or group that may be affected by the proposed grant has been consulted and has had adequate opportunity to express its view to the Land Council; and

(c) the terms and conditions on which the proposed grant is to be made are reasonable.

(4) An agreement referred to in subsection (2) is binding on any successors to the Land Council that entered into the agreement.

(5) Where a Land Council has entered into an agreement under subsection (2), it shall, immediately after the relevant land is granted to a Land Trust, give a direction in writing to the Land Trust to grant an estate or interest in the land on the terms and conditions set out in that agreement.

(6) Where a Land Council, in entering into an agreement under subsection (2), fails to comply with subsection (3), that failure does not invalidate the entry by the Land Council into that agreement.

(7) In this section, a reference to an estate or interest in land includes a reference to—

(a) a mining interest; and

(b) a licence granted in respect of that land.

12 Grants of land to Land Trusts

(1) Subject to this section, on the receipt of a recommendation under section 10 or 11 with respect to land, the Governor-General may—

(a) in the case of a recommendation under subsection 10(1) or (2A) or section 11, not being a recommendation that includes a recommendation under subsection 11(5)—execute a deed of grant of an estate in the land in accordance with the recommendation and deliver it to the grantee;

Authorised Version C2025C00542 registered 03/10/2025

(aa) in the case of a recommendation under section 11 that includes a recommendation under subsection 11(5)—execute a deed of grant of an estate in the land in accordance with the recommendation and, if the Governor-General is satisfied that the condition specified in the recommendation has been complied with, deliver it to the grantee; or

(b) in the case of a recommendation under subsection 10(2) or (2B)—execute a deed of grant of an estate in the land in accordance with the recommendation and deliver it to the Land Council referred to in the recommendation on the condition that it be held by the Land Council in escrow, and subsequently delivered to the grantee, in accordance with the recommendation.

(1A) Where the Governor-General, pursuant to a recommendation made under subsection 10(2A) or (2B) or 11(1B), executes a new deed of grant or new deeds of grant under this section in lieu of an existing deed of grant and delivers that new deed of grant or each of those new deeds of grant to a Land Trust or to a Land Council in accordance with this section then, with effect from the date of delivery of that new deed or of each of those new deeds to that Land Trust or to that Land Council—

(a) that existing deed of grant shall be taken, by force of this subsection, to have been revoked;

(b) any Land Trust that had been established to hold land to which that existing deed of grant related, being a Land Trust established to hold only areas of land to which the new deed of grant relates or the new deeds of grant relate and not being a Land Trust the boundaries of which have been varied, shall be taken to be dissolved;

(c) any right, title or other interest in an area of land to which the existing deed of grant related is preserved as a right, title or interest in that area in the new deed of grant or in such of the deeds of grant as relate to that area; and

(d) any reference in any document to the existing deed shall be read as a reference to the new deed or to the new deeds, as the case requires.

Authorised Version C2025C00542 registered 03/10/2025

(1B) Any agreement in respect to an area of land that is entered into by a Land Trust that has been dissolved shall have the same force and effect, with effect from the date of dissolution of the Land Trust, as the agreement would have had if it had been entered into by the Land Trust that, after the dissolution of the first-mentioned Land Trust held the land or by each of the Land Trusts that, after the dissolution of the first-mentioned Land Trust, held part of the land, to which the agreement related.

(2) A deed of grant under this section shall be expressed to be subject to the reservation that—

(a) the right to any minerals existing in their natural condition, or in a deposit of waste material obtained from any underground or surface working, on or below the surface of the land, being minerals all interests in which are vested in the Commonwealth, remains with the Commonwealth;

(b) the right to any minerals existing in their natural condition, or in a deposit of waste material obtained from any underground or surface working, on or below the surface of the land, being minerals all interests in which are vested in the Northern Territory, remains with the Northern Territory; and

(c) rights to explore for minerals, and leases or licences to mine for minerals, on or below the surface of the land may be granted under section 124 of the *Lands Acquisition Act 1989*.

(2AAA) Where a deed of grant executed before the commencement of the *Lands Acquisition Act 1989* is expressed to be subject to a reservation that rights to explore for minerals, and leases or licences to mine for minerals, on or below the surface of the land may be granted under subsections 51(1A) and 53(2A) of the *Lands Acquisition Act 1955*, that reservation has effect on and after the commencement of the *Lands Acquisition Act 1989* as if it were a reservation to the effect that such rights, leases or licences may be granted in accordance with section 124 of the *Lands Acquisition Act 1989*.

(2AA) For the purposes of the operation of subsection (2), any interest in minerals vested in a person, other than the Commonwealth or the

Authorised Version C2025C00542 registered 03/10/2025

Northern Territory, shall be disregarded, and any reservation inserted in a deed of grant in accordance with that subsection is subject to such an interest.

(2A) Where a deed of grant under this section relating to land in a park takes effect at a particular time, any estate or interest that, immediately before that time, was held by the Director in that land ceases to exist.

(2B) The delivery of a deed of grant under this section in respect of—

(a) any land described in Schedule 1 under the heading of "Alligator Rivers (No. l)" or "Alligator Rivers (No. 2)"; or

(b) any land in the Alligator Rivers Area (No. 3),

not being land constituting, or forming part of, the land described in Schedule 2 known as the Ranger Project Area, is subject to the condition that the Land Council in the area of which the land is situated shall enter into an agreement with the Director under which the Land Council agrees to direct the Land Trust concerned to grant a lease of the land, or such part of the land as the Director specifies, to the Director, being a lease the terms and conditions of which are set out in the agreement, so as to enable the Director to hold the land for the purposes of the *National Parks and Wildlife Conservation Act 1975*.

(2C) The delivery of a deed of grant under this section in respect of land referred to in subsection (2D) is subject to the condition that the Land Council in the area of which the land is situated shall enter into an agreement with the Director under which the Land Council agrees to direct the Land Trust concerned to grant a lease of the land to the Director, being a lease the terms and conditions of which are set out in the agreement, so as to enable the Director to hold the land for the purposes of the *National Parks and Wildlife Conservation Act 1975*.

(2D) Subsection (2C) applies in relation to:

(a) any land in the area of land described in Schedule 1 under the heading 'Uluru'; and

Authorised Version C2025C00542 registered 03/10/2025

(b) any land within the area delineated by the outer boundaries of the aggregate area comprising Gimbat and Goodparla.

(2E) Subsection (2C) applies in relation to a deed of grant in respect of land referred to in paragraph (2D)(b) whether or not the deed took effect before the commencement of this subsection.

(3) A deed of grant under this section in respect of land that is not Schedule 1 land—

(a) shall identify any land on which there is, at the time of the execution of the deed of grant, a road over which the public has a right of way; and

(b) shall be expressed to exclude such land from the grant.

(3A) A deed of grant under this section in respect of Schedule 1 land shall be expressed to exclude from the grant—

(a) any land on which there was, at the time of the commencement of section 3, a road over which public had, at that time, a right of way; and

(b) any land on which there is, at the time of the execution of the deed of grant, a road over which the public has a right of way.

(4) A deed of grant under this section takes effect—

(a) where a deed is delivered by the Governor-General to the grantee—on the date on which it is so delivered; or

(b) in any other case—on the date on which it is delivered by a Land Council to the grantee in accordance with the condition subject to which it was delivered to the Land Council by the Governor-General.

(5) On the application of a Land Trust to which has been delivered a deed of grant of an estate in land executed by the Governor-General under this section, whether the delivery was by the Governor-General or by a Land Council, the Registrar-General or other appropriate officer under the law of the Northern Territory relating to the transfer of land shall register and otherwise deal with that deed of grant under that law according to its tenor.

Authorised Version C2025C00542 registered 03/10/2025

(6) In this section, a reference to a delivery of a deed by a person shall be read as including a reference to a delivery of the deed by the duly authorized agent of the person.

(7) In this section, ***Schedule 1 land*** means land that is, or forms part of, an area of land described in Schedule 1.

12AAA Additional grant to Tiwi Land Trust

(1) The Governor-General may execute a deed of grant to the Tiwi Land Trust of an estate in fee simple in so much of the land as was included in the description of Bathurst Island appearing in Schedule 1 as was not included in the description of Bathurst Island that appeared in Schedule 1 as in force immediately before the commencement of this section and may deliver that deed of grant to the Tiwi Land Trust.

(2) The provisions of this Act apply to a grant made in pursuance of subsection (1) as if it were a grant made under subsection 12(1).

(3) The Tiwi Land Trust shall be taken for all purposes of this Act or of any other law of the Commonwealth, of a State or of a Territory to hold title both to land granted to it under subsection (1) and to land previously granted to it under this Act, for the benefit of Aboriginals entitled by Aboriginal tradition to the use or occupation of the area of land comprising all the lands so granted whether or not the traditional entitlement is qualified as to place, time, circumstance, purpose or permission.

(4) On the application of the Tiwi Land Trust, the Registrar-General of the Northern Territory shall take such measures as are necessary under the law of the Northern Territory relating to the transfer of land to issue to the Tiwi Land Trust one certificate for the whole of the land granted under this Act to the Tiwi Land Trust and held under separate certificates and, upon the issue of the certificate, to cancel those separate certificates.

(5) Except to the extent that subsection (4) expressly provides, nothing in that subsection shall be taken to affect the application to land

Authorised Version C2025C00542 registered 03/10/2025

granted under this Act to a Land Trust of any provision of the law of the Northern Territory relating to the transfer of land.

(6) In this section, a reference to the Tiwi Land Trust is a reference to the Land Trust of that name established by the Minister by notice published in the *Gazette* in pursuance of subsection 4(1).

(7) In this section, a reference to the law of the Northern Territory relating to the transfer of land shall read as a reference to that law as applied in accordance with the requirements of this Act.

12AA Agreements with respect to roads on land described in Schedule 1

(1) Where a deed of grant of land sets out an exclusion in accordance with subsection 12(3A), the Land Council in the area of which the land is situated and the Northern Territory may, at any time, agree with each other that a part of that land, being a part identified in the agreement, is—

(a) land on which there was, at the time of the commencement of section 3, a road over which the public had, at that time, a right of way; or

(b) land on which there was, at the time of the execution of the deed of grant, a road over which the public had, at that time, a right of way.

(2) An agreement under subsection (1) shall be reduced to writing and a copy of it certified by both parties shall be forwarded to the Minister.

(3) On the receipt of a copy of an agreement under subsection (2), the Minister shall publish in the *Gazette* a notification of the agreement, including a copy of the terms of the agreement.

12AB Declaratory orders with respect to roads on land described in Schedule 1

(1) Where a deed of grant of land sets out an exclusion in accordance with subsection 12(3A), the Supreme Court of the Northern

Authorised Version C2025C00542 registered 03/10/2025

Territory has jurisdiction, at the suit of the Northern Territory or of the Land Council in the area of which the land is situated, to make an order declaring that a part of the land, being a part identified in the order, is—

(a) land on which there was, at the time of the commencement of section 3, a road over which the public had, at that time, a right of way; or

(b) land on which there was, at the time of the execution of the deed of grant, a road over which the public had, at that time, a right of way.

(2) The jurisdiction conferred by subsection (1) shall be exercised in accordance with the *Supreme Court Act* 1979 of the Northern Territory.

12AC Effect of agreement or order

(1) On the publication in the *Gazette* of an agreement in accordance with section 12AA or the coming into effect of an order under section 12AB, not being an agreement or order relating to a deed of grant that has been registered in accordance with subsection 12(5), the land the subject of the agreement or order shall, for all purposes, be deemed to be, and always to have been, land coming within the terms of the exclusion set out, in accordance with subsection 12(3A), in the deed of grant to which the agreement or order relates.

(2) Where an agreement under section 12AA that has been published in the *Gazette* or an order under section 12AB that has come into effect relates to a deed of grant that has been registered in accordance with subsection 12(5), a party to the agreement or the person who obtained the order may lodge the agreement or order, as the case may be, with the Registrar-General or other appropriate officer under the law of the Northern Territory relating to the transfer of land, and, on that lodgement, the Registrar-General or other appropriate officer shall—

(a) call in the deed of grant; and

Authorised Version C2025C00542 registered 03/10/2025

(b) enter on the deed of grant and in the register book a memorandum setting out the terms of the agreement or order, as the case may be.

(3) On the entering of a memorandum under subsection (2), the land the subject of the agreement or order to which the memorandum relates shall, for all purposes, be deemed to be, and always to have been, land coming within the terms of the exclusion set out, in accordance with subsection 12(3A), in the deed of grant to which the agreement or order, as the case may be, relates.

12AD Compensation for loss of licences, &c.

(1) Where a person has, by virtue of a grazing licence, an occupation licence or a miscellaneous licence under the *Crown Lands Ordinance 1931* of the Northern Territory, as amended and in force from time to time, a right to use land to which a recommendation under subsection 11(1) or (1AD) relates, then, upon the execution under this Act of a deed of grant in respect of the land, that right is converted into a right to compensation from the Commonwealth.

(2) Where a person has a right to compensation under subsection (1) in relation to the loss of a licence, the right extends to compensation for decrease in value of an estate or interest or other licence of the person in land that is adjacent to the land granted, to the extent that the decrease arose out of the loss of that licence.

(3) Compensation under this section is not payable in respect of improvements that are not authorised under the *Crown Lands Ordinance 1931* of the Northern Territory, as amended and in force from time to time.

(4) The amount of compensation payable to a person under this section shall be such reasonable amount of compensation as is, subject to the operation of subsections (2) and (3), agreed between the Commonwealth and that person or, failing agreement, as is determined by the Federal Court of Australia.

Authorised Version C2025C00542 registered 03/10/2025

12A Occupation of land by Director

(1) Where the estate or interest of the Director in any land ceases to exist by virtue of subsection 12(2A), the Director is entitled, by virtue of this section, to continue his occupation of the land for the purposes of the *National Parks and Wildlife Conservation Act 1975* and, during that period of occupation, any buildings or improvements on the land shall be deemed to be the property of the Director.

(2) Nothing in subsection (1) prevents the granting by a Land Trust of a lease to the Director of land to which this section applies and, if such a lease is granted, the land ceases to be land to which this section applies.

12B Arbitration on agreement between Land Council and Director

(1) Where the Minister is satisfied that a Land Council and the Director are unable to agree on the terms of an agreement to be entered into by them in compliance with the condition referred to in subsection 12(2B), the Minister may, after consulting with the Land Council and with the Director, appoint an Arbitrator, being a person whom the Minister considers to be in a position to deal with the matter impartially, to determine the terms of an agreement that, in the opinion of the Arbitrator, complies with that condition and should be acceptable to the Land Council and to the Director.

(2) An agreement determined by the Arbitrator under subsection (1) shall not include a term or condition (whether in the agreement or in a lease the terms and conditions of which are set out in the agreement) that—

(a) requires the Land Council or Land Trust concerned to take any action that it is not authorized to take by, or under, this Act or any other Act or by, or under, a law of the Northern Territory; or

(b) requires the Director to take any action that he is not authorized to take by, or under, the *National Parks and Wildlife Conservation Act 1975* or any other Act or by, or under, a law of the Northern Territory.

Authorised Version C2025C00542 registered 03/10/2025

(3) Where the Arbitrator has determined the terms of an agreement under subsection (1), the Land Council concerned and the Director shall enter into that agreement.

(4) Where the Minister is satisfied that a Land Council has refused, or is unwilling, to enter into an agreement with the Director as required by subsection (3), the Minister may, on behalf of the Land Council, enter into the agreement with the Director.

12C Minister may grant lease in certain circumstances

Where the Minister is satisfied that—

(a) a Land Council has refused, or is unwilling, to direct a Land Trust to grant to the Director a lease in accordance with an agreement entered into between the Land Council and the Director (including such an agreement entered into by the Minister on behalf of the Land Council) in compliance with the condition referred to in subsection 12(2B); or

(b) a Land Trust has refused, or is unwilling, to take action in accordance with a direction given to it by a Land Council, being a direction to grant to the Director a lease in accordance with an agreement entered into between the Land Council and the Director (including such an agreement entered into by the Minister on behalf of the Land Council) in compliance with the condition referred to in subsection 12(2B),

the Minister may, on behalf of the Land Trust, grant to the Director the lease provided for by the agreement.

13 Grants of interests in land the subject of a deed in escrow

(1) Subject to subsection (2), no grant of an estate or interest in land the subject of a deed of grant held in escrow by a Land Council shall be made by the Crown to any person.

(2) Subsection (1) does not prevent the grant by the Crown of an estate or interest in land referred to in that subsection in any of the following circumstances:—

Authorised Version C2025C00542 registered 03/10/2025

(a) where the grant is made in consequence of the exercise by a person of a right, under a law of the Northern Territory, to require the grant to be made;

(b) where—

(i) the grant is made in consequence of an application by a person having a right, under a law of the Northern Territory, to make that application for a renewal of his estate or interest in the land for a further period or a conversion of his estate or interest in the land into another estate or interest;

(ii) a copy of the application is served on the Land Council for the area in which the land is situated; and

(iii) an arbitrator appointed by the Minister is satisfied, after hearing both the views of the applicant and the views of the Land Council on the matter, that the hardship that would be occasioned to the applicant by a refusal of his application would be greater than the hardship that would be occasioned to the Aboriginal communities or groups interested in the land by an approval of the application;

(c) where the Land Council for the area in which the land is situated consents to the grant.

(3) A reference in paragraph (2)(a) or in subparagraph (2)(b)(i) to a right of a person shall be read as a reference to a right that was vested in the person immediately before the land became Aboriginal land.

14 Occupation, &c., by the Crown, &c., of Aboriginal land vested in Land Trust

(1) Where, on the vesting in a Land Trust of an estate in fee simple in land, the land is being occupied or used by the Crown or, with the licence or permission of the Crown, by an Authority, the Crown or the Authority is entitled to continue that occupation or use for such period as the land is required by the Crown or the Authority.

Authorised Version C2025C00542 registered 03/10/2025

(2) During the period for which, by virtue of subsection (1), the Crown or an Authority is entitled to the occupation or use of land, any buildings and improvements on that land shall be deemed to be the property of the Crown or the Authority.

(3) Nothing in this section prevents the granting by a Land Trust of a lease of land referred to in subsection (1) to the Commonwealth, the Northern Territory or an Authority and, if such a lease is granted, the land ceases to be land to which this section applies.

(4) This section does not apply in relation to an occupation or use of land that is authorized by the *Atomic Energy Act 1953* or any other Act authorizing mining for minerals and this section does not prejudice the operation of the *Atomic Energy Act 1953* or that other Act, as the case may be.

15 Payments to Land Council in respect of occupation of land by the Crown, &c.

(1) Where an occupation or use of Aboriginal land to which section 14 applies is for a purpose that is not a community purpose, the Crown shall pay to the Land Council for the area in which the land is situated amounts in the nature of rent for that occupation or use at such rate as is fixed by the Minister having regard to the economic value of the land.

(2) For the purposes of subsection (1)—

(a) an occupation or use of land by the Crown for forestry purposes shall be deemed to be an occupation or use for a purpose that is not a community purpose; and

(b) the economic value of land shall not include the value of any royalties that are, or may be, payable in connexion with forestry operations on the land.

16 Payments to Land Council by the Crown in respect of interests in Aboriginal land

The Crown shall pay to a Land Council amounts equal to the amounts of rents and other prescribed payments paid to the Crown

Authorised Version C2025C00542 registered 03/10/2025

in respect of an interest (including a mining interest) granted by the Crown (whether before or after the commencement of this Act) in Aboriginal land in the area of the Land Council, not being payments in the nature of royalties in respect of a mining interest or payments made to the Northern Territory by way of fees for services provided under provisions of a law of the Northern Territory relating to mining for minerals.

17 Appropriation, &c., of payments to Land Council

The amount of any payment to a Land Council under section 15 or 16 shall be paid—

(a) in the case of a payment by the Commonwealth—out of the Consolidated Revenue Fund, which is appropriated accordingly; or

(b) in the case of a payment by the Northern Territory—out of moneys lawfully available for the purpose.

18 Occupation or use of Aboriginal land by mission

(1) Where, on the vesting of an estate in fee simple in land in a Land Trust, the land is being occupied or used by a mission with the licence or permission of the Crown, the mission is entitled to continue that occupation or use in accordance with this section.

(2) The Land Council for the area in which land referred to in subsection (1) is situated may serve notice on the mission that it wishes to terminate the occupation or use of the land by the mission on a date specified in the notice, being a date not earlier than 12 months after the date on which the notice is served.

(3) Where a notice is served on a mission in accordance with subsection (2), the mission ceases, on the date of termination specified in the notice, to be entitled to occupy or use the land.

(4) Where—

(a) a mission ceases, by virtue of a notice served on it under subsection (2), to be entitled to occupy or use land; and

Authorised Version C2025C00542 registered 03/10/2025

(b) there are on the land buildings or other improvements that were erected, wholly or partially, by or at the expense of the mission before the service of that notice,

the Land Council shall pay to the mission an amount equal to—

(c) where the buildings or other improvements referred to in paragraph (b) were erected wholly by or at the expense of the mission—the value, as agreed by the Land Council and the mission, or, in the absence of such agreement, as determined by the Minister, of those buildings or other improvements when the mission ceased to be entitled to occupy or use the land; or

(d) in any other case—such part of the value referred to in paragraph (c) as is attributable to the action of the mission.

(5) Nothing in this section prevents the granting by the Land Trust of a lease of land referred to in subsection (1) to a mission and, if such a lease is granted, the land ceases to be land to which this section applies.

18A Occupation or use of land in Ranger Project Area

(1) Subject to section 18C, where, on the vesting in a Land Trust of an estate in fee simple in land (hereinafter in this subsection referred to as ***the vested land***) that constitutes, or forms part of, the land described in Schedule 2 known as the Ranger Project Area, the vested land is being occupied or used by a person as provided for by a law of the Northern Territory relating to mining for minerals or with the licence or permission of the Crown—

(a) the person is entitled to continue that occupation or use during the period commencing on that vesting and ending on—

(i) the entering into an agreement with respect to the vested land under subsection 44(2); or

(ii) the granting of an authority under the *Atomic Energy Act 1953* with respect to the vested land,

whichever last occurs; and

Authorised Version C2025C00542 registered 03/10/2025

(b) any fixtures or other improvements constructed or erected on the vested land by the person before 17 May 1978 shall, during the period commencing at the commencement of the period referred to in paragraph (a) and ending when the authority under the *Atomic Energy Act 1953*, referred to in subparagraph (a)(ii), or any extension or renewal of that authority, is revoked or otherwise ceases to operate, be deemed to be the property of that person.

(2) A person who, by force of subsection (1)—

(a) has a right to occupy or use land during a period; or

(b) has, during a period, a title to fixtures or other improvements constructed or erected on land,

may, with the consent of the Minister, transfer that right or title to another person and may, subject to any conditions or restrictions applicable by or under a law of the Commonwealth or of the Northern Territory, demolish or remove any such fixtures or other improvements during, or within 3 months after the expiration of, that period.

18B Occupation or use of land in Alligator Rivers Region, other than the Ranger Project Area

(1) Subject to section 18C, where, on the vesting in a Land Trust of an estate in fee simple in land (hereinafter in this subsection referred to as ***the vested land***) that forms part of the Alligator Rivers Region, the vested land is being occupied or used by a person as provided for by a law of the Northern Territory relating to mining for minerals or with the licence or permission of the Crown—

(a) the person is entitled to continue that occupation or use during the period commencing on that vesting and ending—

(i) when the person or another person, having obtained a grant in respect of the land under the *Atomic Energy Act 1953* or any other Act authorizing mining for minerals or any law of the Northern Territory, becomes, as such grantee, entitled, whether at the time of the grant or subsequently, to occupy or use the land; or

Authorised Version C2025C00542 registered 03/10/2025

(ii) when the Minister, by notice in the *Gazette*, declares that he is satisfied that no grant of a kind referred to in subparagraph (i) will be made to any person; and

(b) any fixtures or other improvements constructed or erected on the vested land by the person before 17 May 1978, shall, during the period commencing at the commencement of the period referred to in paragraph (a) and ending—

(i) where a grant referred to in sub-paragraph (a)(i) is made—when that grant, or any extension or renewal of that grant, is revoked or otherwise ceases to operate; or

(ii) where the Minister makes a declaration under subparagraph (a)(ii)—when that declaration is published in the *Gazette*,

be deemed to be the property of that person.

(2) A person who, by force of subsection (1)—

(a) has a right to occupy or use land during a period; or

(b) has, during a period, a title to fixtures or other improvements constructed or erected on land,

may, with the consent of the Minister, transfer that right or title to another person and may, subject to any conditions or restrictions applicable by or under a law of the Commonwealth or of the Northern Territory, demolish or remove any such fixtures or other improvements during, or within 3 months after the expiration of, that period.

(3) In this section, ***Alligator Rivers Region*** means the Alligator Rivers Region as defined for the purposes of the *Environment Protection (Alligator Rivers Region) Act 1978*, but does not include the land described in Schedule 2, being the land known as the Ranger Project Area.

18C Section 18A or 18B not to authorize mining, &c.

Nothing in section 18A or 18B shall be taken to authorize the carrying out of mining operations, or exploration for minerals, on land.

Authorised Version C2025C00542 registered 03/10/2025

19 Dealings, &c., with interests in land by Land Trusts

(1) Except as provided by this section or section 20, a Land Trust shall not deal with or dispose of, or agree to deal with or dispose of, any estate or interest in land vested in it.

(1A) Subsection (1) does not prevent a dealing with, or disposal of, an estate or interest in land, being land to which the condition referred to in subsection 12(2B) or (2C) relates, in accordance with an agreement entered into in compliance with that condition.

(2) With the consent, in writing, of the Minister, and at the direction, in writing, of the relevant Land Council, a Land Trust may, subject to subsection (7), grant an estate or interest in land vested in it to an Aboriginal, an Aboriginal Council or an Incorporated Aboriginal Association—

(a) for use for residential purposes by—

(i) the Aboriginal and his family; or

(ii) an employee of the Aboriginal or the Council or Association, as the case may be;

(b) for use in the conduct of a business by the Aboriginal, the Council or Association, not being a business in which a person who is not an Aboriginal has an interest that entitles him to a share in, or to a payment that varies in accordance with, the profits of the business; or

(c) for any community purpose of the Aboriginal community or group for whose benefit the Land Trust holds the land.

(3) With the consent, in writing, of the Minister, and at the direction, in writing, of the relevant Land Council, a Land Trust may, subject to subsection (7), grant an estate or interest in land vested in it to the Commonwealth, the Northern Territory or an Authority for any public purpose or to a mission for any mission purpose.

(4) With the consent, in writing, of the Minister and at the direction, in writing, of the relevant Land Council, a Land Trust may—

Authorised Version C2025C00542 registered 03/10/2025

(b) transfer to another Land Trust, or surrender to the Crown, the whole of its estate or interest in the whole, or any part of, the land vested in it.

(4A) With the consent, in writing, of the Minister, and at the direction, in writing, of the relevant Land Council, a Land Trust may, subject to subsection (7), grant an estate or interest in the whole, or any part, of the land vested in it to any person for any purpose.

(5) A Land Council shall not give a direction under this section for the grant, transfer or surrender of an estate or interest in land unless the Land Council is satisfied that—

(a) the traditional Aboriginal owners (if any) of that land understand the nature and purpose of the proposed grant, transfer or surrender and, as a group, consent to it;

(b) any Aboriginal community or group that may be affected by the proposed grant, transfer or surrender has been consulted and has had adequate opportunity to express its view to the Land Council; and

(c) in the case of a grant of an estate or interest—the terms and conditions on which the grant is to be made are reasonable.

(6) Where a Land Council, in giving a direction for a proposed grant, transfer or surrender of an estate or interest in land, fails to comply with subsection (5), that failure does not invalidate that grant, transfer or surrender unless the person to whom the grant, transfer or surrender was made procured the direction of the Land Council by fraud.

(7) The consent of the Minister is not required—

(a) for the grant under subsection (2) of an estate or interest for a purpose referred to in paragraph (2)(b) or (c), the term of which estate or interest does not exceed 21 years; and

(b) for the grant under subsection (3) or (4A) of an estate or interest the term of which does not exceed 10 years.

(8) The grantee of an estate or interest under this section is not empowered to transfer his interest as such grantee to another person, or to grant to another person an interest dependent upon his

Authorised Version C2025C00542 registered 03/10/2025

interest as such grantee, except with the consent, in writing, of the relevant Land Council and, if the consent of the Minister was required to the grant of that estate or interest to the grantee, the consent, in writing, of the Minister.

(9) Where a grant of an estate or interest is invalidated, by virtue of subsection (6), on account of fraud, that invalidity does not affect the rights of a person who has, for value and without notice of the fraud, accepted the transfer of that estate or interest or been granted an interest dependent upon that estate or interest.

(9A) When the Minister is satisfied that a Land Council has refused, or is unwilling, to give a direction under subsection 11A(5) to a Land Trust to grant an estate or interest in land in accordance with an agreement entered into by the Land Council under subsection 11A(2), the Minister shall, in the name of, and on behalf of, that Land Council, give the Land Trust that direction.

(9B) Where the Minister is satisfied that a Land Trust has refused, or is unwilling, to comply with a direction given under subsection 11A(5), or subsection (9A) of this section, to grant an estate or interest in particular land on particular terms and conditions, the Minister shall, in the name of, and on behalf of, that Land Trust, grant that estate or interest in relation to that land on those terms and conditions.

(10) In this section, ***relevant Land Council***, in relation to land, means the Land Council for the area in which the land is situated.

(11) A reference in this section to an estate or interest in land includes—

(a) a reference to a licence granted in respect of that land including, but without limiting the generality of the foregoing, a licence granted under a law of the Northern Territory relating to the mining or development of extractive mineral deposits; or

(b) a reference to a lease or other interest in that land, or a right granted in respect of that land, under such a law.

Authorised Version C2025C00542 registered 03/10/2025

(12) The preceding provisions of this section do not authorise the grant by a Land Trust of the fee simple in land vested in it except in the circumstances referred to in paragraph (4)(b).

20 Leases in compliance with obligations of the Commonwealth

(1) Where an agreement entered into by the Commonwealth before the commencement of this section gives a person an entitlement, in certain circumstances, to the grant of a lease under the *Special Purposes Leases Ordinance 1953* of the Northern Territory, as amended from time to time, of land in Schedule 1, that agreement shall be taken to provide that, after the vesting in a Land Trust of an estate in fee simple in the land, the lease to which the person is to become so entitled in those circumstances shall be a lease granted by that Land Trust in accordance with this section, being a lease under which that person and the Land Trust have rights and obligations that are as near as practicable the same as the rights and obligations that would have been applicable to that person and the Crown, respectively, under a lease from the Crown granted in accordance with the agreement.

(2) Where a person who, by virtue of subsection (1), has become entitled to the grant of a lease of land by a Land Trust has informed the Land Council for the area in which the land is situated that he requires the lease, the Land Council shall—

(a) negotiate with him with respect to the terms and conditions of the lease; and

(b) if agreement is reached on terms and conditions, direct the Land Trust to grant the lease on those terms and conditions;

and the Land Trust shall comply with that direction.

(3) Where the Minister is satisfied that—

(a) a Land Council has refused, or is unwilling, to negotiate with respect to the terms and conditions of a lease to which a person has become entitled by virtue of subsection (1); or

(b) the Land Council and that person cannot agree on the terms and conditions of the lease,

Authorised Version C2025C00542 registered 03/10/2025

the Minister may, after consultation with the Land Council and with the person, appoint an Arbitrator, being a person whom the Minister considers to be in a position to deal with the matter impartially, to determine terms and conditions of the lease that, in the opinion of the Arbitrator, should be acceptable to the Land Council and to the person.

(4) Where the Arbitrator has determined terms and conditions of a lease under subsection (3) and the person entitled to the lease is willing to enter into that lease on those terms and conditions, the Land Council shall direct the Land Trust in which the land is vested to grant the lease on those terms and conditions.

(5) Where the Minister is satisfied that a Land Council has refused, or is unwilling, to give a direction in compliance with subsection (2) or (4) or a Land Trust has refused, or is unwilling, to comply with such a direction, the Minister may, in the name of, and on behalf of, the Land Trust, grant a lease in accordance with the direction that should have been, or has been, given.

20A Northern Territory transfer of land law to apply

The law of the Northern Territory relating to the transfer of land applies, according to its tenor, to, and in relation to, any dealing with, or disposition of, an estate or interest in land by, or on behalf of, a Land Trust.

Authorised Version C2025C00542 registered 03/10/2025

Part III—Aboriginal Land Councils

21 Establishment of Land Councils

(1) The Minister shall, on the commencement of this section, by notice published in the *Gazette*, divide the Northern Territory into at least 2 areas and establish an Aboriginal Land Council for each area.

(2) A notice published under subsection (1) shall, in respect of each Aboriginal Land Council, set out—

(a) the name of the Council; and

(b) the boundaries of the area for which the Council is established.

(3) Where the Minister is satisfied that—

(a) a substantial majority of adult Aboriginals living in an area that—

(i) is wholly included in the area of a Land Council; or

(ii) is partly included in the area of one Land Council and partly included in the area of another Land Council or in the areas of other Land Councils,

is in favour of the setting up of a new Land Council for that first-mentioned area only; and

(b) that first-mentioned area is an appropriate area for the operation of a new Land Council,

the Minister may, by notice published in the *Gazette*, establish an Aboriginal Land Council for that first-mentioned area.

(4) A notice published under subsection (3) shall—

(a) specify the name of the new Land Council; and

(b) set out the boundaries of the area for which the new Land Council is established.

(5) On the publication of a notice under subsection (3), the area specified in the notice ceases by force of this subsection to be part

Authorised Version C2025C00542 registered 03/10/2025

of the area of the Land Council, or of the areas of the Land Councils, in which it was included immediately before that publication.

(6) On the establishment of a Land Council under this section, the Minister shall take whatever steps he considers necessary and practicable to inform the adult Aboriginals living in the area of the Land Council of the existence of the Land Council.

22 Land Council to be body corporate, &c.

(1) A Land Council—

(a) is a body corporate, with perpetual succession;

(b) shall have a common seal;

(c) may acquire, hold and dispose of real and personal property; and

(d) may sue and be sued in its corporate name.

(2) All courts, judges and persons acting judicially shall take notice of the common seal of a Land Council affixed to a document and shall presume that it was duly affixed.

23 Functions of Land Council

(1) The functions of a Land Council are—

(a) to ascertain and express the wishes and the opinion of Aboriginals living in the area of the Land Council as to the management of Aboriginal land in that area and as to appropriate legislation concerning that land;

(b) to protect the interests of traditional Aboriginal owners of, and other Aboriginals interested in, Aboriginal land in the area of the Land Council;

(ba) to assist Aboriginals in the taking of measures likely to assist in the protection of sacred sites on land (whether or not Aboriginal land) in the area of the Land Council;

(c) to consult with traditional Aboriginal owners of, and other Aboriginals interested in, Aboriginal land in the area of the

Authorised Version C2025C00542 registered 03/10/2025

Land Council with respect to any proposal relating to the use of that land;

(d) where the Land Council holds in escrow a deed of grant of land made to a Land Trust under section 12—

(i) to negotiate with persons having estates or interests in that land with a view to the acquisition of those estates or interests by the Land Trust; and

(ii) until those estates or interests have been so acquired, to negotiate with those persons with a view to the use by Aboriginals of the land in such manner as may be agreed between the Land Council and those persons;

(e) to negotiate with persons desiring to obtain an estate or interest in land in the area of the Land Council—

(i) where the land is held by a Land Trust—on behalf of traditional Aboriginal owners (if any) of that land and of any other Aboriginals interested in the land; and

(ii) where the land is the subject of an application referred to in paragraph 50(1)(a)—on behalf of the traditional Aboriginal owners of that land or on behalf of any other Aboriginals interested in the land;

(f) to assist Aboriginals claiming to have a traditional land claim to an area of land within the area of the Land Council in pursuing the claim, in particular, by arranging for legal assistance for them at the expense of the Land Council;

(fa) to negotiate, and enter into agreements, as necessary, for the purposes of subsection 70(4);

(g) to compile and keep—

(i) a register recording the names of the members of the Land Council; and

(ii) a register recording the names of the members of the Land Trusts holding, or established to hold, Aboriginal land in its area and descriptions of each area of such Aboriginal land; and

(h) to supervise, and provide administrative or other assistance for, Land Trusts holding, or established to hold, Aboriginal land in its area.

Authorised Version C2025C00542 registered 03/10/2025

(2) A Land Council may, with the approval of the Minister, perform any functions that may be conferred on it by a law of the Northern Territory, including, without limiting the foregoing, functions in relation to—

(a) the protection of sacred sites;

(b) access to Aboriginal land; and

(c) schemes for the management of wildlife on Aboriginal land.

(3) In carrying out its functions with respect to any Aboriginal land in its area, a Land Council shall have regard to the interests of, and shall consult with, the traditional Aboriginal owners (if any) of the land and any other Aboriginals interested in the land and, in particular, shall not take any action, including, but not limited to, the giving of consent or the withholding of consent, in any matter in connexion with land held by a Land Trust, unless the Land Council is satisfied that—

(a) the traditional Aboriginal owners (if any) of that land understand the nature and purpose of the proposed action and, as a group, consent to it; and

(b) any Aboriginal community or group that may be affected by the proposed action has been consulted and has had adequate opportunity to express its view to the Land Council.

(4) The reference in paragraph (1)(e) to an estate or interest in land includes a reference to a licence in respect of that land.

23A Power of Land Council to obtain information and documents

(1) In this section, ***authorized person*** means a person authorized by a Land Council for the purposes of this section, and any word or phrase that is defined by section 3 of the *Environment Protection (Northern Territory Supreme Court) Act 1978* and is used in this section has the same meaning as in that Act.

(2) An authorized person may, by notice in writing served either personally or by post on a person, require the person (in this subsection referred to as ***the person liable***)—

Authorised Version C2025C00542 registered 03/10/2025

(a) to furnish to the authorized person, by writing signed by the person liable, or, if the person liable is a body corporate, by a competent officer of the body corporate, within the time and in the manner specified in the notice, such information in the possession of the person liable as is specified in the notice; or

(b) to furnish to the authorized person, within the time and in the manner specified in the notice, such documents in the possession of the person liable as are specified in the notice,

being information or documents that—

(c) relates, or relate, to—

(i) uranium mining operations in the Alligator Rivers Region; or

(ii) any action taken to comply with any requirement of or having effect under a prescribed instrument so far as the requirement relates to the effect of those operations on the environment; and

(d) is, or are, relevant to the question whether or not the Land Council should exercise the power conferred on it by section 4 of the *Environment Protection (Northern Territory Supreme Court) Act 1978* to make application to the Supreme Court of the Northern Territory of Australia for the making of an order under that section.

(3) A person shall not, in purported compliance with a notice served on him under subsection (2), knowingly furnish information that is false or misleading.

Penalty $1,000

23B Application to Supreme Court for order with respect to information or documents

(1) Where a person who has been served with a notice under section 23A has refused or failed to comply, or to comply fully, with the notice, the Land Council concerned may apply to the Supreme Court of the Northern Territory of Australia for an order under this section against that person.

Authorised Version C2025C00542 registered 03/10/2025

(2) The person against whom an order under this section is sought is entitled to notice of, and to appear in, the proceedings.

(3) Where, in proceedings under this section, the Court is satisfied that all or any of the information or documents that was or were required by the notice to be furnished and has or have not been furnished—

(a) is or are in the possession of, or available to, the person against whom the order is sought, and

(b) is or are information or documents of a kind referred to in paragraphs 23A(2)(c) and (d),

the Court may make an order requiring the person against whom the order is sought to furnish to the Land Council concerned, within the time and in the manner specified in the order, the information or documents as to which the Court is so satisfied.

(4) The Court shall not, under this section, require a person to furnish information or a document if the Court is satisfied that compliance with a requirement to furnish that information or document might tend to incriminate that person.

23C A person authorized by Land Council to have access to buildings and places in Region

(1) In this section, ***authorized person*** means a person authorized by a Land Council for the purposes of this section, and any word or phrase that is defined by section 3 of the *Environment Protection (Northern Territory Supreme Court) Act 1978* and is used in this section has the same meaning as in that Act.

(2) An authorized person is entitled, with the consent of the occupier, to full and free access to all buildings and places in the Alligator Rivers Region for the purpose of obtaining, and reporting to the Land Council, any information that—

(a) relates to—

(i) uranium mining operations in the Alligator Rivers Region, or

Authorised Version C2025C00542 registered 03/10/2025

(ii) any action taken to comply with any requirement of or having effect under a prescribed instrument so far as the requirement relates to the effect of those operations on the environment; and

(b) is relevant to the question whether or not the Land Council should exercise the power conferred on it by section 4 of the *Environment Protection (Northern Territory Supreme Court) Act 1978* to make application to the Supreme Court of the Northern Territory of Australia for the making of an order under that section.

(3) A person shall not, without reasonable excuse, obstruct or hinder an authorized person in the exercise of his powers under this section.

Penalty: $1,000 or imprisonment for 6 months, or both.

23D Application to Supreme Court for order with respect to access

(1) Where the occupier of a building or place has refused, or is unwilling, to consent to the entry of an authorized person into that building or place under section 23C, the Land Council concerned may apply to the Supreme Court of the Northern Territory of Australia for an order under this section against the occupier.

(2) A person against whom an order under this section is sought is entitled to notice of, and to appear in, the proceedings.

(3) Where, in proceedings under this section, the Court is satisfied that access by an authorized person to the building or place to which the proceedings relate is necessary for the purpose of obtaining information of a kind referred to in paragraphs 23C(2)(a) and (b), the Court may make an order requiring the person against whom the order is sought to give his consent, within a time specified in the order, to the entry of an authorized person into that building or place for the purpose referred to in section 23C.

(4) In this section, ***authorized person***, means a person who is an authorized person for the purposes of section 23C.

Authorised Version C2025C00542 registered 03/10/2025

23E Secrecy

(1) Subsection (2) applies to every person who is, or has been—

(a) an authorized person;

(b) a member of a Land Council; or

(c) a member of the staff of a Land Council.

(2) Subject to subsection (3), a person to whom this section applies who, either directly or indirectly, otherwise than in the performance of the person's functions or duties as an authorized person, a member of a Land Council or a member of the staff of the Land Council, makes a record of, or divulges or communicates to any person any information concerning the affairs of any other person that has been acquired by the person in the course of performing functions or duties under section 23A, 23B, 23C or 23D is guilty of an offence punishable, on summary conviction, by a fine of $2,000 or imprisonment for 12 months, or both.

(3) Subsection (2) does not prevent the communication of information or the production of a document by a person authorized by a Land Council for the purpose—

(a) to the Supreme Court of the Northern Territory of Australia in support of an application made by the Land Council under section 4 of the *Environment Protection (Northern Territory Supreme Court) Act 1978*;

(b) to the Minister, to the Permanent Head of the Department that deals with matters arising under this Act or to an officer of that Department approved by the Permanent Head of that Department;

(ba) to:

(i) a member of the Aboriginal and Torres Strait Islander Commission;

(ii) the Chief Executive Officer of that Commission; or

(iii) a member of the staff of that Commission approved by the Chief Executive Officer; or

Authorised Version C2025C00542 registered 03/10/2025

(c) to a person to whom, in the opinion of the Minister, it is in the public interest that the information be communicated or the document produced.

(4) A person to whom information may, in accordance with paragraph (3)(b) or (ba), be communicated, shall not either directly or indirectly, except for the purpose of advising the Minister in connexion with this Act, make a record of, or divulge or communicate to any person, any information communicated to him by a person to whom this section applies, being information concerning the affairs of another person acquired by the person to whom this section applies by reason of his membership of, or employment by, a Land Council or his activities as an authorized person.

Penalty: $1,000 or imprisonment for 6 months.

(5) Nothing in this section shall be taken to affect the operation of section 9 of the *Ombudsman Act 1976*.

(6) In this section, ***authorized person*** means an authorized person for the purposes of section 23A or 23C.

24 Register of traditional Aboriginal owners

A Land Council may compile, and maintain, a register setting out—

(a) the names of the persons who, in the opinion of the Council, are the traditional Aboriginal owners of Aboriginal land in the area of the Land Council; and

(b) in relation to each group of traditional Aboriginal owners, a map or other references showing the sites belonging to them in so far as such can be done without breach of Aboriginal usage.

25 Duty of Land Council to attempt conciliation of disputes

(1) This section applies to—

(a) Aboriginals;

Authorised Version C2025C00542 registered 03/10/2025

(b) Land Trusts;
(c) Aboriginal Councils; and
(d) Incorporated Aboriginal Associations and any other incorporated Aboriginal groups.

(2) Where a Land Council is informed that there is, or there may arise, a dispute with respect to land in the area of the Council between persons to whom this section applies, the Land Council shall use its best endeavours by way of conciliation for the settlement or prevention, as the case may be, of that dispute.

(3) Where proceedings are commenced before a court with respect to a dispute of a kind referred to in subsection (2), the judge or magistrate constituting the court may, if he thinks it appropriate, adjourn the proceedings at any time for the purpose of affording a Land Council the opportunity of undertaking conciliation with a view to the settlement of that dispute.

26 Land Council to meet expenses, &c, of Land Trust

A Land Council shall pay or discharge any administrative expenses, charges or obligations incurred or undertaken by a Land Trust that holds, or is established to hold, land in its area.

27 Powers of Land Council

(1) Subject to this Act, a Land Council may do all things necessary or convenient to be done for or in connexion with the performance of its functions and, without limiting the generality of the foregoing, may—
(a) employ staff;
(b) obtain the advice and assistance of persons who are expert in any matter with which the Council is concerned (including assistance in connection with the administration of the affairs of the Council);
(c) give lawful directions to Land Trusts holding land in its area concerning the performance of their functions; and

Authorised Version C2025C00542 registered 03/10/2025

(d) receive moneys due and owing to Land Trusts holding, or established to hold, land in its area and give a valid discharge for those moneys.

(2) The terms and conditions under which a Land Council employs staff or engages consultants to advise and assist it shall be terms and conditions approved by—

(a) in the case of staff—the Public Service Board; and

(b) in the case of consultants—the Land Council.

(3) A Land Council shall not, without the approval of the Minister, enter into, or permit a Land Trust holding land in its area to enter into, a contract involving the payment or receipt of an amount exceeding $100,000, or, if a higher amount is prescribed, that higher amount.

(4) The Minister shall not give an approval under subsection (3) with respect to entering into a contract relating to Aboriginal land unless he is satisfied that the Land Council concerned has, in taking the action that has resulted in the proposed contract, complied with any duty imposed on it by subsection 23(3).

28 Delegation

(1) A Land Council may, either generally or as otherwise provided by the instrument of delegation, by writing under its common seal, delegate to the Chairman or other member of the Council, to a member of the staff of the Council or to a committee appointed under section 29A any of its powers under this Act, other than—

(a) its power to give or withhold consent in relation to the acquisition or the grant of—

(i) an estate or interest in Aboriginal land under an agreement or agreements—

(A) that will have effect for a period that exceeds, or for periods that together exceed, 2 years; or

(B) in respect of which the approval of the Minister is required by subsection 27(3); or

(ii) a mining interest in Aboriginal land;

Authorised Version C2025C00542 registered 03/10/2025

(b) its power to make determinations under section 35;
(c) its power to give a consent under section 40 or section 41; or
(d) this power of delegation.

(2) A power so delegated, when exercised by the delegate, shall, for the purposes of this Act, be deemed to have been exercised by the Council.

(3) A delegation under this section does not prevent the exercise of a power by the Council.

(4) Where the provisions of this Act require that a Land Council, before exercising a power conferred upon it to do, or to consent to the doing of, an act or thing, satisfy itself that—
(a) the traditional Aboriginal owners (if any) of the land affected by the exercise of the power understand the nature and purpose of the act or thing and consent to it; and
(b) any Aboriginal community or group that may be affected by the doing of the act or thing has been consulted and has had adequate opportunity to express its views to the Land Council,

then, if that power is delegated to another person, the person to whom it is delegated may exercise the power if the delegate is satisfied—
(c) of the matter referred to in paragraph (a); and
(d) that any Aboriginal community or group that may be affected by the doing of the act or thing has been consulted and has had adequate opportunity to express its views to the delegate.

29 Membership of Land Council

(1) The members of a Land Council shall be Aboriginals living in the area of the Land Council, or whose names are set out in the register maintained by the Land Council in accordance with section 24, chosen by Aboriginals living in the area of the Land Council in accordance with such method or methods of choice, and holding office on such terms and conditions, as is, or are, approved by the Minister from time to time.

Authorised Version C2025C00542 registered 03/10/2025

(2) A Land Council may, with the approval of the Minister, co-opt Aboriginals living in the area of the Land Council as additional members, but not more than 5 such members may hold office at any one time.

29A Committees

(1) A Land Council may appoint a committee or committees of its members to assist the Council in relation to the performance of any of its functions.

(2) The Land Council may give such directions as it thinks fit with respect to the procedure to be followed at, and in relation to, meetings of a committee appointed under this section.

30 Chairman and Deputy Chairman of Land Council

(1) The Minister shall, as soon as practicable after the establishment of a Land Council, or at any time when the office of Chairman of a Land Council is vacant, convene a meeting of that Council for the purpose of electing a member of that Council as the Chairman of that Council.

(2) The Minister shall appoint one of the members of the Council to preside at a meeting referred to in subsection (1).

(3) When a Chairman is elected at a meeting referred to in subsection (1), the Chairman shall preside at that meeting in place of the person appointed by the Minister under subsection (2).

(4) A Land Council shall, as soon as practicable after its establishment, elect a member of that Council as the Deputy Chairman of that Council and shall, thereafter, whenever the position of Deputy Chairman is vacant, elect a new Deputy Chairman.

(5) Subject to subsection (6), a person elected as the Chairman or the Deputy Chairman of a Land Council under this section holds office for a period of 3 years, and is eligible for re-election.

Authorised Version C2025C00542 registered 03/10/2025

(6) A Land Council may, at any time, by resolution, elect a new Chairman or Deputy Chairman and, on the passing of such a resolution, the person who held that office immediately before that resolution was passed ceases to hold that office.

(7) A co-opted member of a Land Council is not eligible to be elected as the Chairman or the Deputy Chairman of the Land Council.

31 Meetings of Land Council

(1) The Chairman shall convene such meetings of a Land Council as are, in his opinion, necessary for the efficient conduct of its affairs and, at such a meeting, the Chairman shall preside if he is present and, if he is not present, the Deputy Chairman shall preside.

(2) At the request of at least 6 members of a Land Council, the Deputy Chairman may convene a meeting of the Land Council and, if he does so, shall preside at that meeting.

(3) The Minister may, where he considers that the circumstances require it, convene a meeting of the Land Council and appoint a member of the Land Council to preside at the meeting.

(4) The quorum for a meeting of a Land Council is such number of members as is equal to—

(a) where the number of members of the Land Council at the time of the meeting is an even number—one-half of that last-mentioned number; or

(b) any other case—one-half of the number that is less by 1 than the number of members of the Land Council at the time of the meeting,

and, except where the meeting has been convened under subsection (3), includes the Chairman or the Deputy Chairman.

(5) A question arising at a meeting of a Land Council shall be decided by a majority of the votes of members present and voting.

Authorised Version C2025C00542 registered 03/10/2025

(6) At a meeting of a Land Council the member presiding has a deliberative vote and, in the event of votes being equal, has a casting vote.

(7) A Land Council may, with the approval of the Minister, make rules, not inconsistent with this Act, providing for and in relation to the convening of meetings, and the procedure for the conduct of meetings, of the Council.

(8) Rules made under subsection (7) are not Statutory Rules for the purposes of the *Rules Publication Act 1903*.

(9) Subject to any direction of the member presiding, a member of a Land Council may be accompanied to a meeting of the Land Council by such other residents of the area of the Land Council as may wish so to accompany him.

32 Bank accounts

(1) A Land Council may open and maintain an account or accounts with an approved bank or approved banks and shall maintain at all times at least one such account.

(2) A Land Council shall pay all moneys received by it into an account maintained under this section.

(3) In this section, ***approved bank*** means the Reserve Bank or any other bank approved by the Treasurer for the purpose.

33 Borrowing by Land Council

With the approval of the Treasurer, a Land Council may, in any one financial year, borrow from a bank approved by the Treasurer for the purpose an amount not exceeding, or amounts not exceeding in the aggregate, an amount equal to 10% of the total of the estimates of expenditure approved by the Minister under section 34 in respect of that year.

Authorised Version C2025C00542 registered 03/10/2025

34 Estimates of expenditure by Land Council

(1) A Land Council shall prepare estimates, in such form as the Minister directs, of its expenditure to meet its administrative costs for each financial year and, if the Minister so directs, for any other period and the Land Council shall submit those estimates to the Minister for his approval not later than such date as the Minister directs.

(2) Subject to subsection (3), moneys of the Land Council shall not be expended to meet its administrative costs otherwise than in accordance with estimates of expenditure approved by the Minister.

(3) The amount of the expenditure by a Land Council in relation to the matter or matters covered by an item in the estimates approved by the Minister may exceed the amount specified in the item by an amount not exceeding 20% of the amount so specified.

(4) A reference in this section to the administrative costs of a Land Council shall be read as including a reference to the cost of paying remuneration and allowances that are payable under this Act to a member of the Council or of a Land Trust holding land, or established to hold land, in the area of the Council.

35 Application of money of Land Council

(1) Moneys paid to a Land Council under subsection 64(1) shall be applied by the Land Council in meeting its administrative costs in accordance with section 34, and, to the extent that they are not required for that purpose, shall be paid, within 6 months after the end of the financial year in which they are received by the Land Council, to—

(a) Aboriginal Councils the areas of which are in the area of the Land Council; and

(b) any Incorporated Aboriginal Association whose members live in the area of the Land Council; and

Authorised Version C2025C00542 registered 03/10/2025

(c) any association of Aboriginals, or company whose shareholders are all Aboriginals, incorporated under a law of the Northern Territory:

(i) whose members or shareholders live in the area of the Land Council; and

(ii) that has been declared by the Minister to be eligible to receive payments under this subsection;

in such proportions as the Land Council determines having regard to the needs of the Aboriginals concerned.

(2) Moneys paid to a Land Council under subsection 64(3) shall be paid, within 6 months of their receipt by the Land Council, to—

(a) Aboriginal Councils the areas of which are, whether in whole or in part, included in the area affected by the mining operations by reason of which the moneys have been paid to the Land Council; and

(b) any Incorporated Aboriginal Associations the members of which live in, or are the traditional Aboriginal owners of, the area affected by those mining operations,

in such proportions as the Land Council determines.

(2A) Moneys paid to a Land Council under subsection 64(7) shall be applied by the Land Council in meeting its administrative costs in accordance with section 34.

(3) Within 6 months after moneys are paid to a Land Council under an agreement made under section 42, 43, 44, 46, 48A, 48B or 48D, they shall be applied by the Land Council in accordance with the agreement or, if the agreement makes no provision in relation to the application of the moneys, shall be paid to—

(a) Aboriginal Councils the Aboriginals in the areas of which are affected by the agreement; and

(b) any Incorporated Aboriginal Associations the members of which are affected by the agreement,

in such proportions as the Land Council determines.

(4) Where a Land Council receives a payment in respect of Aboriginal land, including a payment under section 15 or 16 or under a lease

Authorised Version C2025C00542 registered 03/10/2025

or licence under section 19 or 20 but not including a payment under section 64, the Land Council shall, within 6 months after that payment is received, pay an amount equal to that payment to or for the benefit of the traditional Aboriginal owners of the land.

(5) Where a Land Council has not, before the expiration of the period specified in subsection (1), (2) or (3), disbursed any amount that it is, under that subsection, required to disburse because it has not been able to make a determination under that subsection, the Land Council shall, as soon as practicable after the expiration of that period, but not later than one month after the expiration of that period, give to the Minister a report, in writing, setting out its reasons for not having made that determination.

(6) Where the Minister receives a report from a Land Council under subsection (5), the Minister may, after having regard to the matters set out in that report and to any other matters that the Minister considers relevant, make a determination in relation to the amount to which the report relates, being a determination that could have been made by the Land Council, and, upon the Minister's so doing—

(a) the determination shall have effect, for all purposes of this Act, as if it were a determination that had been duly made by the Land Council; and

(b) the Land Council shall cause the amount to which the determination relates to be disbursed forthwith in accordance with the determination.

(7) Where a Land Council determines that an amount of money is an amount that is required to be distributed under subsection (1), the Land Council shall, as soon as practicable after it has so determined, hold that amount in trust for the bodies to which that amount is eventually to be paid in accordance with this section until that amount is so paid.

(8) Each amount of money that is paid to a Land Council under subsection (2), (3) or (4) shall be held in trust for the bodies to which or persons to whom that amount is eventually to be paid in accordance with this section until that amount is so paid.

Authorised Version C2025C00542 registered 03/10/2025

(9) Where an Aboriginal Council, an Incorporated Aboriginal Association or the traditional Aboriginal owners of an area of Aboriginal land to which or to whom an amount of money would, but for this subsection, be required to be paid by a Land Council in accordance with subsection (1), (2), (3), (4) or (6) requests or request the Land Council, in writing, before that amount is so paid, to hold, or to continue to hold, that amount in trust for it or for them, the Land Council shall, notwithstanding that subsection, hold, or continue to hold, that amount in trust accordingly until that request is revoked.

(10) While an amount of money referred to in subsection (7), (8) or (9) is held in trust in accordance with that subsection, the Land Council shall cause that amount to be invested in accordance with section 62B of the *Audit Act 1901*.

(11) Where a Land Council pays out an amount of money that it has held in trust and invested in accordance with this section, the Land Council shall, so far as is practicable, pay to the body or person to whom that amount is paid the interest received by the Land Council in respect of the investment of that amount.

(12) Where an Aboriginal community or group that is not an Incorporated Aboriginal Association was, before the commencement of this subsection, entitled to be paid an amount under this section, the community or group is taken, for the purposes of this section, to be an Incorporated Aboriginal Association.

35A Incorporated communities or groups to lodge financial records with Land Councils

(1) An incorporated Aboriginal community or group that has, before the day of commencement of this section, been paid an amount under section 35, or that is, on or after that day, paid an amount under that section—

(a) in a case where the community or group first received such an amount before the end of the financial year preceding the financial year in which this section commences—shall, as

Authorised Version C2025C00542 registered 03/10/2025

soon as practicable after the day of commencement of this section, and as soon as practicable after the end of each subsequent financial year, give to the Land Council in the area of which the members of the community or group live a copy of the relevant financial statements in respect of that financial year;

(b) in a case where the community or group first received or first receives such an amount before the end of the financial year in which this section commences—shall, as soon as practicable after the end of the financial year in which this section commences, and as soon as practicable after the end of each subsequent financial year, give to the Land Council in the area of which the members of the community or group live a copy of the relevant financial statements in respect of that financial year; and

(c) in a case where the community or group first receives such an amount during a financial year after the financial year in which this section commences—shall, as soon as practicable after the end of the financial year in which that amount is received, and as soon as practicable after the end of each subsequent financial year, give to the Land Council in the area in which the members of that community or group live a copy of the relevant financial statements in respect of that financial year.

(2) In subsection (1), ***relevant financial statements***, in relation to an incorporated Aboriginal community or group and to a particular financial year, means the financial statements that that community or group is required, under the law under which it is incorporated, to lodge in respect of that financial year.

36 Other payments to be approved by Minister

No payment, other than a payment in accordance with section 34 or 35, shall be made by a Land Council unless the payment has been approved by the Minister.

Authorised Version C2025C00542 registered 03/10/2025

37 Financial records to be kept

A Land Council shall cause to be kept proper accounts and records of the transactions and affairs of the Council and shall do all things necessary to ensure that all payments out of the moneys of the Council are correctly made and properly authorized and that adequate control is maintained over the assets of, or in the custody of, the Council and over the incurring of liabilities by the Council.

37AA Interim financial reports

(1) Where the Minister is satisfied that it is reasonable to do so, the Minister may, by notice in writing given to a Land Council, require the Land Council to submit to the Minister such financial statements, or such statements of expenditure, relating to the Land Council, prepared in accordance with normal accounting practices, as are specified in the notice.

(2) A Land Council shall comply with a requirement made under subsection (1).

37A Annual reports by Land Councils

(1) A Land Council shall, as soon as practicable after the end of each financial year, prepare and furnish to the Minister a report of the operations of the Council during that year, together with financial statements in respect of that year in such form as the Minister approves and a copy of the report on those statements prepared in accordance with subsection (2).

(1A) Each report prepared under subsection (1) shall include particulars of the determinations (if any) made by the Land Council under subsection 35(1), (2), (3) or (3A), or by the Minister under subsection 35(6), during the financial year to which the report relates.

(2) Financial statements referred to in subsection (1) shall be audited by a person having the prescribed qualifications and appointed by the Council for the purpose, who shall report to the Council—

Authorised Version C2025C00542 registered 03/10/2025

(a) whether the statements are based on proper accounts and records;

(b) whether the statements are in agreement with the accounts and records;

(c) whether the receipt, expenditure and investment of moneys, and the acquisition and disposal of assets, by the Council during the year have been in accordance with this Act; and

(d) as to such other matters arising out of the statements as the person so appointed considers should be reported to the Council.

(3) The Minister shall cause a copy of a report and financial statements furnished under subsection (1) to be laid before each House of the Parliament within 15 sitting days of that House after the day on which the Minister receives that report and those financial statements.

38 Audit of financial records

(1) The Minister may, at any time, cause a person having the prescribed qualifications to inspect and audit the accounts and records caused to be kept by a Land Council in pursuance of section 37 and to furnish to him a report of the results of that inspection and audit drawing attention to any irregularity in the financial affairs of the Council disclosed by that inspection and audit.

(2) The Minister shall, before an inspection and audit under subsection (1) is commenced, by notice in writing served on the Chairman of the Land Council concerned, inform him that such an inspection and audit will be carried out and name the person whom he has engaged for the purpose.

(3) Where a notice is served on the Chairman of a Land Council under subsection (2), the Chairman shall inform the Council of his receipt of the notice and, thereupon, the Land Council shall ensure that the person named in the notice or a person authorized by that person has, for the purposes of the inspection and audit referred to in the

Authorised Version C2025C00542 registered 03/10/2025

notice, full and free access to all accounts, records, documents and papers of the Council relevant directly or indirectly to the payment of money by the Council or to the acquisition, receipt, custody or disposal of assets by the Council.

(4) A person named in a notice served under subsection (2) or a person authorized by him may, for the purpose only of use in the inspection and audit to which the notice relates, take copies of, or extracts from, such accounts, records, documents and papers.

Authorised Version C2025C00542 registered 03/10/2025

Part IV—Mining

40 Grants of exploration licences

An exploration licence shall not be granted to a person in respect of Aboriginal land (including Aboriginal land in a conservation zone) unless:

(a) both the Minister and the Land Council for the area in which the land is situated have consented, in writing, to the grant of the licence; or

(b) the Governor-General has, by Proclamation, declared that the national interest requires that the licence be granted;

and the Land Council and the person have entered into an agreement under this Part as to the terms and conditions to which the grant of the licence will be subject.

41 Application for consent to exploration licences

(1) Where the Northern Territory Mining Minister has given consent, whether before or after the commencement of this section, to a person's entering into negotiations with a Land Council for the consent of the Land Council to the grant to the person of an exploration licence in respect of Aboriginal land (in this section referred to as the ***affected land***), the person shall submit to that Land Council an application, in writing, for consent to the grant of that licence.

(2) The application shall be made:

(a) if the applicant received the consent of the Northern Territory Mining Minister before the commencement of this section, but has not previously applied to the Land Council under this section in relation to the affected land—within 6 months after that commencement;

(b) if the applicant received the consent of the Northern Territory Mining Minister before that commencement and has

Authorised Version C2025C00542 registered 03/10/2025

previously applied to the Land Council under this section in relation to the affected land—within 3 months after that commencement; or

(c) if the applicant has received the consent of the Northern Territory Mining Minister after that commencement—within 3 months after the consent was given.

(3) If the application is not made as required by subsection (2), the consent of the Northern Territory Mining Minister under subsection (1) shall be deemed to be withdrawn.

(4) Where, upon receiving a request from the applicant and having consulted with the Northern Territory Mining Minister, the Minister is satisfied at any time that:

(a) it is not reasonably practicable for the applicant to make an application within the relevant period prescribed by subsection (2); and

(b) in all the circumstances of the case it is appropriate that a longer period should apply;

the Minister may, by notice in writing to the applicant, the Land Council and the Northern Territory Mining Minister, extend the period to such longer period as is specified in the notice.

(5) The applicant shall cause a copy of the application to be sent to the Minister.

(6) The application shall set out a comprehensive proposal which includes, but is not limited to, the following particulars:

(a) a description of the applicant and of the business activities of the applicant;

(b) a description of the affected land by reference to a map showing roads, topographical features, residential areas and other relevant features;

(c) a copy of the instrument by which the consent of the Northern Territory Mining Minister was given and of any conditions relevant to the potential impact of the exploration works on the affected land and on Aboriginals, being conditions that are, under a law of the Northern Territory

Authorised Version C2025C00542 registered 03/10/2025

relating to mining for minerals, likely to be conditions to which the grant of the exploration licence will be subject;

(d) an outline of the proposed exploration program stating, as far as practicable, the location, and likely effect, of proposed exploration works, and including details of:

(i) the anticipated period of activity upon such works;

(ii) proposed and possible exploration techniques;

(iii) the extent to which exploration activities will, or are likely to, affect the environment inside and outside the affected land;

(iv) the proposed method and amount of vehicular access to and within the affected land with reference to any proposals to construct roads, landing strips or other access facilities;

(v) the maximum number of people likely to be on the affected land from time to time;

(vi) the proposed water, timber or other requirements to be obtained from the affected land; and

(vii) proposals for minimising the effect of the proposed exploration works on the affected land;

(viii) the estimated cost of exploration;

(ix) the estimated geological potential of the area;

(x) a proposal in relation to payments for exploration activities;

(xi) the term of the exploration period;

(xii) proposals for rehabilitation; and

(xiii) proposals for minimising social impact;

(e) a description, expressed as fully as practicable, of the various methods for the recovery of any minerals found as a result of the exploration;

(f) the name, position and qualifications of the person or persons, not exceeding 3 in number, who will represent the applicant at meetings convened under subsection 42(4) or, if any such person is unable so to represent the applicant, of any substitute authorised to represent the applicant.

Authorised Version C2025C00542 registered 03/10/2025

(7) The Land Council shall, within 30 days after receiving the application, cause notice of the application to be sent to any Aboriginal community or group that may be affected by the grant of the licence.

42 Response of Land Council and Minister to application

(1) Where a Land Council receives an application under section 41 for consent to the grant of an exploration licence in respect of particular land, it shall, before the end of the negotiating period in respect of that application:

(a) either consent, or refuse to consent, to the grant of an exploration licence authorising the proposed exploration program in respect of that land or of a part of that land; and

(b) notify the applicant, the Minister and the Northern Territory Mining Minister, in writing, of its decision.

(2) The Land Council shall not consent to the grant of the licence unless it has, before the end of the negotiating period, to the extent practicable:

(a) consulted the traditional Aboriginal owners (if any) of the land to which the application relates concerning:

(i) the exploration proposals; and

(ii) the terms and conditions to which the grant of the licence may be subject; and

(b) consulted any Aboriginal community or group that may be affected by the grant of the licence to ensure that the community or group has had an adequate opportunity to express to the Land Council its views concerning the terms and conditions.

(3) The Land Council shall not refuse to consent to the grant of the licence unless it has, before the end of the negotiating period, to the extent practicable, consulted the traditional Aboriginal owners (if any) of the land to which the application relates concerning the matters referred to in paragraph (2)(a).

Authorised Version C2025C00542 registered 03/10/2025

(4) In order to facilitate consultation between the Land Council and the traditional Aboriginal owners:

(a) the Land Council shall convene such meetings with them as are necessary for the purpose of considering the exploration proposals and the terms and conditions;

(b) the Land Council shall give reasonable notice to the applicant and the Minister before each meeting which the applicant and the Minister are entitled to attend;

(c) the representatives of the applicant may attend so much of:

(i) the first meeting at which the substantive content of the exploration program is discussed; and

(ii) the first meeting at which the terms and conditions are discussed;

as is appropriate for the purposes of presenting and explaining the exploration proposals (including any information required to be given to the Northern Territory Mining Minister) and outlining the applicant's views concerning the terms and conditions; and

(d) the representatives of the applicant may attend so much of any subsequent meeting as is appropriate for any of the purposes referred to in paragraph (c) unless the traditional Aboriginal owners, as a group, decide and, through the Land Council, notify the applicant, that the representatives may not attend.

(5) A representative of the Minister:

(a) may attend the meeting, or each meeting, referred to in paragraph (4)(c); and

(b) may attend any subsequent meeting unless the traditional Aboriginal owners, as a group, decide, and, through the Land Council, notify the Minister, that the representative may not attend.

(6) Subject to subsection (7), the Land Council shall not consent to the grant of the licence unless:

Authorised Version C2025C00542 registered 03/10/2025

(a) it is satisfied that the traditional Aboriginal owners (if any) of the land understand the nature and purpose of the terms and conditions and, as a group, consent to them;

(b) it is satisfied that the terms and conditions are reasonable; and

(c) it has agreed with the applicant upon the terms and conditions.

(7) If:

(a) at any time within the negotiating period, the Land Council notifies the Minister in writing that the Land Council and the applicant agree that the terms and conditions should be dealt with by arbitration; or

(b) at the end of the negotiating period, the Land Council has neither consented, nor refused to consent, to the grant of the licence;

the Land Council shall, for the purposes of this Part, be deemed to consent to the grant of the licence.

(8) Where the Land Council consents to the grant of the licence, the Minister shall determine whether he or she also consents to the grant, and shall notify the applicant and the Land Council, in writing, accordingly, within 30 days, or such other period as is prescribed, after:

(a) the receipt by the Minister of the notice under subsection (1); or

(b) the day on which the Land Council was, under subsection (7), deemed to consent to the grant of the licence.

(9) If the Minister fails to comply with subsection (8), the Minister shall be deemed to consent to the grant of the licence.

(10) Where the Minister consents to the grant of the licence, he or she shall notify the applicant, the Northern Territory Mining Minister and the Land Council, in writing, accordingly.

(11) If paragraph 42(7)(a) does not apply, the applicant and the Land Council may at any time during the negotiating period:

Authorised Version C2025C00542 registered 03/10/2025

(a) appoint a person agreed upon by the parties; or

(b) request the Minister in writing to appoint a person as a Mining Commissioner;

to try to determine the terms and conditions by conciliation.

(12) Where a request is made to the Minister under paragraph (11)(b), the Minister shall, as soon as practicable, appoint a person under section 48F as a Mining Commissioner and that person shall try to determine the terms and conditions by conciliation.

(13) In this section:

negotiating period means whichever of the following periods is the longest:

(a) 12 months;

(b) if, before the end of that period of 12 months, the applicant and the Land Council agree in writing on a longer period—that longer period;

(c) if the Minister determines a longer period under subsection (14)—that longer period; or

(d) if the period is extended by subsection (15)—the period as so extended;

after the application is received by the Land Council.

(14) Where, upon receiving a request from the Land Council within what would otherwise be the negotiating period and having consulted with the Northern Territory Mining Minister, the Minister is satisfied that:

(a) it is not reasonably practicable for the Land Council to perform its functions under this section within the period that, but for this subsection, would be the negotiating period; and

(b) in all the circumstances of the case, it is appropriate that a longer negotiating period should apply;

the Minister may, by notice in writing to the applicant, the Land Council and the Northern Territory Mining Minister, determine the negotiating period to be a longer period specified in the notice.

Authorised Version C2025C00542 registered 03/10/2025

(15) Where the Land Council makes a request under subsection (14):

(a) if, within 30 days after receiving the request, the Minister refuses to extend the negotiating period, the negotiating period shall be deemed to include the period up to the end of 7 days after the Land Council receives notice of the refusal; or

(b) if, at the end of that 30 days, the Minister has not consented, or refused, to extend the negotiating period, the Minister shall be deemed to have refused to extend the negotiating period, but the negotiating period shall be deemed to include the period up to the end of 7 days after that 30 days.

43 National interest cases

(1) Where the Governor-General has, under paragraph 40(b), issued a Proclamation relating to the grant of an exploration licence to a person in respect of Aboriginal land, the person (in this section called the ***applicant***) and the relevant Land Council shall, within 180 days, or such longer period as is agreed upon in writing between the applicant and the Land Council, after the Proclamation takes effect, try to agree upon the terms and conditions to which the grant will be subject.

(2) The Land Council shall not agree upon the terms and conditions unless:

(a) it has, as far as practicable, consulted the traditional Aboriginal owners (if any) of the land concerning the terms and conditions and it is satisfied that they understand the nature and purpose of the terms and conditions and, as a group, consent to them;

(b) it has, as far as practicable, consulted any other Aboriginal community or group that may be affected by the grant of the licence concerning the terms and conditions and it is satisfied that the community or group has had an adequate opportunity to express its views to the Land Council; and

(c) it is satisfied that the terms and conditions are reasonable.

Authorised Version C2025C00542 registered 03/10/2025

(3) Subsection 42(14) applies for the purposes of subsection (1) as if the references to the negotiating period were references to the period referred to in subsection (1).

(4) Subsections 42(4) and (5) apply for the purposes of subsection (2) as if the references to exploration proposals and the exploration program were omitted.

44 Determination of conditions of exploration licences

(1) This section applies to a person (in this section called the ***applicant***), in relation to an area of Aboriginal land, if:

(a) the Minister has consented under subsection 42(8) to the grant of an exploration licence to the applicant in respect of the land and subsection 42(7) applies; or

(b) section 43 applies to the applicant, but the applicant and the Land Council have failed to agree upon the terms and conditions of the grant of the licence within the period referred to in subsection 43(1).

(2) Where subsection 42(7) applies, the applicant and the relevant Land Council may refer the terms and conditions of the grant of the licence to be determined by an arbitrator agreed upon by the parties.

(3) A reference to an arbitrator shall be made within 30 days, or such other period as is prescribed, after this section applies to the applicant.

(4) If:

(a) subsection 42(7) applies and the applicant and the Land Council fail to refer the terms and conditions as provided by subsections (2) and (3); or

(b) paragraph (1)(b) applies;

the applicant or the Land Council, or both, may, in writing, request the Minister to refer the terms and conditions to a person appointed by the Minister as a Mining Commissioner for determination by conciliation or, failing that, by arbitration.

Authorised Version C2025C00542 registered 03/10/2025

(5) Where a request is made to the Minister under subsection (4), the Minister shall, as soon as practicable, appoint a person under section 48F as a Mining Commissioner and that person shall thereupon try to determine the terms and conditions by conciliation.

(6) If the Mining Commissioner becomes of the opinion that there is no reasonable prospect of determining the terms and conditions by conciliation, he or she shall notify both parties, in writing, of that opinion and, unless either party objects, shall proceed to determine by arbitration the terms and conditions that should, in his or her opinion, be acceptable to both parties.

(7) If either party objects under subsection (6), the Minister shall, as soon as practicable, appoint another person under section 48F as a Mining Commissioner and that person shall thereupon determine by arbitration the terms and conditions that should, in his or her opinion, be acceptable to both parties.

(8) In determining the terms and conditions, the Mining Commissioner shall take into account:

(a) the effect that the entry on to the relevant land and the carrying out of exploration operations on the land would have on:

(i) the preservation and protection of the lifestyle, culture and traditions of the traditional owners of the land;

(ii) the proposals and wishes of those owners about its management, use and control;

(iii) the development of the social, cultural and economic structures of those owners; and

(iv) the freedom of access of those owners and their freedom to carry out, in accordance with tradition, rites, ceremonies and other activities on the land;

(b) the applicant's capacity, in carrying out the proposed exploration operations, to minimise any disturbance to those owners and the land;

Authorised Version C2025C00542 registered 03/10/2025

(c) the best practicable industry practices for minimising the impact of proposed exploration works upon the land and upon Aboriginals living on that land;

(d) the nature and location of the exploration works proposed to be carried out; and

(e) usual industry technology for carrying out exploration works of the kind proposed.

(9) Where the applicant is willing to enter into an agreement with the Land Council setting out the terms and conditions determined under this section, the Land Council shall enter into that agreement.

(10) Where the Minister is satisfied that the Land Council has refused, or is unwilling, to enter into an agreement in the circumstances referred to in subsection (9), the Minister shall, in the name of, and on behalf of, the Land Council, enter into such an agreement.

(11) Nothing in this Part shall be taken to imply that the applicant must enter into an agreement with the Land Council to give effect to any terms and conditions determined by the Mining Commissioner under this section, but if the applicant does not enter into the agreement within 90 days after the determination or such longer period as the Minister may determine on application, within that period of 90 days, by either party, the consent of the Northern Territory Mining Minister under subsection 41(1) shall be deemed to be withdrawn.

44A Terms and conditions of exploration licences

(1) The terms and conditions agreed upon under section 42 or 43, or determined under section 44, shall include terms and conditions requiring the payment by the applicant of compensation for damage or disturbance caused to the relevant Aboriginal land, and to the traditional Aboriginal owners of the land, by exploration activities undertaken on the land, but shall not include compensation for the value of minerals removed or proposed to be removed from the land or for any other purpose or consideration for giving consent to the grant of the exploration licence.

Authorised Version C2025C00542 registered 03/10/2025

(2) Where an agreement is entered into under this Part concerning the terms and conditions, the terms and conditions shall remain in force during the period that:

(a) the exploration licence;

(b) if an exploration retention lease is applied for or granted in respect of the whole or a part of the land to which the exploration licence relates—that application or lease; or

(c) if an exploration retention lease granted in respect of the whole or a part of the land to which the exploration licence relates is renewed—that exploration retention lease as so renewed;

is held by the applicant or by the heirs, successors or assigns of that person and such period (if any) immediately following that period as is specified in the agreement.

(3) Without limiting the generality of references in subsection (1) to compensation for damage or disturbance caused to land, those references include references to compensation for:

(a) deprivation of the use of the land or a part of the land;

(b) deprivation of the use of improvements on the land as permitted by the agreement; or

(c) severance of the land from other land having the same traditional Aboriginal owners as the land concerned.

45 Mining interest not to be granted in certain circumstances

A mining interest shall not be granted to an intending miner in respect of Aboriginal land unless:

(a) the relevant Land Council and the intending miner have entered into an agreement under section 46 as to the terms and conditions to which the grant of the mining interest will be subject; and

(b) the Minister has consented, in writing, to the grant of that mining interest.

Authorised Version C2025C00542 registered 03/10/2025

46 Terms and conditions to which grant of mining interest subject

(1) An intending miner who seeks the grant of a mining interest in respect of Aboriginal land in respect of which that intending miner holds or held an exploration licence or an exploration retention lease (whether that licence or lease was granted before or after the land became Aboriginal land) shall submit to the relevant Land Council a statement, in writing, setting out:

(a) a comprehensive proposal in relation to the mining works that the intending miner proposes to conduct on the land which includes, but is not limited to, the following particulars:

(i) the anticipated period of activity of the mining works;

(ii) the proposed mining techniques;

(iii) the extent to which the mining and related activities will, or are likely to affect the environment inside and outside the affected land;.

(iv) the proposed method and amount of vehicular access to and within the affected land with reference to any proposals to construct roads, landing strips or other access facilities;

(v) the maximum number of people likely to be on the affected land from time to time;

(vi) the water, timber and other requirements to be obtained from the affected land;

(vii) proposals for minimising the effect of the proposed mining works on the affected land;

(viii) any other information of the kind that would, under the law of the Northern Territory relating to the protection of the environment, be required to be included in an environmental impact statement in relation to the proposed mining works;

(ix) proposals for rehabilitation;

(x) proposals for minimising social impact;

(xi) projected production capacity and scale of operations;

(xii) infrastructure requirements; and

Authorised Version C2025C00542 registered 03/10/2025

(xiii) terms and conditions relating to payment;

(b) the name, position and qualifications of the person or persons, not exceeding 3 in number, who will represent the intending miner at meetings convened pursuant to subsection (5) or, in the event that that person or any of those persons is unable so to represent the intending miner, of any other person authorised to represent the intending miner in lieu of the person who is unable so to represent the intending miner.

(2) The intending miner shall cause a copy of the statement to be sent to the Minister.

(3) Where the intending miner submits the statement to the Land Council, the intending miner and the Land Council shall try, within 12 months after receipt by the Land Council of the statement or, if a longer period is agreed upon, in writing, between the intending miner and the Land Council, that longer period, to agree upon the terms and conditions to which the grant of the mining interest will be subject.

(4) Subject to subsections (7) to (11), inclusive, the Land Council shall not agree upon the terms and conditions unless:

(a) it has, as far as practicable, consulted the traditional Aboriginal owners (if any) of the land concerning the terms and conditions and it is satisfied that they understand the nature and purpose of the terms and conditions and, as a group, consent to them;

(b) it has, as far as practicable, consulted any other Aboriginal community or group that may be affected by the grant of the mining interest concerning the terms and conditions and it is satisfied that the community or group has had an adequate opportunity to express its view to the Land Council; and

(c) it is satisfied that the terms and conditions are reasonable.

(5) In order to facilitate consultation between the Land Council and the traditional Aboriginal owners:

Authorised Version C2025C00542 registered 03/10/2025

(a) the Land Council shall convene such meetings with them as it considers necessary to consider the intending miner's mining proposals and discuss the terms and conditions;

(b) the Land Council shall give reasonable notice to the applicant and the Minister before each meeting which the applicant and the Minister are entitled to attend;

(c) the representatives of the intending miner may attend so much of the first meeting as is appropriate in order to present and explain the intending miner's mining proposals and to outline the intending miner's views concerning the terms and conditions; and

(d) except where the traditional Aboriginal owners as a group decide, and, through the Land Council, notify the intending miner that the representatives of the intending miner may not attend a subsequent meeting that is so convened—the representatives may attend so much of that subsequent meeting as is appropriate in order further to explain those mining proposals or further to discuss the terms and conditions.

(6) A representative of the Minister:

(a) may attend the first meeting; and

(b) may attend any subsequent meeting unless the traditional Aboriginal owners as a group decide, and, through the Land Council, notify the Minister, that the representative may not attend.

(7) If the intending miner and the Land Council fail, within the period referred to in subsection (3), to agree upon the terms and conditions, either or both of them may, by writing, request the Minister to refer the matters in dispute to a person appointed by the Minister as a Mining Commissioner for resolution of those matters by conciliation, or, failing that, by arbitration.

(8) Where a request is made to the Minister under subsection (7), the Minister shall, as soon as practicable, appoint a person, in accordance with section 48F, as a Mining Commissioner and that

Authorised Version C2025C00542 registered 03/10/2025

person shall thereupon try, by conciliation, to assist the intending miner and the Land Council to resolve the matters in dispute.

(9) If the Mining Commissioner becomes of the opinion that there is no reasonable prospect, by conciliation, of assisting the intending miner and the Land Council to resolve any matters in dispute between them, he or she shall notify both parties, in writing, that he or she is so satisfied and, unless either party objects, proceed, by arbitration of the matters in dispute, to determine the terms and conditions that should, in his or her opinion, be acceptable to both parties.

(10) If either party objects under subsection (9), the Minister shall, as soon as practicable, appoint another person under section 48F as a Mining Commissioner and that person shall, by arbitration of the matters in dispute, determine the terms and conditions that should, in his or her opinion, be acceptable to both parties.

(11) The Mining Commissioner shall determine terms and conditions that are fair and reasonable and that, in his or her opinion, should have been negotiated by the parties in commercial arms' length negotiations conducted in good faith.

(12) Where the intending miner is willing to enter into an agreement with the Land Council setting out the terms and conditions determined under this section, the Land Council shall enter into that agreement.

(13) Where the Minister is satisfied that the Land Council has refused, or is unwilling, to enter into an agreement in the circumstances referred to in subsection (12), the Minister shall, in the name of, and on behalf of, the Land Council, enter into such an agreement.

(14) Where an agreement is entered into under this section concerning the terms and conditions, the terms and conditions are binding upon the parties and their heirs, successors or assigns.

(15) Nothing in this Part shall be taken to imply that the intending miner must enter into an agreement with the Land Council to give effect to any terms and conditions determined by the Mining

Authorised Version C2025C00542 registered 03/10/2025

Commissioner under this section, but, if the intending miner does not enter into the agreement, within 90 days after the determination or such longer period as the Minister may determine on application, within that period of 90 days, by either party, the licence or lease referred to in subsection (1) is cancelled.

(16) Where:

(a) the Mining Commissioner has, under this section, determined the terms and conditions; and

(b) the intending miner has withdrawn the application for the grant of the mining interest because the intending miner is unwilling to accept the terms and conditions so determined;

the Minister shall not consent to the grant to another intending miner of a mining interest that will enable the mining of a mineral deposit on the same land, being a deposit that was delineated by a previous intending miner (whether the first-mentioned intending miner or not), unless the Minister is satisfied that the other intending miner has entered into an agreement described in subsection (17).

(17) For the purposes of subsection (16), the agreement shall be an agreement with the previous intending miner or with the heirs, successors or assigns of the previous intending miner to reimburse the previous intending miner, or the heirs, successors or assigns of the previous intending miner, an amount equal to the sum of the exploration expenditure reported by the previous intending miner in accordance with the conditions of the exploration licence or exploration retention lease held by the previous intending miner in respect of the land under a law of the Northern Territory relating to mining for minerals.

(18) Without limiting the generality of the preceding subsections, the terms and conditions of an agreement under this section shall include terms and conditions relating to the payment to the Land Council of an amount or amounts specified in, or determined under, the agreement.

Authorised Version C2025C00542 registered 03/10/2025

47 Vitiation of consent

(1) Where:

(a) a Land Council has consented to the grant of an exploration licence; and

(b) the Land Council, by notice in writing to the Minister, states that:

(i) the licence-holder is conducting, or is likely to conduct, exploration works otherwise than in accordance with the proposed exploration program referred to in the application for that consent; and

(ii) the exploration works are causing, or are likely to cause, a significant impact on the affected land and on Aboriginals, to the extent that the Land Council would not have consented to the grant of the licence (whether or not it actually did so consent);

the Minister shall, within 90 days after the receipt of the notice, consult with the Northern Territory Mining Minister and determine whether subsection (2) applies.

(2) This subsection applies if the Minister is satisfied that:

(a) the Land Council was entitled to make a statement under paragraph (1)(b); and

(b) the national interest does not require that the exploration works should proceed.

(3) Where an intending miner causes a copy of a statement of mining proposals to be sent to the Minister under subsection 46(2), the Minister shall, within 90 days after receiving the notice, determine whether subsection (4) of this section applies.

(4) This subsection applies if the Minister is satisfied that:

(a) the proposed mining works or related activities are not in accordance with the description set out under paragraph 41(6) e) in respect of the application relating to the relevant exploration licence;

(b) the Land Council consented to the grant of the exploration licence;

Authorised Version C2025C00542 registered 03/10/2025

(c) the works or activities are causing, or are likely to cause, a significant impact on the affected land and on Aboriginals, to the extent that the Land Council would not have consented to the grant of the licence (whether or not it actually did so consent); and

(d) the national interest does not require that the works or activities should proceed.

(5) If the Minister determines that subsection (2) or (4) applies, the Minister shall inform the Land Council and the licence-holder or intending miner, as the case may be.

(6) If the Minister determines that subsection (2) applies, the exploration licence is cancelled by force of this subsection.

(7) If the Minister determines that subsection (4) applies:

(a) if the mining interest applied for has not yet been granted—the application shall not be granted; or

(b) if the mining interest has been granted—the interest is cancelled by force of this subsection.

48 No further applications within certain periods

(1) Where a Land Council refuses to consent to the grant of an exploration licence in respect of particular land, a further application under section 41 shall not be made in respect of that land, or an area within that land, by any person except as provided in subsection (2), (3) or (4).

(2) Where a Land Council has refused to consent to the grant of an exploration licence, the applicant may, during the re-application period, make a further application under section 41 to the Land Council in respect of the same land or an area within that land.

(3) Where:

(a) a Land Council has refused to consent to the grant of an exploration licence;

(b) not less than 2 years from the refusal, the Land Council applies to the Minister under this subsection; and

Authorised Version C2025C00542 registered 03/10/2025

(c) the Minister, after consultation with the Commonwealth Minister responsible for mineral resources matters and the Northern Territory Mining Minister, is satisfied on reasonable grounds that:

(i) the refusal was for a reason or reasons other than a desire to maximise the amount of financial compensation to be received, whether at the exploration or the mining stage;

(ii) the circumstances or concern that resulted in the refusal are no longer applicable; and

(iii) the public interest requires that a further application under section 41 be made in respect of the same land or an area within that land;

the Minister shall authorise such an application to be made:

(d) within 90 days—by the original applicant; or

(e) if the original applicant fails to apply within that period or notifies the Minister that he or she does not intend to apply—by any other person.

(4) Where:

(a) a Land Council has refused to consent to the grant of an exploration licence in respect of particular land; and

(b) the applicant:

(i) has failed during the re-application period to make an application under subsection (2); or

(ii) has notified the Minister in writing within that period of the intention not to make such an application;

a person other than the applicant may apply to the Land Council for consent under section 41 in respect of the first-mentioned land or an area within that land.

(5) Where an exploration licence or mining interest in respect of particular land is cancelled under subsection 47(6) or (7), an application under section 41 or 46, as the case may be, in respect of that land, or an area within that land, shall not be made by any person within 5 years of the cancellation except with the consent of

Authorised Version C2025C00542 registered 03/10/2025

the Minister given after consultation with the Northern Territory Mining Minister.

(6) The Minister shall not give consent under subsection (5) to a person other than the previous holder of the licence or interest unless the other person has entered into an agreement under subsection (7).

(7) For the purposes of subsection (6), the agreement shall be an agreement with the previous holder or with his or her heirs, successors or assigns to reimburse the previous holder or his or her heirs, successors or assigns, an amount equal to the sum of the exploration expenditure reported by the previous holder in accordance with the conditions of the exploration licence or exploration retention lease held by the previous holder in respect of the land under a law of the Northern Territory relating to mining for minerals.

(8) Without limiting the generality of the preceding subsections, the terms and conditions of an agreement under this section may include terms and conditions relating to the payment to the Land Council of an amount or amounts specified in, or determined under, the agreement.

(9) In this section:

(a) a reference to a person, in the case of a person who has died or been wound up or has assigned his or her rights under this Part, includes a reference to the heirs, successors or assigns of the person; and

(b) a reference to the re-application period, in relation to a refusal by a Land Council to consent to the grant of an exploration licence, means the period of 30 days commencing 5 years after notice of that refusal so to consent is received by the Northern Territory Mining Minister.

Authorised Version C2025C00542 registered 03/10/2025

48A Land Council may enter agreement concerning exploration or mining of land subject to claim

(1) A Land Council may enter into an agreement with a person who has, under the law of the Northern Territory relating to mining, made application for an exploration licence in respect of land that is the subject of an application referred to in paragraph 50(1)(a) and is in the area of that Land Council setting out the terms and conditions to which, if the land becomes Aboriginal land before the grant of that licence, the grant of that licence will be subject.

(2) A Land Council may enter into an agreement with a person who holds an exploration licence in respect of land that is the subject of an application referred to in paragraph 50(1)(a) and is in the area of that Land Council setting out the terms and conditions subject to which, if the land becomes Aboriginal land, the person may carry out the exploration works authorised by the licence.

(3) A Land Council may enter into an agreement with a person who:

(a) under the law of the Northern Territory relating to mining, holds an exploration licence in relation to land that is the subject of an application referred to in paragraph 50(1)(a) and is in the area of that Land Council; and

(b) has lodged an application, under that law, for the grant of a mining interest in respect of that land;

setting out the terms and conditions to which, if the land becomes Aboriginal land before the grant of that mining interest, the grant of that mining interest will be subject.

(4) A Land Council shall not enter into an agreement under subsection (1), (2) or (3) in respect of an area of land unless it is satisfied that:

(a) the traditional Aboriginal owners of the land understand the nature and purpose of the agreement and, as a group, consent to it; and

(b) any Aboriginal community or group that may be affected by the agreement has been consulted and has had an adequate opportunity to express its views to the Land Council.

Authorised Version C2025C00542 registered 03/10/2025

(5) An agreement referred to in subsection (1) or (2) is binding on the successors to the Land Council.

(6) Where, before an area of land became Aboriginal land, a Land Council had entered into an agreement under subsection (1) with a person who has made application for an exploration licence in respect of that land, then, for the purposes of this Part, when the land becomes Aboriginal land:

(a) the consent of the Land Council to the grant of the exploration licence is not required; and

(b) the agreement shall be taken, for all purposes, to be an agreement under section 44 as to terms and conditions to which the grant of that exploration licence will be subject.

(7) Where, before an area of land becomes Aboriginal land, a Land Council had entered into an agreement under subsection (3) with a person who has made application for the grant of a mining interest in that land, then, for the purposes of this Part, when the land becomes Aboriginal land:

(a) the person shall be treated as an intending miner; and

(b) the agreement shall be taken, for all purposes, to be an agreement under section 46 as to the terms and conditions to which the grant of that mining interest will be subject.

48AA Special provisions relating to specified areas

(1) This section applies to:

(a) the Aboriginal land described in Schedule 3, being the land known as the Eastern Areas on Groote Eylandt; and

(b) if:

(i) the boundaries of the area known as the Coronation Hill Project Area are prescribed for the purposes of this section; and

(ii) any land within the boundaries so prescribed becomes Aboriginal land;

that Aboriginal land.

Authorised Version C2025C00542 registered 03/10/2025

(2) Except as otherwise provided in this section, the preceding provisions of this Part do not apply to Aboriginal land to which this section applies.

(3) An exploration licence in respect of Aboriginal land to which this section applies must not be granted unless the applicant for the licence has entered into an agreement in writing with the relevant Land Council on the terms and conditions of the grant of the licence.

(4) The applicant shall:

(a) submit to the Land Council, in writing, a comprehensive proposal including, but not limited to, the particulars set out in paragraphs 41(6)(a) to (f), inclusive; and

(b) cause a copy of the proposal to be sent to the Minister.

(5) Where the applicant and the Land Council fail to agree upon the terms and conditions within 12 months after receipt of the proposal by the Land Council, the applicant or the Land Council, or both, may, in writing, request the Minister to refer the terms and conditions to a person appointed by the Minister as a Mining Commissioner for determination by conciliation, or, failing that, by arbitration.

(6) Where such a request is made, subsections 44(5) to (11) (inclusive) apply.

(7) Section 44A applies, with the necessary changes, to terms and conditions agreed upon or determined under this section.

(8) A mining interest in respect of Aboriginal land to which this section applies must not be granted to an applicant unless the relevant Land Council and the applicant have entered into an agreement in writing as to the terms and conditions of the grant of the interest.

(9) Section 46 applies, with the necessary changes, to the grant of a mining interest in respect of the land.

Authorised Version C2025C00542 registered 03/10/2025

48B Variation of terms and conditions

(1) Where:

(a) an agreement setting out the terms and conditions subject to which an exploration licence or mining interest will be granted to a person (in this section called ***the person***) has been entered into by or on behalf of a Land Council with the person;

(b) the licence or interest has been granted to the person;

(c) for reasons (other than financial reasons) outside the control of the person it is not practicable for the person to carry out the exploration or mining works to which the licence or interest relates in accordance with those terms and conditions; and

(d) the person and the Land Council are unable to agree whether, or in what respect, the terms and conditions should be varied and the agreement does not contain any provision for variation of the agreement;

either or both of them may, by writing, request the Minister to appoint a Mining Commissioner to determine whether, and in what respect, those terms and conditions should be varied.

(2) The Minister shall, as soon as practicable, appoint a person under section 48F as a Mining Commissioner, who shall determine the matters referred to in subsection (1).

(3) Where the Mining Commissioner determines that the terms and conditions should be varied and determines the respects in which they should be so varied, then, if the person is willing to enter into an agreement with the Land Council to vary the terms and conditions in accordance with the determination, the Land Council shall enter into an agreement to that effect.

(4) Where the Minister is satisfied that the Land Council has refused, or is unwilling, to enter into an agreement in the circumstances referred to in subsection (3), the Minister shall, in the name of, and on behalf of, the Land Council, enter into such an agreement.

Authorised Version C2025C00542 registered 03/10/2025

(5) Subsection 46(12) applies to an agreement under section 46 as varied under this section as it applied to the agreement before it was so varied.

48C Application of Acts authorising mining on Aboriginal land

(1) The *Atomic Energy Act 1953* or any other Act authorising mining for minerals does not apply in relation to Aboriginal land so as to authorise a person to enter or remain, or do any act, on the land unless:

(a) the Governor-General has, by Proclamation, declared that both the Minister and the Land Council for the area in which the land is situated have consented to the application of that Act in relation to entry on that land; or

(b) the Governor-General has, by Proclamation, declared that the national interest requires the application of that Act in relation to entry on that land.

48D Payments in respect of mining under Acts

(1) Where, by virtue of a Proclamation under section 48C, the *Atomic Energy Act 1953* or any other Act authorising mining for minerals applies, in the manner referred to in that section, in respect of any Aboriginal land, that Act shall not be taken to authorise a person to enter or remain, or do any act, on that land unless the Commonwealth has entered into an agreement under seal with the relevant Land Council for the acceptance by the Commonwealth of such terms and conditions as are provided for in the agreement, including terms and conditions relating to the payment to the Land Council by the Commonwealth of an amount or amounts specified in, or ascertained in accordance with, the agreement.

(2) An agreement under subsection (1) may make provision for the distribution of any money paid to the Land Council under the agreement to or for the benefit of such groups of Aboriginals as are specified in the agreement.

Authorised Version C2025C00542 registered 03/10/2025

(3) Where a Land Council, in entering into an agreement under subsection (1), fails to comply with subsection 23(3) in respect of Aboriginal land to which the agreement relates, that failure does not invalidate the entry by the Land Council into the agreement.

(4) A payment by the Commonwealth under an agreement under this section shall be made out of money appropriated by the Parliament for the purpose.

48E Arbitration on required agreement

(1) Where the Minister is satisfied that:

(a) a Land Council has refused, or is unwilling, to negotiate with respect of the terms and conditions of an agreement required by subsection 48D(1); or

(b) the Land Council and the Commonwealth cannot agree on the terms and conditions of the agreement;

the Minister may, after consultation with the Land Council, appoint a person as a Mining Commissioner, in accordance with section 48F, to determine the terms and conditions that, in the opinion of the Mining Commissioner, should be acceptable to both parties for the purposes of this subsection.

(2) Where the Mining Commissioner has determined the terms and conditions of the agreement and the Commonwealth is willing to enter into the agreement with the Land Council, the Land Council shall enter into the agreement.

(3) Where the Minister is satisfied that the Land Council has refused, or is unwilling, to enter into the agreement under subsection (2), the Minister may, in the name of, and on behalf of, the Land Council, enter into the agreement.

48F Appointment as Mining Commissioner

(1) Where the Minister is required to appoint a Mining Commissioner for purposes relating to an exploration licence, the Minister shall appoint:

Authorised Version C2025C00542 registered 03/10/2025

(a) a person who holds, or has held, office as a Judge of the Federal Court of Australia;

(b) a legal practitioner of at least 5 years standing; or

(c) a Fellow of the Institute of Arbitrators Australia.

(2) Where the Minister is required to appoint a Mining Commissioner for purposes relating to a mining interest, the Minister shall notify the Attorney-General who shall, after consultation with the Commonwealth Ministers respectively responsible for Aboriginal affairs matters and mineral resources matters, appoint a person who holds, or has held office, as a Judge of the Federal Court of Australia.

(3) The Minister shall not appoint a Mining Commissioner for a purpose relating to an exploration licence unless the Minister has submitted the names of not less than 3 persons having the qualifications set out in subsection (1) to the Land Council and the applicant referred in section 42 or 44, or to the Land Council and the person referred to in section 44B, as the case may be.

(4) Where the Minister has submitted the names of persons to a Land Council, or to a Land Council and another person, under subsection (2), the Minister shall appoint as a Mining Commissioner:

(a) if the Minister is satisfied that the Land Council, or that the Land Council and that other person, as the case requires, agree to the appointment of one of the persons whose names have been so submitted—the person so agreed upon; or

(b) if the Minister is satisfied that there is no reasonable prospect that the Land Council or the Land Council and that other person, as the case requires, will so agree—a person having the qualifications set out in subsection (1) whom the Minister considers suitable to be so appointed.

(5) In the performance by a Mining Commissioner of an arbitration function relating to an exploration licence, the Mining Commissioner shall be assisted by 2 persons appointed for that purpose by the Minister.

Authorised Version C2025C00542 registered 03/10/2025

(6) Of the persons appointed under subsection (4), one shall be nominated, in writing, by the Land Council concerned and the other shall be nominated, in writing, by the Northern Territory Chamber of Mines (Incorporated).

48G Proclamations to be laid before Parliament

(1) The Minister shall, as soon as practicable after the making of a Proclamation referred to in paragraph 40(b) or subsection 48C(1), cause a copy of the Proclamation to be laid before each House of the Parliament.

(2) Either House of the Parliament, within 15 sitting days of that House after a copy of a Proclamation has been laid before that House under subsection (1), may, in pursuance of a motion upon notice, pass a resolution disapproving of the declaration in the Proclamation.

(3) Where:

(a) a notice referred to in subsection (2) is given with respect to a Proclamation; and

(b) at the expiration of the period during which a resolution disapproving of the declaration in the Proclamation could have been passed:

(i) the notice has not been withdrawn and the relevant motion has not been called on; or

(ii) the relevant motion has been called on, moved and seconded and has not been withdrawn or otherwise disposed of;

the declaration in the Proclamation shall be deemed to have been disapproved of.

(4) If:

(a) neither House of the Parliament passes a resolution in accordance with subsection (2) disapproving of the declaration in a Proclamation; and

(b) the declaration in the Proclamation has not been deemed to have been disapproved of under subsection (3);

Authorised Version C2025C00542 registered 03/10/2025

the Proclamation takes effect on the day immediately following the last day upon which a resolution disapproving of the declaration in the Proclamation could have been passed.

(5) If, before the expiration of 15 sitting days of a House of the Parliament after a copy of a Proclamation referred to in subsection (1) has been laid before that House:

(a) the House of Representatives is dissolved or expires, or the Parliament is prorogued; and

(b) a resolution for the disapproval of the declaration in the Proclamation has not been passed by the first-mentioned House;

the copy of the Proclamation shall, for the purposes of this section, be deemed to have been laid before that first-mentioned House on the first sitting day of that first-mentioned House after the dissolution, expiry or prorogation, as the case may be.

48H Agreements for entry on Aboriginal land

(1) An agreement made, or deemed to have been made, under section 44 or 46 may include provisions regulating or authorising the entry of persons on Aboriginal land for purposes relating to the subject-matter of the agreement.

(2) Without affecting the generality of subsection (1), an agreement referred to in that subsection may provide for the issue of permits by the Land Council concerned to persons wishing to enter on Aboriginal land for purposes relating to the subject-matter of the agreement.

(3) The issuing and revocation of permits referred to in subsection (2) shall be in accordance with the terms of the relevant agreement and not otherwise.

(4) This section shall not be taken, by implication, to limit the kinds of estates or interests that can be the subject of an agreement or a determination under subsection 70(4).

Authorised Version C2025C00542 registered 03/10/2025

48J Offence in connection with mining interest

(1) Except as provided by section 42, 43, 44, 46, 48A, 48B or 48D or as expressly provided by any other law, a person shall not make or agree to make a payment, or offer or agree to offer a gift, to another person in connection with the granting of an exploration licence or a mining interest in Aboriginal land.

(2) An offence against subsection (1) is an indictable offence and, subject to this section, is punishable on conviction by:

(a) in the case of a natural person—a fine of $5,000 or imprisonment for a period of 2 years, or both; or

(b) in the case of a body corporate—a fine of $25,000.

(3) Notwithstanding that an offence against subsection (1) is an indictable offence, a court of summary jurisdiction may hear and determine proceedings in respect of an offence if the court is satisfied that it is proper to do so and the defendant and the prosecutor consent.

(4) Where a court of summary jurisdiction convicts a person of an offence against subsection (1), the maximum penalty that the court may impose is:

(a) in the case of a natural person—a fine of $2,000 or imprisonment for 12 months, or both; or

(b) in the case of a body corporate—a fine of $10,000.

(5) In subsection (1), a reference to a payment does not include a reference to a payment of costs reasonably incurred by a Land Council in connection with negotiations for, or the preparation of, an agreement under this Part.

Authorised Version C2025C00542 registered 03/10/2025

Part V—Aboriginal Land Commissioners

49 Aboriginal Land Commissioner

There shall be such number of Aboriginal Land Commissioners as the Minister determines.

50 Functions of Commissioner

(1) The functions of a Commissioner are—

(a) on an application being made to the Commissioner by or on behalf of Aboriginals claiming to have a traditional land claim to an area of land, being unalienated Crown land or alienated Crown land in which all estates and interests not held by the Crown are held by, or on behalf of, Aboriginals—

(i) to ascertain whether those Aboriginals or any other Aboriginals are the traditional Aboriginal owners of the land; and

(ii) to report his findings to the Minister and to the Administrator of the Northern Territory, and, where he finds that there are Aboriginals who are the traditional Aboriginal owners of the land, to make recommendations to the Minister for the granting of the land or any part of the land in accordance with sections 11 and 12;

(b) to inquire into the likely extent of traditional land claims by Aboriginals to alienated Crown land and to report to the Minister and to the Administrator of the Northern Territory, from time to time, the results of his inquiries;

(c) to establish and maintain a register of the traditional land claims referred to in paragraph (b);

(d) to advise the Minister in connexion with any other matter relevant to the operation of this Act that is referred to the Commissioner by the Minister; and

Authorised Version C2025C00542 registered 03/10/2025

(e) to advise the Minister and the Administrator of the Northern Territory in connexion with any other matter relating to land in the Northern Territory that is referred to the Commissioner by the Minister with the concurrence of the Administrator of the Northern Territory.

(1A) For the purposes of subsection (1), land in the Alligator Rivers Area (No. 3) that is alienated Crown Land in which all estates and interests not held by the Crown are held by the Director shall be deemed to be unalienated Crown land.

(1B) If any land within the area delineated by the outer boundaries of the aggregate area comprising Gimbat and Goodparla is included in a park or conservation zone, it shall be deemed, for the purposes of subsection (1), to be unalienated Crown land.

(2) A Commissioner may, with the approval of the Minister, perform any function that may be conferred on him by a law of the Northern Territory.

(2A) A Commissioner shall not perform a function under paragraph (1)(a) in respect of an application made after the expiration of 10 years after the commencement of this sub-section.

(2B) Where—

(a) an application referred to in paragraph (1)(a) has been made to a Commissioner;

(b) it appears to the Commissioner that the land to which the application relates is, in whole or part, the same as the whole or part of land to which an earlier application related; and

(c) the report made under subparagraph (1)(a)(ii) in relation to the earlier application made no recommendation as mentioned in that sub-paragraph in relation to that land,

the Commissioner shall not perform, or continue to perform, a function under paragraph (1)(a) in relation to the land (in this subsection referred to as the ***common land***) to which both the first-mentioned application and the earlier application relate unless the Commissioner finds—

Authorised Version C2025C00542 registered 03/10/2025

(d) that the basis on which the applicants contend that the applicants, or specified Aboriginals, are the traditional Aboriginal owners of the common land is substantially different from the basis on which the like contention was made in relation to the previous claim;

(e) that information, documents or records that are likely to be relevant to the performance by the Commissioner of that function, being information, records or documents that were not available to the Commissioner to whom the previous application was made, will be available to the Commissioner in connection with the performance of that function; or

(f) any other ground upon which it appears to the Commissioner appropriate to perform, or continue to perform, that function,

and that it is likely that the Commissioner will find that the applicants or specified Aboriginals are the traditional Aboriginal owners of the common land.

(2C) Where—

(a) an application referred to in paragraph (1)(a) has been made to a Commissioner; and

(b) it appears to the Commissioner that an estate or interest in the land is held by or on behalf of Aboriginals,

the Commissioner shall not perform, or continue to perform, a function under that paragraph in relation to the application as it relates to that land unless the Aboriginals who hold that estate or interest have, or the body which holds that estate or interest on their behalf has, consented, in writing, to the making of the application.

(2D) Where—

(a) an application referred to in paragraph (1)(a) has been made to a Commissioner (whether before or after the commencement of this section);

(b) the whole or part of the land to which the application relates was reserved, dedicated or otherwise set aside under a law of the Northern Territory, with effect from a time before the

Authorised Version C2025C00542 registered 03/10/2025

commencement of this subsection, as a stock route or stock reserve; and

(c) if the application was made before the commencement of this subsection—the Commissioner had not, before that commencement, commenced an inquiry under paragraph (1)(a) in relation to the application in respect of that land or that part,

the Commissioner shall not perform, or continue to perform, a function under paragraph (1)(a) in relation to the application in respect of that land or that part.

(2E) Paragraph (2D)(b) does not apply in relation to—

(a) a stock route or stock reserve that is, along each of its two longer boundaries, contiguous to land to which the application relates.

(3) In making a report in connexion with a traditional land claim a Commissioner shall have regard to the strength or otherwise of the traditional attachment by the claimants to the land claimed, and shall comment on each of the following matters:—

(a) the number of Aboriginals with traditional attachments to the land claimed who would be advantaged, and the nature and extent of the advantage that would accrue to those Aboriginals, if the claim were acceded to either in whole or in part;

(b) the detriment to persons or communities including other Aboriginal groups that might result if the claim were acceded to either in whole or in part;

(c) the effect which acceding to the claim either in whole or in part would have on the existing or proposed patterns of land usage in the region; and

(d) where the claim relates to alienated Crown land—the cost of acquiring the interests of persons (other than the Crown) in the land concerned.

(4) In carrying out his functions a Commissioner shall have regard to the following principles:—

Authorised Version C2025C00542 registered 03/10/2025

(a) Aboriginals who by choice are living at a place on the traditional country of the tribe or linguistic group to which they belong but do not have a right or entitlement to live at that place ought, where practicable, to be able to acquire secure occupancy of that place;

(b) Aboriginals who are not living at a place on the traditional country of the tribe or linguistic group to which they belong but desire to live at such a place ought, where practicable, to be able to acquire secure occupancy of such a place.

51 Powers of Commissioner

A Commissioner may do all things necessary or convenient to be done for or in connexion with the performance of his functions.

52 Appointment of Commissioner

(1) A Commissioner shall be appointed by the Governor-General.

(2) Subject to this Act, a Commissioner holds office for such period, not exceeding 3 years, as is specified in the instrument of his appointment and on such terms and conditions as the Governor-General determines, but is eligible for re-appointment.

(3) A person who has attained the age of 65 years shall not be appointed or re-appointed as a Commissioner, and a person shall not be appointed or re-appointed as a Commissioner for a period that extends beyond the date on which he will attain the age of 65 years.

(4) Where the period of office of a Commissioner has expired, the Commissioner shall, unless the Governor-General otherwise directs, be deemed to continue to hold the office of Commissioner for the purpose only of completing the performance of a function under this Act commenced but not completed before the period of office expired.

Authorised Version C2025C00542 registered 03/10/2025

53 Judge to be appointed as Commissioner

(1) A person shall not be appointed as a Commissioner unless he is a Judge.

(2) A person ceases to hold office as a Commissioner if he is no longer a Judge.

(3) The appointment of a Judge as a Commissioner and his service as a Commissioner shall not affect his tenure of his judicial office or his rank, title, status, precedence, salary or annual allowances or other judicial privileges as the holder of that judicial office and, for all purposes, his service as a Commissioner shall be taken to be service as the holder of his judicial office.

(4) In this section, ***Judge*** means—

(a) a Judge of the Federal Court of Australia; or

(b) a Judge, additional Judge, or acting Judge of the Supreme Court of the Northern Territory.

53A Protection for Commissioner, &c.

(1) A Commissioner shall, in the exercise of his functions as a Commissioner, have the same protection and immunity as a Justice of the High Court.

(2) A barrister or solicitor appearing before a Commissioner who is conducting an inquiry in pursuance of his or her functions under this Act has the same protection and immunity as a barrister has in appearing for a party in proceedings in the High Court.

54 Power to require person to answer questions and produce documents

(1) A Commissioner may, by notice in writing, require a person whom he believes to be capable of giving information relating to a matter being inquired into by the Commissioner in carrying out his functions under this Act, being a matter specified in the notice, to attend before him at the time and place specified in the notice and

Authorised Version C2025C00542 registered 03/10/2025

there to answer questions in relation to that matter and to produce to the Commissioner such documents and other records in relation to that matter as are specified in the notice.

(2) A Commissioner may make and retain copies of, or extracts from, any documents or other records produced in pursuance of this section.

(3) A person is not excused from answering a question or producing any documents or other records when required so to do under this section on the ground that the answer to the question, or the production of the documents or other records, might tend to incriminate him or make him liable to a penalty, but his answer to any such question is not admissible in evidence against him in proceedings other than proceedings for an offence against paragraph (6)(c) or section 54B.

(4) A person attending before a Commissioner in pursuance of this section has the same protection, and is, in addition to the penalties provided by this section, subject to the same liabilities, as a witness in proceedings in the High Court.

(5) A Commissioner may administer an oath or affirmation to a person required to attend before him in pursuance of this section and may examine the person on oath or affirmation.

(6) A person shall not, without lawful excuse, refuse or fail—

(a) to attend before a Commissioner;

(b) to be sworn or make an affirmation; or

(c) to answer a question or produce a document or record;

when so required in pursuance of this section.

Penalty: $1,000.

54A Person wishing to give information, &c., to Commissioner

(1) Where a person present at a place where a Commissioner is conducting an inquiry in pursuance of his functions under this Act indicates to the Commissioner that he wishes to give information,

Authorised Version C2025C00542 registered 03/10/2025

or to produce documents or other records, relating to the matter the subject of the inquiry, the Commissioner may—

(a) if the person wishes to give information—administer an oath or affirmation to that person and examine that person on oath or affirmation; or

(b) if the person wishes to produce documents or other records—inspect, and make and retain copies of, or extracts from, those documents or other records.

(2) A person shall not, without lawful excuse, refuse or fail to answer a question put to him by a Commissioner in the course of an examination under subsection (1).

Penalty: $1,000.

(3) A person is not excused from answering a question referred to in subsection (2) on the ground that the answer to the question might tend to incriminate him or make him liable to a penalty, but his answer to any such question is not admissible in evidence against him in proceedings other than proceedings for an offence against that subsection or section 54B.

(4) A person being examined under subsection (1) has the same protection, and is, in addition to the penalty provided by subsection (2), subject to the same liabilities, as a witness in proceedings in the High Court.

54AA Commissioner may restrict publication, &c.

(1) A Commissioner may give directions prohibiting or limiting the publication of, or access to, information given, or a book, document or other record produced, to the Commissioner under this Act.

(2) Where information is to be publicly given, or a book, document or other record is to be publicly produced, to a Commissioner under this Act, the Commissioner may give directions requiring that persons specified in the direction, or persons included in a class of persons specified in the direction, are not to be in the vicinity of the

Authorised Version C2025C00542 registered 03/10/2025

place where the information is to be given, or the book, document or other record produced, as the case may be.

(3) A person who knowingly contravenes or fails to comply with a direction given under this section is guilty of an offence punishable, on summary conviction, by—

(a) in the case of a natural person—a fine of $2,000 or imprisonment for 12 months, or both; or

(b) in the case of a body corporate—a fine of $10,000.

54B Person not to furnish false information, &c.

A person shall not—

(a) make a statement to a Commissioner in the course of an examination under section 54 or 54A, being a statement that he knows to be false or misleading in a material particular; or

(b) produce to a Commissioner in the course of an inquiry conducted by the Commissioner in pursuance of his functions under this Act a document or other record that to his knowledge contains information that is false or misleading in a material particular.

Penalty: $1,000.

54C Financial assistance in respect of legal representation

(1) Where—

(a) an application has been made, in accordance with paragraph 50(1)(a), to a Commissioner by or on behalf of Aboriginals claiming to have a traditional land claim to an area of land; and

(b) a person (not being a person by whom, or on whose behalf, the application referred to in paragraph (a) has been made) or an unincorporated association of persons wishes to be, or is, legally represented at the inquiry by the Commissioner into the claim,

Authorised Version C2025C00542 registered 03/10/2025

that person or association may apply to the Attorney-General for the provision of assistance under this section in respect of the cost of such representation at that inquiry.

(2) Where—

(a) an application is made to the Attorney-General under subsection (1); and

(b) the Attorney-General, or an officer of the Australian Public Service authorized in writing by the Attorney-General, is satisfied that, in all the circumstances of the case, it is reasonable that the Commonwealth should provide assistance in respect of the whole or a part of the cost of the representation to which the application relates,

the Attorney-General or the officer may authorize, either unconditionally or subject to such conditions as the Attorney-General or the officer determines, the provision by the Commonwealth of assistance under this section in respect of the whole or that part of the cost of that representation.

(3) The reference in subsection (2) to all the circumstances of the case shall be read as including a reference to any hardship that the refusal of the application in question would cause to the applicant or, if the applicant is an unincorporated association of persons, to any of those persons.

54D Reference of question of law to Federal Court

(1) A Commissioner may refer a question of law arising in connection with an application referred to in paragraph 50(1)(a) made to the Commissioner to the Federal Court of Australia for determination.

(2) The Federal Court of Australia has jurisdiction to hear and determine a question of law referred to it under subsection (1) and that jurisdiction shall be exercised by that Court constituted as a Full Court.

(3) Where a question of law arising in connection with such an application has been referred to the Federal Court of Australia under this section, a Commissioner shall not—

Authorised Version C2025C00542 registered 03/10/2025

(a) make a finding to which the question is relevant while the reference is pending; or

(b) exercise the functions of a Commissioner under paragraph (1)(a) in a manner that is inconsistent with the determination of the Federal Court on the question.

55 Interests of Commissioner in any business

A Commissioner shall, as soon as practicable, give written notice to the Minister of all direct and indirect pecuniary interests that he has or acquired in any business carried on in Australia or in any body corporate carrying on any such business or in any land in the Northern Territory.

56 Leave of absence

The Minister may grant leave of absence to a Commissioner upon such terms and conditions as the Minister determines.

57 Acting appointments

(1) Where there is a vacancy in an office of Commissioner, the Minister may appoint a person to act as a Commissioner until the filling of the vacancy, but a person so appointed shall not continue so to act after the expiration of the period of 12 months after the occurrence of the vacancy.

(2) Where a Commissioner is, or is expected to be, absent from Australia or is unable, whether on account of illness or otherwise, to perform the duties of his office, the Minister may appoint a person to act as a Commissioner during the period during which the Commissioner is so absent or so unable to perform the duties of his office.

(3) Subject to subsection (4), a person appointed to act as a Commissioner in accordance with this section has all the functions, powers and duties of the Commissioner in whose place he is appointed to act.

Authorised Version C2025C00542 registered 03/10/2025

(4) A person referred to in subsection (3) does not have the powers conferred on a Commissioner by section 54 or 54A unless he is a Judge.

(5) The Minister may—

(a) subject to this Act and having regard to the terms and conditions of appointment applicable to a Commissioner, determine the terms and conditions of appointment, including remuneration and allowances, of a person appointed under this section; and

(b) at any time, terminate such an appointment.

(6) A person appointed under this section may resign his appointment by writing under his hand delivered to the Minister, but the resignation does not have effect until it is accepted by the Minister.

(7) A reference in subsection (4) to a Judge is a reference to—

(a) a Judge of the Supreme Court of the Northern Territory or a person appointed as an additional Judge, or a person acting as a Judge, of that Court; or

(b) a Judge, or a person acting as a Judge, of a court created by Parliament.

58 Resignation

A Commissioner may resign his office by writing under his hand delivered to the Governor-General, but the resignation does not have effect until it is accepted by the Governor-General.

59 Staff to assist Commissioner

Any staff required to assist a Commissioner shall be persons appointed or employed under the *Public Service Act 1922*.

60 Consultants to Commissioner

(1) A Commissioner, may, on behalf of the Commonwealth, engage persons having suitable qualifications and experience as consultants to the Commissioner.

Authorised Version C2025C00542 registered 03/10/2025

(2) The terms and conditions on which persons are engaged under subsection (1) shall be such terms and conditions as are determined by the Minister.

61 Annual report, &c., by Commissioner

(1) Each Commissioner shall, as soon as practicable after 30 June in each year, prepare and furnish to the Minister a report of his operations during the year that ended on that date and, for that purpose, the period commencing on the day on which this Act receives the Royal Assent and ending on 30 June 1977 shall be regarded as a year.

(2) A Commissioner shall furnish to the Minister such additional reports as the Minister requires and may furnish such other reports as the Commissioner thinks fit.

(3) The Minister shall cause a report furnished to him under subsection (1) to be laid before each House of the Parliament within 15 sitting days of that House after the receipt of the report by the Minister.

Authorised Version C2025C00542 registered 03/10/2025

Part VI—Aboriginals Benefit Trust Account

62 Aboriginals Benefit Trust Account

(1) A Fund is hereby established to be known as the Aboriginals Benefit Trust Account.

(2) The Trust Account is a Trust Account for the purposes of section 62A of the *Audit Act 1901*.

(3) Interest received from the investment of moneys standing to the credit of the Trust Account forms part of the Trust Account.

62A Repeal of section 21 of Northern Territory (Administration) Act and consequent provision

(1) Section 21 of the *Northern Territory (Administration) Act 1910* is repealed.

(2) Moneys standing to the credit of the Aborigines Benefits Trust Fund (other than moneys that have been invested) immediately before the commencement of this section shall, after the commencement of this section, be deemed to be moneys standing to the credit of the Trust Account.

(3) Investments in the name of the Minister for Finance of the Commonwealth that are in being immediately before the commencement of this section, being investments of moneys standing to the credit of the Aborigines Benefits Trust Fund, shall, after the commencement of this section, be deemed to be investments of moneys standing to the credit of the Trust Account.

(4) Any amount that, but for the repeal of section 21 of the *Northern Territory (Administration) Act 1910*, would have been payable, after the commencement of this section, to the Aborigines Benefits Trust Fund (other than an amount of royalty referred to in subsection 63(2)) shall be paid into the Trust Account.

Authorised Version C2025C00542 registered 03/10/2025

63 Payments into Trust Account

(2) Subject to subsection (3), there shall be paid into the Trust Account, from time to time, out of the Consolidated Revenue Fund, amounts equal to the amounts of any royalties received by the Commonwealth or the Northern Territory in respect of a mining interest in Aboriginal land.

(3) Where, because of an increase in the rate of royalty since the commencement of this section, an amount of royalties received by the Commonwealth in respect of a mining interest in the area of Aboriginal land described in Schedule 5 is higher than the amount that, but for that increase, the Commonwealth would have received in respect of that mining interest, such part only of the increase in the amount of those royalties as is determined by the Minister is to be taken into account in calculating the amount payable into the Trust Account under subsection (2) in respect of those royalties.

(3A) Where:

(a) after the commencement of this subsection, a mining interest in respect of Aboriginal land in the Northern Territory has been granted under:

(i) subsection 51(1A) of the Lands Acquisition Act 1955 in so far as it applies by virtue of subsection 124(8) of the Lands Acquisition Act 1989; or

(ii) regulations made for the purposes of subsection 124(1) of the Lands Acquisition Act 1989; and

(b) because of an increase in the rate of royalty since the grant of the mining interest, an amount of royalties received by the Commonwealth in respect of the mining interest is higher than the amount that, but for that increase, the Commonwealth would have received in respect of that mining interest;

such part only of the increase in the amount of those royalties as is determined by the Minister is to be taken into account in calculating the amount payable into the Trust Account under subsection (2) in respect of those royalties.

Authorised Version C2025C00542 registered 03/10/2025

(4) Where mining operations for minerals are carried on under the *Atomic Energy Act 1953* or any other Act on Aboriginal land by, or on behalf of, the Commonwealth, the Northern Territory or an Authority, there shall be paid into the Trust Account from time to time, out of the Consolidated Revenue Fund, payments in respect of those mining operations of such amounts as are determined in accordance with subsection (5).

(5) Amounts payable under subsection (4) are—

(a) such amounts as would be payable to the Crown as royalties if the mining operations were carried on in accordance with the law of the Northern Territory relating to mining for minerals and the royalties were payable at the rate fixed by that law immediately before the commencement of this section; or

(b) if the Minister administering the Act under which the mining operations are carried on and the Minister administering this Act jointly determine that amounts higher than the amounts referred to in paragraph (a) are to be payable under subsection (4) in respect of particular mining operations—the amounts so determined.

(5A) There shall be paid into the Trust Account any moneys paid by any person to the Commonwealth for the purposes of the Trust Account.

(5B) There shall be paid into the Trust Account any amounts from time to time received by the Commonwealth as interest on, or as repayment of, any loan made under subsection 64(4).

(6) The Consolidated Revenue Fund is appropriated for the purpose of making the payments referred to in subsections (2) and (4).

64 Payments out of Trust Account

(1) There shall be paid out of the Trust Account from time to time, for distribution between or among the Land Councils in such proportions as the Minister determines having regard to the number of Aboriginals living in the area of each Council, an amount equal

Authorised Version C2025C00542 registered 03/10/2025

to 40% of the amounts paid into the Trust Account in accordance with subsection 63(2) or (4).

(2) Where the distribution referred to in subsection (1) is between 2 Land Councils only, the Minister shall determine the proportions for the purposes of that distribution as 50% for each Council.

(3) There shall be paid out of the Trust Account, from time to time, to each Land Council in the area of which a mining interest referred to in subsection 63(2) is situated, or mining operations referred to in subsection 63(4) are being carried on, an amount equal to 30% of any amounts—

(a) paid into the Trust Account in accordance with subsection 63(2) in respect of that mining interest; or

(b) paid into the Trust Account in accordance with subsection 63(4) in respect of those mining operations,

as the case may be.

(4) There shall be paid out of the Trust Account such other amounts as the Minister directs to be paid or applied to or for the benefit of Aboriginals living in the Northern Territory.

(4A) A payment of an amount out of the Trust Account under subsection (4) may be by way of a loan (whether secured or unsecured) by the Commonwealth on such conditions as the Minister thinks fit.

(5) There shall be paid out of the Trust Account such amounts to meet the expenses of administering the account as the Minister directs.

(6) Amounts that the Minister directs to be paid out of the Trust Account under subsection (4) or (5) shall be paid or applied in accordance with the direction.

(7) Where, at any time, the Minister is satisfied that a Land Council is, or may be, unable to meet its administrative costs, in accordance with section 34, from moneys that are, or may become, available to it for the purpose, the Minister may direct that such amounts as the Minister specifies in the direction shall be paid to the Land Council out of the Trust Account for the purpose of meeting those costs.

Authorised Version C2025C00542 registered 03/10/2025

64A Transfer of amounts from Trust Account to Consolidated Revenue Fund in certain circumstances

(1) The Minister may, in his discretion, from time to time after 30 June 1982, by instrument under his hand, direct the transfer of such amount as he specifies in the direction from the Trust Account to the Consolidated Revenue Fund.

(2) Where the Minister directs, under subsection (1), the transfer of a specified amount from the Trust Account to the Consolidated Revenue Fund, subsection 221ZB(1) of the *Income Tax Assessment Act 1936* does not apply in relation to the transfer of that amount but there shall also be transferred from the Trust Account to the Consolidated Revenue Fund such additional amount as would be necessary to discharge any liability for mining withholding tax in accordance with Division 11C of Part III of that Act in respect of the first-mentioned amount and the transfer of that additional amount shall discharge that liability.

(3) The Minister shall, in a direction under subsection (1), specify, in relation to each amount that he directs to be transferred to the Consolidated Revenue Fund—

(a) that the amount is to be taken, for the purposes of this section, to have been paid to the Consolidated Revenue Fund in relation to a specified Land Council; or

(b) that specified amounts that are, in the aggregate, equal to that amount are to be respectively taken, for the purposes of this section, to have been paid to the Consolidated Revenue Fund in relation to specified Land Councils.

(4) Where, in consequence of a direction by the Minister, under subsection (1), that an amount be transferred from the Trust Account to the Consolidated Revenue Fund, an additional amount is also transferred from the Trust Account to the Consolidated Revenue Fund in accordance with subsection (2), the Minister shall, by instrument under his hand, direct, in relation to that additional amount—

Authorised Version C2025C00542 registered 03/10/2025

(a) that the additional amount is to be taken, for the purposes of this section, to have been paid to the Consolidated Revenue Fund in relation to a specified Land Council; or

(b) that specified amounts that are, in the aggregate, equal to the additional amount are to be respectively taken for the purposes of this section, to have been paid to the Consolidated Revenue Fund in relation to specified Land Councils.

(5) The Minister shall, in specifying under subsection (3) that an amount is to be taken, for the purposes of this section, to have been paid to the Consolidated Revenue Fund in relation to a specified Land Council, ensure that the aggregate of that amount and the amount or amounts (if any) specified in a previous direction or previous directions under subsection (1) in relation to that Land Council does not exceed the total of the amounts paid by the Commonwealth, after 30 June 1978, out of the Consolidated Revenue Fund to that Land Council for the purpose, of meeting the administrative costs of that Land Council.

(6) An amount that is to be taken for the purposes of this section to have been paid to the Consolidated Revenue Fund in relation to a particular Land Council shall, notwithstanding that it is so paid to the Consolidated Revenue Fund, be taken into account for the purposes of subsection 64(1) as if it had been paid in accordance with the requirements of that subsection out of the Trust Account to that Land Council.

(7) The reference in subsection (5) to amounts paid by the Commonwealth out of the Consolidated Revenue Fund to a Land Council for the purpose of meeting the administrative costs of that Land Council shall be read as not including a reference to—

(a) any amount that is paid to that Land Council under an agreement under subsection 44(1) or (2);

(b) any amount that is paid to that Land Council out of the appropriation made by item 07 of subdivision 3 of Division 640 of the *Appropriation Act (No. 1) 1978-79*;

Authorised Version C2025C00542 registered 03/10/2025

(c) any amount that is paid to that Land Council out of the appropriation made by subdivision 1 of Division 815 of the *Appropriation Act (No. 4) 1980-81*;

(d) any amount that is paid to that Land Council out of the appropriation made by item 09 of subdivision 3 of Division 120 of the *Appropriation Act (No. 1) 1981-82*; or

(e) any other amount that is paid to that Land Council for that purpose by the Commonwealth out of the Consolidated Revenue Fund and that the Minister determines, by instrument under his hand, should not be taken into account for the purposes of this section.

64B Accounts, financial statements and annual report

(1) The Commission shall keep accounts, and prepare financial statements, in such form as the Minister for Finance determines, in respect of the Trust Account.

(2) The Commission shall, as soon as practicable after each 30 June, prepare and submit to the Minister administering this section a report relating to the Trust Account for the year ending on that day, together with financial statements for the Trust Account in respect of the year in such form as the Minister for Finance approves in writing.

(3) Before submitting the financial statements to the Minister administering this section, the Commission shall submit them to the Auditor-General, who shall report to that Minister:

(a) whether, in the opinion of the Auditor-General, the statements are based on proper accounts and records;

(b) whether the statements are in agreement with the accounts and records and, in the opinion of the Auditor-General, show fairly the financial transactions and state of affairs of the Trust Account; and

(c) as to such other matters arising out of the statements as the Auditor-General considers should be reported to that Minister.

Authorised Version C2025C00542 registered 03/10/2025

(4) The Minister administering this section shall cause a copy of the report and financial statements, together with a copy of the report of the Auditor-General, to be laid before each House of the Parliament within 15 sitting days of that House after their receipt by that Minister.

(5) In this section:

Commission means the Aboriginal and Torres Strait Islander Commission established by section 6 of the *Aboriginal and Torres Strait Islander Commission Act 1989*.

65 Trust Account Advisory Committee

(1) There shall be a Trust Account Advisory Committee to advise the Minister in connexion with the making of payments out of the Trust Account under subsection 64(4).

(2) The Trust Account Advisory Committee shall consist of—

(a) a Chairman appointed by the Minister; and

(b) members elected by each Land Council.

(2A) For the purposes of paragraph 2(b), the Minister may, from time to time, fix the number of members to be elected by a Land Council having regard to the number of Aboriginals living in the area of that Land Council.

(3) The Chairman and the other members of the Trust Account Advisory Committee shall be Aboriginals living in the Northern Territory or whose names are set out in a register maintained in accordance with section 24.

Authorised Version C2025C00542 registered 03/10/2025

Part VII—Miscellaneous

66 Interpretation

A reference in this Part to an estate or interest in Aboriginal land includes a reference to—

(a) a mining interest;

(b) an interest arising out of the operation of the *Atomic Energy Act 1953* or any other Act authorizing mining for minerals;

(ba) a lease or other interest in land or a right granted under a law of the Northern Territory relating to the mining or development of extractive mineral deposits;

(c) an interest arising out of the taking possession, mining or occupation of land by virtue of a miner's right; and

(d) an interest by way of the occupation or use of land in accordance with section 12A, 14, 18, 18A or 18B.

67 Aboriginal land not to be resumed, &c.

Aboriginal land shall not be resumed, compulsorily acquired or forfeited under any law of the Northern Territory.

67A Estates or interests not to be granted while land subject to traditional land claim

(1) Where an application referred to in paragraph 50(1)(a) in respect of an area of land was made before the day of commencement of this section—

(a) any grant of an estate or interest in that area of land, or in a part of that area of land, that was purportedly effected on a day before that traditional land claim, in so far as it related to the area of land to which the grant relates, was finally disposed of, being a day after 28 May 1986 and before the day of commencement of this section, shall be taken to be, and at all times to have been, of no effect; and

Authorised Version C2025C00542 registered 03/10/2025

(b) any grant of an estate or interest in that area of land, or in a part of that area of land, that was purportedly effected on a day before that traditional land claim, in so far as it relates to the area of land to which the grant relates, is finally disposed of, being the day of commencement of this section or a later day, shall be of no effect.

(2) Where an application referred to in paragraph 50(1)(a) in respect of an area of land is made on or after the day of commencement of this section, any grant of an estate or interest in that area of land, or in a part of that area of land, that is purportedly effected on a day before that traditional land claim, in so far as it relates to the area of land to which the grant relates, is finally disposed of, being the day on which the application is made or a later day, shall be of no effect.

(3) Where an application referred to in paragraph 50(1)(a) in respect of an area of land was made before the day of commencement of this section any reservation, dedication or setting aside of that area of land, or a part of that area of land, that was purportedly effected on a day before that traditional land claim, in so far as it relates to the area of land so reserved, dedicated or set aside, is finally disposed of, being the day of commencement of this section or a later day, shall be of no effect.

(4) Where an application referred to in paragraph 50(1)(a) in respect of an area of land is made on or after the day of commencement of this section, any reservation, dedication or setting aside of that area of land, or a part of that area of land, that is purportedly effected on a day before that traditional land claim, in so far as it relates to the area of land so reserved, dedicated or set aside, is finally disposed of, being the day on which the application is made or a later day, shall be of no effect.

(5) A traditional land claim shall be taken not to have been finally disposed of in so far as it relates to a particular area of land until—

(a) the claim, or the claim, in so far as it relates to the area of land, is withdrawn;

Authorised Version C2025C00542 registered 03/10/2025

(b) the Governor-General executes a deed of grant of an estate in fee simple in the area of land, or in an area of land that includes the area of land, under section 12;

(c) the Commissioner informs the Minister, in the Commissioner's report to the Minister in respect of the claim, that the Commissioner finds that there are no Aboriginals who are the traditional Aboriginal owners of the area of land; or

(d) where the Commissioner finds that there are Aboriginals who are the traditional Aboriginal owners of the area of land, or of an area of land that includes the area of land—the Minister determines, in writing, that the Minister does not propose to recommend to the Governor-General that a grant of estate in fee simple in the area of land, or in an area of land that includes the area of land, be made to a Land Trust.

68 Roads over Aboriginal land

(1) A road shall not be constructed over Aboriginal land unless the Land Council for the area in which the land is situated consents, in writing, to the construction.

(2) A Land Council shall not give a consent referred to in subsection (1) unless the Land Council is satisfied that—

(a) the traditional Aboriginal owners (if any) of the land concerned understand the nature and purpose of the proposal to construct the road and, as a group, consent to it; and

(b) any Aboriginal community or group that may be affected by the construction of the road has been consulted and has had adequate opportunity to express its view to the Land Council.

(3) A person, other than an Aboriginal, is not entitled, unless the Minister otherwise directs, to use a road constructed in accordance with a consent given by a Land Council under subsection (1) except as provided by or under a law of the Northern Territory.

Authorised Version C2025C00542 registered 03/10/2025

(4) This section does not apply in relation to the construction or use of a road over Aboriginal land in which a person other than a Land Trust has an estate or interest if the construction or use—

(a) where the estate or interest is a mining interest—is authorized by a law of the Northern Territory;

(b) where the estate or interest is an interest arising out of the operation of the *Atomic Energy Act 1953* or any other Act authorizing mining for minerals—is authorized by or under that Act; or

(c) in any other case—is necessary for the use or enjoyment of the estate or interest by the owner of the estate or interest.

69 Sacred sites

(1) Except in the performance of functions under this Act or otherwise in accordance with this Act or a law of the Northern Territory, a person shall not enter or remain on land in the Northern Territory that is a sacred site.

Penalty: $1,000.

(2) Subsection (1) does not prevent an Aboriginal from entering or remaining on a sacred site in accordance with Aboriginal tradition.

(3) Subject to subsection (4), in proceedings for an offence against subsection (1), it is a defence if the person charged proves that he had no reasonable grounds for suspecting that the land concerned was a sacred site.

(4) Where the charge relates to a sacred site on Aboriginal land, the defence provided by subsection (3) shall not be taken to have been established by a person unless he proves that—

(a) his presence on the land would not have been unlawful if the land had not been a sacred site; and

(b) he had taken all reasonable steps to ascertain the location and extent of the sacred sites on any part of that Aboriginal land likely to be visited by him.

Authorised Version C2025C00542 registered 03/10/2025

70 Entry, &c., on Aboriginal land

(1) Except in the performance of functions under this Act or otherwise in accordance with this Act or a law of the Northern Territory, a person shall not enter or remain on Aboriginal land.

Penalty: $1,000.

(2) Where a person, other than a Land Trust, has an estate or interest in Aboriginal land—

(a) a person is entitled to enter and remain on the land for any purpose that is necessary for the use or enjoyment of that estate or interest by the owner of the estate or interest; and

(b) a law of the Northern Territory shall not authorize an entry or remaining on the land of a person if his presence on the land would interfere with the use or enjoyment of that estate or interest by the owner of the estate or interest.

(3) In proceedings for an offence against subsection (1), it is a defence if the person charged proves that his entry or remaining on the land was due to necessity.

(4) Where—

(a) a person has an estate or interest in land, being land that the person is entitled, under subsection (2), to enter and remain upon or being land in the vicinity of Aboriginal land; and

(b) there is no practicable way of gaining access to the land in which the person has that estate or interest otherwise than by crossing Aboriginal land (not being land that is, or forms part of, land described in Schedule 1),

a person is entitled, for the purpose of gaining that access so as to enable the use or enjoyment of that estate or interest by the owner of that estate or interest, to enter that Aboriginal land and to cross it by a route—

(c) that is agreed upon between the owner of that estate or interest and the Land Council in the area of which that Aboriginal land is situated; or

Authorised Version C2025C00542 registered 03/10/2025

(d) if that owner and that Land Council have failed to agree—

that is determined by an Arbitrator appointed by the Minister.

(5) The Minister shall not appoint a person to be an Arbitrator for the purposes of paragraph (4)(d) unless the Minister is satisfied that the person is in a position to deal impartially with the matter to be arbitrated.

(6) In making a determination under paragraph (4)(d), the matters that the Arbitrator shall take into account include—

(a) the location of any sacred site; and

(b) the location of any residential area.

(7) It is the intention of the Parliament that a route that is agreed upon under subsection (4), or determined under that subsection by an Arbitrator, is not to be taken to be, and, subject to section 68, shall not become, a road over which the public has a right of way.

71 Traditional rights to use or occupation of Aboriginal land

(1) Subject to this section, an Aboriginal or a group of Aboriginals is entitled to enter upon Aboriginal land and use or occupy that land to the extent that that entry, occupation or use is in accordance with Aboriginal tradition governing the rights of that Aboriginal or group of Aboriginals with respect to that land, whether or not those rights are qualified as to place, time, circumstances, purpose, permission or any other factor.

(2) Subsection (1) does not authorize an entry, use or occupation that would interfere with the use or enjoyment of an estate or interest in the land held by a person not being a Land Trust or an Aboriginal Council or other incorporated association of Aboriginals.

72 Aboriginal land to continue to be reserve under Northern Territory law

(1) Where land constituting, or forming part of, an Aboriginal reserve is vested in a Land Trust under this Act, that vesting does not,

Authorised Version C2025C00542 registered 03/10/2025

except as otherwise provided by the regulations, affect the status of that land as such Aboriginal reserve.

(2) In this section, ***Aboriginal reserve*** means—

(a) land that is a reserve within the meaning of the *Social Welfare Ordinance 1964* of the Northern Territory, as amended from time to time; or

(b) any other land that is a reserve for the purposes of a prescribed law of the Northern Territory.

73 Reciprocal legislation of the Northern Territory

(1) The power of the Legislative Assembly of the Northern Territory under the *Northern Territory (Self-Government) Act 1978* in relation to the making of laws extends to the making of—

(a) laws providing for the protection of, and the prevention of the desecration of, sacred sites in the Northern Territory, including sacred sites on Aboriginal land, and, in particular, laws regulating or authorizing the entry of persons on those sites, but so that any such laws shall provide for the right of Aboriginals to have access to those sites in accordance with Aboriginal tradition and shall take into account the wishes of Aboriginals relating to the extent to which those sites should be protected;

(b) laws regulating or authorizing the entry of persons on Aboriginal land, but so that any such laws shall provide for the right of Aboriginals to enter such land in accordance with Aboriginal tradition;

(c) laws providing for the protection or conservation of, or making other provision with respect to, wildlife in the Northern Territory, including wildlife on Aboriginal land, and, in particular, laws providing for schemes of management of wildlife on Aboriginal land, being schemes that are to be formulated in consultation with the Aboriginals using the land to which the scheme applies, but so that any such laws shall provide for the right of Aboriginals to utilise wildlife resources; and

Authorised Version C2025C00542 registered 03/10/2025

(d) laws regulating or prohibiting the entry of persons into, or controlling fishing or other activities in, waters of the sea, including waters of the territorial sea of Australia, adjoining, and within 2 kilometres of, Aboriginal land, but so that any such laws shall provide for the right of Aboriginals to enter, and use the resources of, those waters in accordance with Aboriginal tradition,

but any such law has effect to the extent only that it is capable of operating concurrently with the laws of the Commonwealth, and, in particular, with this Act, the *National Parks and Wildlife Conservation Act 1975* and any regulations made, schemes or programs formulated or things done, under this Act, or under that Act.

(2) Subsection (1) does not affect the continued operation of any Ordinance of the Northern Territory relating to a matter referred to in that subsection made before the commencement of this section if that Ordinance could have been made in accordance with that subsection, but an Ordinance of the Northern Territory made before the commencement of this section and relating to a matter referred to in subsection (1) has effect after the commencement of this section to the extent only that it would have had effect if made after the commencement of this section.

74 Application of laws of Northern Territory to Aboriginal land

This Act does not affect the application to Aboriginal land of a law of the Northern Territory to the extent that that law is capable of operating concurrently with this Act.

74A Financial assistance in respect of legal representation in closure of seas applications

(1) Where, in accordance with a law of the Northern Territory of a kind referred to in paragraph 73(1)(d)—

(a) an application is made to the Administrator of the Northern Territory with respect to the regulation or prohibition of the entry of persons into, or the control of fishing or other

Authorised Version C2025C00542 registered 03/10/2025

activities in, waters of the sea, including waters of the territorial sea of Australia, adjoining, and within 2 kilometres of, Aboriginal land;

(b) a matter to which that application relates is referred by the Administrator of the Northern Territory to a Commissioner for inquiry and report; and

(c) a person (not being a person by whom, or on whose behalf, the application referred to in paragraph (a) has been made) or an unincorporated association of persons wishes to be, or is, legally represented at the inquiry held by the Commissioner into the matter so referred to him,

that person or association may apply to the Attorney-General for the provision of assistance under this section in respect of the costs of such representation at that inquiry.

(2) Where a person or association makes application to the Attorney-General in accordance with subsection (1), the provisions of subsections 54C(2) and (3) apply to and in relation to the application so made as if it were an application made by that person or association under and in accordance with the provisions of subsection 54C(1).

75 Application of miner's right in relation to Aboriginal land

A miner's right does not apply in relation to Aboriginal land, unless immediately before the land became Aboriginal land, the land was being occupied or used by virtue of the miner's right.

76 Delegation by Minister

(1) The Minister may, either generally or as otherwise provided by the instrument of delegation, by writing signed by him, delegate to a person any of his powers under this Act (other than Part IV) other than this power of delegation.

(2) A power so delegated, when exercised by the delegate, shall, for the purposes of this Act, be deemed to have been exercised by the Minister.

Authorised Version C2025C00542 registered 03/10/2025

(3) A delegation under this section does not prevent the exercise of a power by the Minister.

77 Remuneration and allowances

(1) This section applies to—

(a) a member of a Land Council; and

(b) a member of a Land Trust.

(2) A person to whom this section applies shall be paid such remuneration as is determined by the Remuneration Tribunal, but, if no determination of that remuneration by the Tribunal is in operation, he shall be paid such remuneration as is prescribed.

(3) A person to whom this section applies shall be paid such allowances as are prescribed.

(4) This section has effect subject to the *Remuneration Tribunals Act 1973*.

77A Consents of traditional Aboriginal owners

Where, for the purposes of this Act, the traditional Aboriginal owners of an area of land are required to have consented, as a group, to a particular act or thing, the consent shall be taken to have been given if—

(a) in a case where there is a particular process of decision making that, under the Aboriginal tradition of those traditional Aboriginal owners or of the group to which they belong, must be complied with in relation to decisions of that kind—the decision was made in accordance with that process; or

(b) in a case where there is no such process of decision making—the decision was made in accordance with a process of decision making agreed to and adopted by those traditional Aboriginal owners in relation to the decision or in relation to decisions of that kind.

Authorised Version C2025C00542 registered 03/10/2025

77B Conduct by director, servants or agents

(1) Where, in a proceeding under this Act in respect of conduct engaged in by a body corporate, it is necessary to establish the state of mind of the body corporate, it is sufficient to show that a director, servant or agent of the body corporate, being a director, servant or agent by whom the conduct was engaged in within the scope of the person's actual or apparent authority, had that state of mind.

(2) Any conduct engaged in on behalf of a body corporate—

(a) by a director, servant or agent of the body corporate within the scope of the person's actual or apparent authority; or

(b) by any other person at the direction or with the consent or agreement (whether express or implied) of a director, servant or agent of the body corporate, where the giving of the direction, consent or agreement is within the scope of the actual or apparent authority of the director, servant or agent,

shall be deemed, for the purposes of this Act, to have been engaged in also by the body corporate.

(3) A reference in this section to the state of mind of a person includes a reference to the knowledge, intention, opinion, belief or purpose of the person and the person's reasons for the person's intention, opinion, belief or purpose.

77C Amendment of Schedule 1

(1) Subject to subsection (2), the regulations may amend Schedule 1 by modifying any description of an area of land in Part 2 or 3 of that Schedule and, on the commencement of an amendment, that Schedule has effect as so amended.

(2) Regulations for the purposes of subsection (1) may not modify the description of an area of land after title in the land has been vested in a Land Trust under this Act.

(3) In this section:

Authorised Version C2025C00542 registered 03/10/2025

modifying includes the substitution of a description or diagram for another description or diagram.

78 Regulations

The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters required or permitted by this Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to this Act and, in particular, prescribing penalties, not exceeding a fine of $200, for offences against the regulations.

Authorised Version C2025C00542 registered 03/10/2025

Schedule 1

Section 4

Part 1

ALLIGATOR RIVERS (No. 1)

All that piece of land in the Northern Territory of Australia containing an area of 4830 square kilometres more or less and bounded by a line commencing at the intersection of the eastern boundary of Pastoral Lease 739 (Mudginberri) with the left bank of the East Alligator River; thence southerly and westerly by the eastern and part of the southern boundary of the said Pastoral Lease to its intersection with meridian of east longitude 132 degrees 53 minutes; thence southerly by the said meridian to its intersection with the parallel of south latitude 12 degrees 43 minutes 12.14 seconds; thence southwesterly to the intersection of parallel of south latitude 12 degrees 44 minutes 45.38 seconds with the meridian of east longitude 132 degrees 51 minutes 47.54 seconds; thence northwesterly to the intersection of parallel of south latitude 12 degrees 43 minutes 38.69 seconds with the meridian of east longitude 132 degrees 48 minutes 29.26 seconds, thence northwesterly on a bearing of 333 degrees 55 minutes 02.58 seconds to its intersection with a line 30.175 metres east of and parallel to the centreline of the road to Oenpelli; thence generally southwesterly by the said line to its intersection with the easterly prolongation of the survey line as shown on Survey Plan A429 lodged with the Surveyor General for the Northern Territory; thence westerly by the said prolongation and the said survey line to the survey line as shown on Survey Plan A913 lodged with the Surveyor General for the Northern Territory; thence westerly by the said survey line and its westerly prolongation to its intersection with the right bank of the South Alligator River; thence southwesterly by a line from the said intersection to the most northern northeastern corner of Pastoral Lease 612 (Goodparla), thence southerly easterly again southerly and southeasterly by eastern northern eastern and northeastern boundaries of the said Pastoral Lease to the northwestern corner of Pastoral Lease 668

Authorised Version C2025C00542 registered 03/10/2025

(Gimbat); thence easterly by the northern boundary of the said Pastoral Lease and its prolongation easterly to its intersection with the meridian of east longitude 133 degrees; thence northerly by the said meridian to its intersection with the left bank of the East Alligator River; thence generally northerly by the left bank of the East Alligator River to the point of commencement but excluding therefrom Northern Territory Portions 838 and 895.

ALLIGATOR RIVERS (No. 2)

All that piece of land in the Northern Territory of Australia containing an area of 390 square kilometres more or less and bounded by a line commencing at the northwestern corner of Pastoral Lease 739 (Mudginberri), thence southerly by part of the western boundary of the said Pastoral Lease to the northeastern corner of Pastoral Lease 737 (Munmarlary), thence northwesterly by a line from the said corner of the said Pastoral Lease to the intersection of the parallel of south latitude 12 degrees 5 minutes 30 seconds with the meridian of east longitude 132 degrees 33 minutes 28 seconds, thence northwesterly by the northwesterly prolongation of the said line to its intersection with the sea coast of Van Diemen Gulf at Point Farewell, thence by the said sea coast and the left bank of the East Alligator River to its intersection with the northern boundary of Pastoral Lease 739 (Mudginberri), thence westerly by the northern boundary of the said Pastoral Lease to the point of commencement.

AMOONGUNA

All those pieces of land near Alice Springs in the Northern Territory of Australia containing an area of 530.5 hectares more or less being Northern Territory Portions 461 and 568 and being more particularly delineated on Survey Plans A 127 and Diagram 492 respectively lodged with the Surveyor-General for the Northern Territory.

ARNHEM LAND (ISLANDS)

All those islands in the Northern Territory of Australia containing an area of 5956 square kilometres more or less bounded by lines described as follows: Commencing at a point on high water mark of Mountnorris Bay bearing 245 degrees and approximately 16

Authorised Version C2025C00542 registered 03/10/2025

kilometres distant from Coombe Point; thence north to the low water mark of the seacoast of Mountnorris Bay; thence generally northwesterly by the low water mark of the seacoast of Mountnorris Bay to its intersection with the meridian of east longitude 132 degrees 20 minutes; thence north to the parallel of south latitude 10 degrees 50 minutes; thence east to the meridian of east longitude 137 degrees; thence south to a point due east of the seaward extremity of the left bank of the Roper River; thence by a line due west to the said seaward extremity of the left bank of the Roper River; thence generally northeasterly and westerly along low water mark of the seacoast of the mainland of Australia to a point due north of the point of commencement; thence south to the point of commencement; but excluding from the said line those parts along the low water marks of all intersecting rivers, streams and estuaries inland from a straight line joining the seaward extremity of each of the opposite banks of each of the said rivers, streams and estuaries so that the aforesaid boundary line shall follow that part below low water mark of each of the aforesaid straight lines across each of the aforesaid intersecting rivers, streams and estuaries.

ARNHEM LAND (MAINLAND)

All that piece of land in the Northern Territory of Australia containing an area of 89872 square kilometres more or less bounded by lines described as follows: Commencing at a point on the high water mark of Mountnorris Bay bearing 245 degrees and approximately 16 kilometres distant from Coombe Point; thence north to the low water mark of the seacoast of Mountnorris Bay; thence generally easterly and southwesterly by the low water mark of the seacoast of Mountnorris Bay, Arafura Sea and the Gulf of Carpenteria to its intersection with the low water mark of the left bank of the Roper River, but excluding from the said boundary line those parts along the low water marks of all intersecting rivers, streams and estuaries inland from a straight line joining the seaward extremity of each of the opposite banks of each of the said rivers, streams and estuaries so that the aforesaid boundary line shall follow that part below low water mark of each of the aforesaid straight lines across each of the aforesaid intersecting rivers, streams and estuaries; thence generally westerly by the said low water mark of the said river to its intersection with the

Authorised Version C2025C00542 registered 03/10/2025

southerly prolongation of the eastern boundary of Pastoral Lease 657 (Urapunga); thence northerly by the said prolongation and the eastern boundary of the said Pastoral Lease to the northeastern corner of the said Pastoral Lease; thence northerly, westerly, again northerly, again westerly and southerly by eastern, northern, again eastern, again northern and western boundaries of Pastoral Leases 726 and 725 (Mainoru) to the most northern northeastern corner of Pastoral Lease 569 (Mountain Valley); thence westerly by the northern boundaries of Pastoral Lease 569 and Pastoral Lease 707 (Waterhouse) to the northeastern corner of Pastoral Lease 705 (Eva Valley); thence westerly by part of a northern boundary of the said Pastoral Lease to the southeastern corner of Pastoral Lease 668 (Gimbat); thence northerly by the eastern boundary of the said Pastoral Lease to the northeastern corner of the said Pastoral Lease; thence northerly by the eastern boundary of the Sanctuary as notified in *Northern Territory Government Gazette* No. 32 of 9 August 1972 and its northerly prolongation to its intersection with the right bank of the East Alligator River; thence generally northwesterly by the said bank of the East Alligator River to a point due east of the tidal limit of the said river; thence west by a line to the low water mark of the right bank of the East Alligator River; thence generally northwesterly by the said low water mark of the said river to its intersection with the low water mark of the seacoast of Van Diemen Gulf; thence generally northerly by the said low water mark to its intersection with a line bearing 231 degrees from the point of commencement; but excluding from the said boundary line those parts along the low water marks of all intersecting rivers, streams and estuaries inland from a straight line joining the seaward extremity of each of the opposite banks of each of the said rivers, streams and estuaries so that the aforesaid boundary line shall follow that part below low water mark of each of the aforesaid straight lines across each of the aforesaid intersecting rivers, streams and estuaries; thence northeasterly by the said line bearing 231 degrees to the point of commencement.

BATHURST ISLAND

All those pieces of land at Bathurst Island in the Northern Territory of Australia containing an area of 2071 square kilometres more or less being the whole of Bathurst Island above a line along the low

Authorised Version C2025C00542 registered 03/10/2025

water mark and all other islands above a line along the low water mark lying within 5.56 kilometres of the low water mark of Bathurst Island; but excluding from the said line those parts along the low water marks of all intersecting rivers, streams and estuaries inland from a straight line joining the seaward extremity of each of the opposite banks of each of the said rivers, streams and estuaries so that the aforesaid boundary line shall follow that part below low water mark of each of the aforesaid straight lines across each of the aforesaid rivers, streams and estuaries and excluding all that land described in Deed of Grant Volume 22 Folio 196.

BESWICK

All that piece of land in the Northern Territory of Australia containing an area of 3406 square kilometres more or less: Commencing at the southwestern corner of the Commonage Reserve as notified in *Commonwealth of Australia Government Gazette* No. 40 of 13 May 1920; thence easterly by the southern boundary of the said Reserve to its intersection with the right bank of Beswick Creek; thence generally northwesterly by the said bank to its intersection with the westerly prolongation of the northern boundary of former Pastoral Lease 158; thence by a line east to its intersection with the southerly prolongation of the most southern of the eastern boundaries of Pastoral Lease 705 (Eva Valley); thence northerly by the said prolongation to the most southern southeastern corner of the said Pastoral Lease; thence northerly and easterly by eastern and southern boundaries of Pastoral Lease 705 (Eva Valley) to the most eastern southeastern corner of the said Pastoral Lease; thence easterly by the southern boundary of Pastoral Lease 707 (Waterhouse) to the southeastern corner of the said Pastoral Lease; thence easterly and southerly by southern and western boundaries of Pastoral Lease 569 (Mountain Valley) to the most southern southwestern corner of the said Pastoral Lease; thence southerly, westerly and again southerly by western, northern and again western boundaries of Pastoral Lease 752 (Goondooloo) to the most northern northeastern corner of Pastoral Lease 593 (Esley); thence westerly and southerly by a northern boundary and part of a western boundary of the said Pastoral Lease to the most eastern northeastern corner of Pastoral Lease 635 (Mataranka); thence westerly by part of a northern boundary of the said Pastoral

Authorised Version C2025C00542 registered 03/10/2025

Lease to its intersection with a line on the northeastern side of parallel to and 1669.69 metres distant from the centreline of the North Australia Railway; thence generally northwesterly by the line parallel to and 1669.69 metres distant from the centre line of the North Australia Railway to its intersection with the southerly prolongation of the western boundary of the Commonage Reserve as notified in the *Commonwealth of Australia Government Gazette* No. 40 of 13 May 1920; thence northerly by the said prolongation to the point of commencement.

DALY RIVER

All that piece of land in the Northern Territory of Australia containing an area of 13467 square kilometres more or less bounded by lines described as follows: Commencing at the intersection of the western boundary of Pastoral Lease 562 (Tipperary) with the low water mark of the left bank of the Daly River; thence southerly by the western boundary of Pastoral Lease 562 to the southwestern corner of the said Pastoral Lease; thence easterly by part of the southern boundary of Pastoral Lease 562 to a point due north of the most northern northwestern corner of Pastoral Lease 597 (Coolibah); thence south to the most northern northwestern corner of Pastoral Lease 597; thence southerly by a western boundary of the said Pastoral Lease to its intersection with the right bank of the Fitzmaurice River; thence generally westerly by the said bank of the Fitzmaurice River to a point north of the tidal limit of the said river; thence south to the low water mark of the right bank of the Fitzmaurice River; thence generally westerly by the said low water mark of the said River to its intersection with the low water mark of the seacoast of the Timor Sea; thence generally northwesterly and northeasterly by the said low water mark to its intersection with the low water mark of the left bank of the Daly River; but excluding from the said line those parts along the low water marks of all intersecting rivers, streams and estuaries inland from a straight line joining the seaward extremity of each of the opposite banks of each of the said rivers, streams and estuaries so that the aforesaid boundary line shall follow that part below low water mark of each of the aforesaid straight lines across each of the aforesaid rivers, streams and estuaries; thence generally southeasterly by the low water mark of the left bank of the Daly

Authorised Version C2025C00542 registered 03/10/2025

River to the point of commencement and including those parts above low water mark of the Peron Islands.

DELISSAVILLE

All that piece of land in the Hundred of Bray County of Palmerston Northern Territory of Australia containing an area of 4091 hectares more of less being Section 25 and being more particularly delineated on Survey Plan OP 1413 lodged with the Surveyor-General for the Northern Territory.

HAASTS BLUFF

All that piece of land in the Northern Territory of Australia containing an area of 39610 square kilometres more or less: Commencing at the intersection of the western boundary of the Northern Territory with the parallel of south latitude 23 degrees 1 minute 20.32 seconds; thence east to the meridian of east longitude 130 degrees 36 minutes 16.76 seconds; thence easterly by a line to the southwestern corner of Pastoral Lease 583 (Newhaven); thence easterly by the southern boundary of the said Pastoral Lease and a southern boundary of Pastoral Lease 714 (Mount Wedge) to the southeastern corner of the said Pastoral Lease; thence southerly, easterly and again southerly by part of a western, a southern, and again a western boundary of Pastoral Lease 607 (Derwent) to the northwestern corner of Pastoral Lease 681 (Glen Helen); thence southerly, easterly and again southerly by western, southern and again western boundaries of the said Pastoral Lease to the northwestern corner of Special Purpose Lease 159 (Hermannsburg); thence southerly by the western boundaries of the said Special Purpose Lease and the western boundary of Reserve No. 1259 as notified in *Northern Territory Government Gazette* No. 44 of 29 October 1969 to the southwestern corner of the said Special Purpose Lease; thence westerly by part of the northern boundary of Pastoral Lease 629 (Tempe Downs) to the northwestern corner of the said Pastoral Lease; thence west to the western boundary of the Northern Territory; thence north by the said western boundary to the point of commencement.

Authorised Version C2025C00542 registered 03/10/2025

HERMANNSBURG

All that piece of land in the Northern Territory of Australia containing an area of 3807 square kilometres more or less: Commencing at the most southerly southwestern corner of Pastoral Lease 681 (Glen Helen); thence easterly by southern boundaries of the said Pastoral Lease and a southern boundary of Reserve No. 1147 as notified in *Northern Territory Government Gazette* No. 11 of 17 March 1965 to the most southerly southeastern corner of the said Pastoral Lease; thence southerly and easterly by part of a western and a southern boundary of Pastoral Lease 780 (Owen Springs) and the southern boundary of Reserve No. 1232 as notified in *Northern Territory Government Gazette* No. 29 of 26 June 1968 to the northwestern corner of Reserve No. 1233 as notified in *Northern Territory Government Gazette* No. 29 of 26 June 1968; thence southerly, northeasterly, southeasterly and northerly by western, southeastern, southwestern and eastern boundaries of the said Reserve to the northeastern corner of the said Reserve; thence easterly and southerly by part of a southern and a western boundary of Pastoral Lease 780 (Owen Springs) to the most northerly northeastern corner of Pastoral Lease 600 (Henbury); thence westerly by a northern boundary of the said Pastoral Lease to its intersection with the eastern boundary of Reserve No. 1174 as notified in *Northern Territory Government Gazette* No. 60 of 30 November 1966; thence northerly, westerly, again northerly, again westerly, southerly, easterly and again southerly by part of an eastern, a northern, an eastern, again a northern, a western, a southern and part of a western boundary of the said Reserve to a northeastern corner of Pastoral Lease 600 (Henbury); thence westerly by a northern boundary of the said Pastoral Lease and part of a northern boundary of Pastoral Lease 629 (Tempe Downs) to the most southerly southeastern corner of Reserve No. 1028 as notified in *Northern Territory Government Gazette* No. 45 of 14 October 1959; thence northerly by part of an eastern boundary of the said Reserve to the southwestern corner of Reserve No. 1259 as notified in *Northern Territory Government Gazette* No. 44 of 29 October 1969; thence easterly, northerly, and westerly by southern, eastern and northern boundaries of the said Reserve to the northwestern corner of the said Reserve; thence

Authorised Version C2025C00542 registered 03/10/2025

northerly by part of an eastern boundary of Reserve No. 1028 to the point of commencement.

HOOKER CREEK

All that piece of land in the Northern Territory of Australia containing an area of 2193 square kilometres more or less: Commencing at the most southern southwestern corner of Pastoral Lease 529 (Wave Hill); thence east for 1371.6 metres; thence south for 1981.2 metres; thence west for 2285.77 metres; thence north for 1981.2 metres; thence west for 20725.04 metres; thence north for 2434.74 metres; thence west for 32497.28 metres to a point on the eastern boundary of Pastoral Lease 559 (Birrindudu); thence northerly by the said boundary to the northeastern corner of the said Pastoral Lease; thence northerly and easterly by eastern and southern boundaries of Pastoral Lease 550 (Inverway) to the most eastern southeastern corner of the said Pastoral Lease; thence easterly and southerly by southern and western boundaries of Pastoral Lease 529 (Wave Hill) to the point of commencement.

JAY CREEK

All that piece of land in the Northern Territory of Australia containing an area of 300 square kilometres more or less: Commencing at the southwestern corner of Reserve No. 1297 as notified in *Northern Territory Government Gazette* No. 26 of 1 July 1970; thence easterly and southerly by a southern and western boundary of the said Reserve to the most northerly northwestern corner of Northern Territory Portion 460; thence southwesterly by the northwestern boundary of the said Portion to the most westerly northwestern corner of the said Portion; thence southwesterly, westerly and northerly by northwestern, northern and eastern boundaries of Pastoral Lease 780 (Owen Springs) to a northeastern corner of the said Pastoral Lease; thence easterly, northerly, northeasterly and again easterly by southern, eastern, southeastern and southern boundaries of Pastoral Lease 670 (Hamilton Downs) to a southeastern corner of the said Pastoral Lease; thence southerly by part of the western boundary of Reserve No. 1297 to the point of commencement.

Authorised Version C2025C00542 registered 03/10/2025

LAKE MACKAY

All that piece of land in the Northern Territory of Australia containing an area of 34190 square kilometres more or less: Commencing at the intersection of the western boundary of the Northern Territory with the parallel of south latitude 21 degrees; thence east to a point north of the northwestern corner of Pastoral Lease 764 (Chilla Well); thence south to the said corner of the said Pastoral Lease; thence southerly by the western boundary of Pastoral Lease 764 and part of the western boundary of Pastoral Lease 802 (Mount Doreen) to the parallel of south latitude 22 degrees 30 minutes 10.02 seconds; thence west to the meridian of east longitude 130 degres 24 minutes 12.38 seconds; thence south to the parallel of south latitude 22 degrees 40 minutes 37.91 seconds; thence southeasterly to the intersection of the meridian of east longitude 130 degrees 36 minutes 16.76 seconds with the parallel of south latitude 23 degrees 1 minute 20.32 seconds; thence west to the western boundary of the Northern Territory; thence north by the said western boundary to the point of commencement.

LARRAKEAH

All those pieces of land in the Hundreds of Colton and Guy County of Palmerston Northern Territory of Australia containing an area of 3880 hectares more or less:

Firstly

Commencing at the northeastern corner of Section 215 Hundred of Colton; thence southerly by the eastern boundaries of Sections 215 and 213 to the southeastern corner of Section 213; thence southerly by the southerly prolongation of the eastern boundary of Section 213 to the northeastern corner of Section 211; thence southerly and westerly by the eastern and southern boundaries of Section 211 to the southwestern corner of the said Section; thence westerly and southerly by the southern boundary of Section 212 and the eastern boundary of Section 209 to the southeastern corner of Section 209; thence southerly by the southerly prolongation of the eastern boundary of Section 209 to the northeastern corner of Section 208; thence southerly by part of the eastern boundary of

Authorised Version C2025C00542 registered 03/10/2025

Section 208 for a distance of 402.33 metres; thence east to the left bank of the Adelaide River; thence generally northerly by the said bank of the said river to its intersection with the southerly prolongation of the eastern boundary of Section 247; thence northerly by the said prolongation to the southeastern corner of the said Section; thence westerly, southwesterly, northwesterly, northerly, northwesterly and northerly by southern, southeastern, southwestern, western, southwestern and western boundaries of Section 247 to the northwestern corner of the said Section; thence northerly by the western boundary of Section 246 to the northwestern corner of the said Section; thence westerly by the westerly prolongation of the northern boundary of Section 246 to its intersection with the southerly prolongation of the eastern boundary of Section 244; thence northerly by the said prolongation to a point 20.12 metres south of the southeastern corner of Section 244; thence westerly by a line 20.12 metres south of and parallel to the southern boundaries of Sections 244, end of road, 241, 240 and the westerly prolongation of the said line to the point of commencement.

Secondly

Commencing at the southwestern corner of Section 1455 Hundred of Guy; thence northerly by the western boundary of the said Section and a western boundary of Section 1454 to the most westerly northwestern corner of Section 1454; thence northeasterly to the most northerly southwestern corner of the said Section; thence northerly, easterly and southerly by western, northern and eastern boundaries of Section 1454 to the most easterly southeastern corner of the said Section; thence easterly by parts of the northern boundaries of Sections 7 and 6 to the southeastern corner of Section 1456; thence northerly, easterly, southerly, westerly and again southerly by western, northern, eastern, southern and again eastern boundaries of Section 8 to the northeastern corner of Section 6; thence southerly by part of the eastern boundary of Section 6 to the northwestern corner of Section 10; thence easterly by the northern boundary of Section 10 to the northeastern corner of the said Section; thence easterly, southerly and westerly by northern, eastern and southern boundaries of Section 5 to the southwestern corner of the said Section; thence

Authorised Version C2025C00542 registered 03/10/2025

westerly by the southern boundary of Section 10 to the southwestern corner of the said Section; thence westerly, southerly and again westerly by southern, eastern and again southern boundaries of Section 6 to the southwestern corner of the said Section; thence westerly by the southern boundary of Section 7 and its westerly prolongation to the southeastern corner of Section 1455; thence westerly, northerly and again westerly by southern, western and again southern boundaries of the said Section to the point of commencement.

MELVILLE ISLAND

All those pieces of land at Melville Island in the Northern Territory of Australia containing an area of 5697 square kilometres more or less being all those parts of Melville and Buchanan Islands and all other islands lying within 5.56 kilometres of low water mark of Melville Island above a line along the low water mark surrounding the said islands; but excluding from the said line those parts along the low water marks of all intersecting rivers, streams and estuaries inland from a straight line joining the seaward extremity of each of the opposite banks of each of the said rivers, streams and estuaries so that the aforesaid boundary line shall follow that part below low water mark of each of the aforesaid straight lines across each of the aforesaid rivers, streams and estuaries.

PETERMANN

All that piece of land in the Northern Territory of Australia containing an area of 44970 square kilometres more or less: Commencing at the northwestern corner of Pastoral Lease 629 (Tempe Downs); thence southerly by a western boundary of the said Pastoral Lease and its southerly prolongation to the parallel of south latitude 24 degrees 50 minutes; thence west to the meridian of east longitude 130 degrees 45 minutes; thence south to the most northern northeastern corner of Reserve No. 1012 as notified in *Northern Territory Government Gazette* No. 10 of 5 March 1958; thence northwesterly, southerly and easterly by northeastern, western and southern boundaries of the said Reserve to the southeastern corner of the said Reserve; thence southerly to the most western northwestern corner of Pastoral Lease 722 (Mulga Par); thence southerly by a western boundary of the said Pastoral

Authorised Version C2025C00542 registered 03/10/2025

Lease to the southwestern corner of the said Pastoral Lease; thence west along the southern boundary of the Northern Territory to the southwestern corner of the Northern Territory; thence north along the western boundary of the Northern Territory to a point west of the point of commencement; thence east to the point of commencement.

SANTA TERESA

All that piece of land in the Northern Territory of Australia containing an area of 1243 square kilometres more or less: Commencing at the northwestern corner of Pastoral Lease 627 (Allambi); thence northerly, westerly and again northerly by part of an eastern, a northern and an eastern boundary of Pastoral Lease 595 (Deep Well) to the most southerly southeastern corner of Pastoral Lease 673 (Undoolya); thence northerly and easterly by eastern and southern boundaries of the said Pastoral Lease to a southeastern corner of the said Pastoral Lease; thence southeasterly, southerly, easterly and again southerly by southwestern, western, southern and part of a western boundary of Pastoral Lease 605 (Todd River) to the northern boundary of the Phillipson stock route; thence by lines bearing 269 degrees 57 minutes 5434.1 metres; 299 degrees 46 minutes 10 seconds 417.4 metres; 240 degrees 5 minutes 50 seconds 417.4 metres to the most northern northeastern corner of Pastoral Lease 627 (Allambi); thence westerly by a northern boundary of the said Pastoral Lease to the point of commencement.

ULURU

All that piece of land in the Northern Territory of Australia containing an area of 132,566 hectares more or less: Commencing at the intersection of the parallel of latitude 25 degrees 16 minutes south with the prolongation north of the eastern boundary of the Petermann Aboriginal Reserve, then south along that prolongation to the parallel of latitude 25 degrees 25 minutes south, then west along that parallel to the meridian of longitude 130 degrees 40 minutes east, then north along that meridian to the parallel of latitude 25 degrees 4 minutes 54 seconds south, then south easterly to a point of latitude 25 degrees 7 minutes 24 seconds south and longitude 130 degrees 45 minutes east, then south along that

Authorised Version C2025C00542 registered 03/10/2025

meridian to the parallel of latitude 25 degrees 16 minutes south, then east along that parallel to the point of commencement.

WAGAIT

All those pieces of land being partly within the Hundreds of Finniss, Glyde and Hart and partly out of Hundred within the Country of Palmerston Northern Territory of Australia containing an area of 1447 square kilometres more or less bounded by lines described as follows:

Firstly

Commencing at a point 20.12 metres west of the northwestern corner of Section 1461 Hundred of Hart; thence southerly by a line parallel to and 20.12 metres distant from the western boundary of Section 1461 to a point 20.12 metres north of the northeastern corner of Section 1784; thence westerly by a line parallel to and 20.12 metres north of the northern boundaries of Sections 1784 and 1783 to a point 20.12 metres west of the western boundary of Section 1783; thence southerly by a line parallel to and 20.12 metres west of the western boundaries of Sections 1783, 1758, 1763, 1766 and 1793 to a point 20.12 metres north of the northern boundary of Section 1762; thence westerly by a line parallel to and 20.12 metres north of the northern boundaries of Sections 1762, 1761, 1760, 1759 and 1781 to a point 20.12 metres west of the western boundary of Section 1781; thence southerly by a line parallel to and 20.12 metres west of the western boundaries of Sections 1781, 1782 and 1838 to a point 20.12 metres south of the southern boundary of Section 1838; thence easterly by a line parallel to and 20.12 metres south of the southern boundary of Section 1838 to a point 20.12 metres west of the western boundary of Section 1814; thence southerly by a line parallel to and 20.12 metres west of the western boundaries of Sections 1814, 1822 and 1837 to a point 20.12 metres north of the northern boundary of Section 1842; thence westerly by a line parallel to and 20.12 metres north of the northern boundaries of Sections 1842 and 1875 to a point 20.12 metres west of the western boundary of Section 1875; thence southerly by a line parallel to and 20.12 metres west of the western boundaries of Sections 1875, 1876 and 1877 to its intersection with a northern boundary of Pastoral Lease

Authorised Version C2025C00542 registered 03/10/2025

676 (Stapleton); thence westerly by the northern boundary of the said Pastoral Lease and the westerly prolongation of the said boundary to its intersection with the low water mark of the seacoast of the Timor Sea; thence generally northeasterly by the said low water mark to its intersection with the low water mark of the left bank of the Finniss River; but excluding from the said line those parts along the low water marks of all intersecting rivers, streams and estuaries inland from a straight line joining the seaward extremity of each of the opposite banks of each of the said rivers, streams and estuaries so that the aforesaid boundary line shall follow that part below low water mark of each of the aforesaid straight lines across each of the aforesaid rivers, streams and estuaries; thence generally northeasterly and southeasterly by the low water mark of the left bank of the Finniss River to its second intersection with the southern boundary of the Hundred of Glyde; thence easterly by the southern boundary of the Hundred of Glyde and part of the southern boundary of the Hundred of Milne to the point of commencement.

Secondly

Commencing at the intersection of the southern boundary of the Hundred of Milne with the left bank of the Finniss River; thence generally southeasterly and easterly by the said bank of the said river to its intersection with the eastern boundary of the Hundred of Finniss; thence southerly by the eastern boundary of the Hundred of Finniss to its intersection with the easterly prolongation of the southern boundary of Section 2067 Hundred of Finniss; thence westerly by the said prolongation to the southeastern corner of Section 2067; thence westerly by the southern boundaries of Sections 2067, 2066, 2065, 2037, 2028 and 2026 to the southwestern corner of Section 2026; thence westerly by the westerly prolongation of the southern boundary of Section 2026 to its intersection with a line parallel to and 20.12 metres east of the eastern boundary of Section 1821 Hundred of Hart; thence northerly by the said line to a point 20.12 metres south of the southern boundary of Section 1460; thence easterly by a line parallel to and 20.12 metres south of the southern boundary of Section 1460 to a point 20.12 metres east of the eastern boundary of the said Section; thence northerly by a line parallel to and 20.12

Authorised Version C2025C00542 registered 03/10/2025

metres east of the eastern boundaries of Sections 1460, 1459, 1458 and 1457 to a point 20.12 metres south of the southern boundary of Section 1701; thence easterly by a line parallel to and 20.12 metres south of the southern boundaries of Sections 1701, 1700, 1699, 1698 and 1697 to a point of 20.12 metres east of the eastern boundary of Section 1697; thence north by a line parallel to and 20.12 metres east of the eastern boundaries of Sections 1697, 1696 and 1684 to a point 20.12 metres north of the northern boundary of Section 1684; thence westerly by a line parallel to and 20.12 metres north of the northern boundaries of Sections 1684 and 1688 to a point 20.12 metres east of the eastern boundary of Section 1790; thence northerly by a line parallel to and 20.12 metres east of the eastern boundary of Section 1790 to a point 20.12 metres north of the northern boundary of Section 1790; thence westerly by a line parallel to and 20.12 metres north of the northern boundaries of Sections 1790 and 1789 to a point 20.12 metres east of the eastern boundary of Section 1797; thence northerly by a line parallel to and 20.12 metres east of the eastern boundary of Section 1797 to its intersection with the southern boundary of the Hundred of Milne; thence easterly by part of the southern boundary of the Hundred of Milne to the point of commencement.

WARRABRI

All that piece of land in the Northern Territory of Australia containing an area of 440 square kilometres more or less being Northern Territory Portion 599 and being more particularly delineated on Survey Plan A125 lodged with the Surveyor-General for the Northern Territory.

WOOLWONGA

All that piece of land in the Northern Territory of Australia containing an area of 505 square kilometres more or less: Commencing at the intersection of the right bank of the South Alligator River with the southern boundary of Pastoral Lease 737 (Munmarlary); thence easterly by the said boundary to the southeastern corner of the said Pastoral Lease; thence easterly by part of the southern boundary of Pastoral Lease 739 (Mudginberri) to a point on a line on the western side of the road to Oenpelli

Authorised Version C2025C00542 registered 03/10/2025

parallel to and 30.175 metres distant from the centreline of the said road; thence generally southwesterly by the said line to its intersection with the surveyed line as shown on Survey Plan A.429 lodged with the Surveyor-General for the Northern Territory; thence westerly by the said line and the surveyed line as shown on Survey Plan A913 lodged with the Surveyor-General for the Northern Territory; to the intersection with the right bank of the South Alligator River; thence generally northerly by the said bank of the said River to the point of commencement.

YUENDUMU

All that piece of land in the Northern Territory of Australia containing an area of 2201 square kilometres more or less: Commencing at the most westerly southwestern corner of Pastoral Lease 590 (Mount Denison); thence easterly and southerly by southern and western boundaries of the said Pastoral Lease to the most southerly southwestern corner of the said Pastoral Lease; thence westerly and southerly by northern and western boundaries of Pastoral Lease 803 (Mount Allan) to the southwestern corner of the said Pastoral Lease; thence westerly by part of the northern boundary of Pastoral Lease 585 (Mount Wedge) to its intersection with the southerly prolongation of the eastern boundary of Pastoral Lease 802 (Mount Doreen); thence northerly by the said prolongation and part of the said boundary to a point west of the point of commencement; thence east to the point of commencement.

Authorised Version C2025C00542 registered 03/10/2025

Part 2

AMMAROO LOCALITY

All that parcel of land in the Northern Territory containing an area of 2771 hectares more or less, being all of Northern Territory Portion 3834 and being more particularly delineated on Survey Plan S.89/77 lodged with the Northern Territory Surveyor-General, Darwin.

BIRDUM (JOMMET BLOCK) LOCALITY

All that parcel of land in the Northern Territory containing an area of 83,980 hectares more or less, being all of Northern Territory portion 2016 and being more particularly delineated on Survey Plans S89/299A to S89/299J lodged with the Surveyor-General, Darwin.

DRY RIVER STOCK RESERVE LOCALITY

All that parcel of land in the Northern Territory containing an area of 20,720 hectares more or less, being all of Northern Territory Portion 2119 and being more particularly delineated on Survey Plan S.89/295 lodged with the Surveyor-General, Darwin.

ELLIOTT LOCALITY

All of the two parcels of land in the Northern Territory containing a combined area of 2,774.8 hectares more or less, being all of Northern Territory portions 3720 and 3869 and being more particularly delineated on Survey Plans S.89/38A to S.89/38C lodged with the Surveyor- General, Darwin.

MITTIEBAH LOCALITY

All that parcel of land in the Northern Territory containing an area of 3,050 hectares more or less, being all of Northern Territory portion 562 and being more particularly delineated on Survey Plan S.89/76 lodged with the Surveyor-General, Darwin.

Authorised Version C2025C00542 registered 03/10/2025

MT PEACHY (MARYVALE) LOCALITY

All that parcel of land in the Northern Territory containing an area of 8474 hectares more or less being all of Northern Territory portion 3815 and being more particularly delineated on Survey Plans S.89/82A to S.89/82E lodged with the Surveyor-General, Darwin.

MT SOLITAIRE (HAMILTON DOWNS) LOCALITY

All those pieces of land in the Northern Territory of Australia containing an area of 2867 hectares more or less.

Firstly:

All that parcel of land near the town of Alice Springs in the Northern Territory of Australia containing an area of 1424 hectares more or less being Northern Territory Portion 803 and being more particularly delineated on Survey Plan A226 lodged with the Surveyor-General, Darwin.

Secondly:

All that parcel of land approximately 30 kilometres northwest of the Town of Alice Springs in the Northern Territory of Australia containing an area of 1443 hectares more or less and bounded by lines described as follows: Commencing at the southeastern corner of Northern Territory Portion 803 thence by lines bearing 0 degrees 1 minute 20 seconds 2796.19 metres; 93 degrees 40 minutes 20 seconds 3931.55 metres; 180 degrees 0 minutes 20 seconds 4564.42 metres; 297 degrees 14 minutes 20 seconds 4411.88 metres to the point of commencement.

OORATIPPRA LOCALITY

All that parcel of land in the Northern Territory containing an area of 22,000 hectares more or less being all of Northern Territory portion 3823 and being more particularly delineated on Survey Plans S.89/71A to S.89/71D lodged with the Surveyor-General, Darwin.

Authorised Version C2025C00542 registered 03/10/2025

RANKEN RIVER LOCALITY

All those parcels of land in the Northern Territory containing an area of 3707 hectares more or less, being all of Northern Territory portions 3826 and 3827 and being more particularly delineated on Survey Plans S.89/68A to S.89/68E lodged with the Surveyor-General, Darwin.

SOUDAN LOCALITY

All that parcel of land in the Northern Territory containing an area of 1553 hectares more or less, being all of Northern Territory Portion 3829 and being more particularly delineated on Survey Plan S.89/66 lodged with the Surveyor-General, Darwin.

TARLTON DOWNS LOCALITY

All that parcel of land in the Northern Territory containing an area of 20,150 hectares more or less, being all of Northern Territory portion 1815 and being more particularly delineated on Survey Plans S.89/72A to S.89/72D lodged with the Surveyor-General, Darwin.

UNDOOLYA BORE LOCALITY

All that parcel of land in the Northern Territory containing an area of 1355 hectares more or less, being all of Northern Territory Portion 3821 and being more particularly delineated on Survey Plan S.89/74 lodged with the Surveyor-General, Darwin.

Authorised Version C2025C00542 registered 03/10/2025

Part 3

16 MILE (BOND SPRINGS) LOCALITY

All those parcels of land in the Northern Territory of Australia containing an area of 4289 hectares more or less.

Firstly:

All that parcel of land containing an area of 3599 hectares more or less being part of Northern Territory Portion 515 Bond Springs Locality but excluding therefrom that part of Northern Territory Portion 515 containing an area of 230.3 hectares more or less and bounded by lines described as follows:

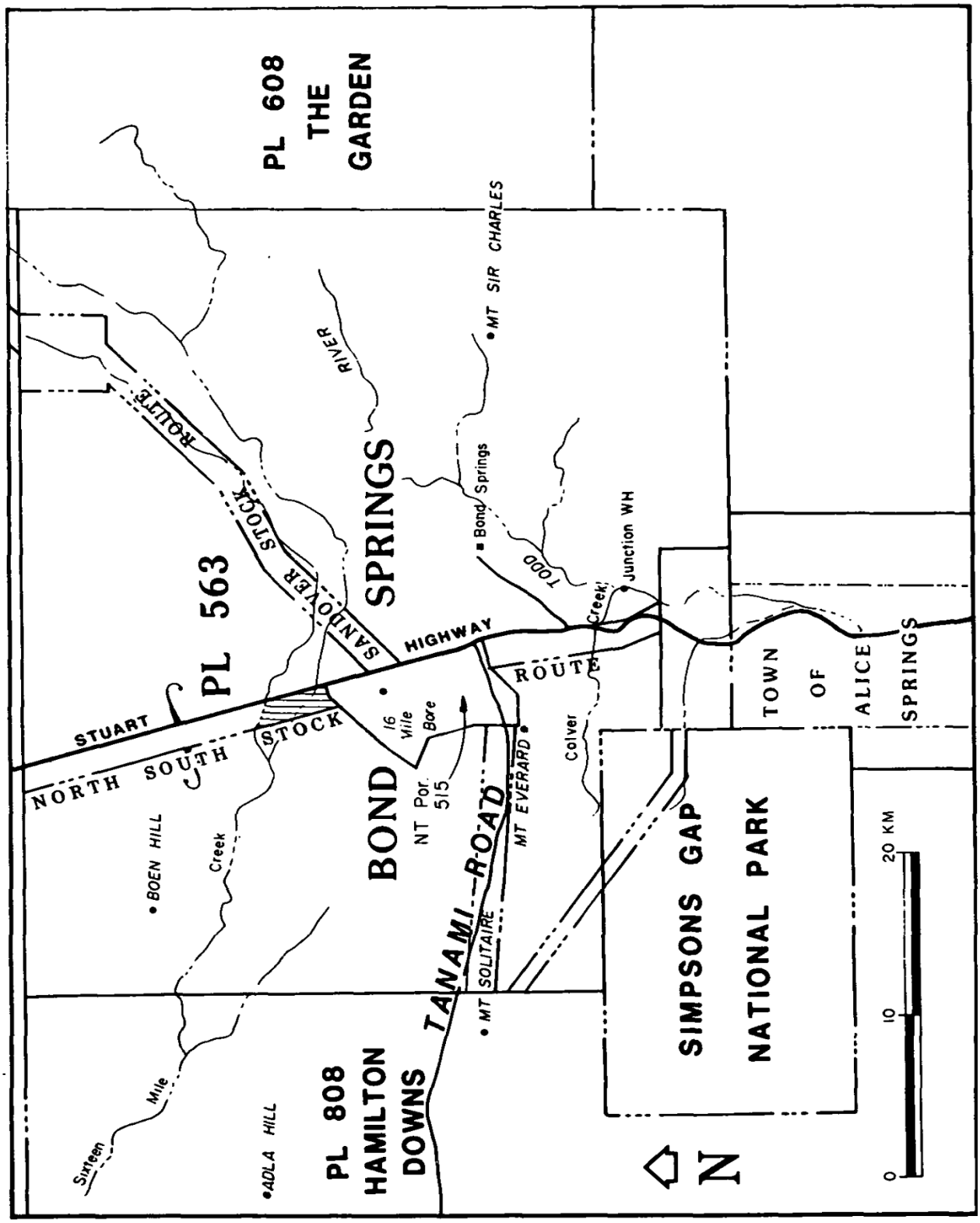
Commencing at the southernmost southwestern corner of Northern Territory Portion 515 thence by lines bearing 358 degrees 31 minutes 30 seconds for about 795.7 metres; 79 degrees 59 minutes 40 seconds for about 3405.8 metres; 232 degrees 13 minutes 40 seconds 1320.08 metres; 220 degrees 41 minutes 20 seconds 851.89 metres; 264 degrees 24 minutes 10 seconds 1693.31 metres to the point of commencement;

and excluding further Northern Territory Portions 3370, 1799, 1800 and 1557 being more particularly delineated on Survey Plans S87/48, S79/82, S79/82 and S76/110 respectively, lodged with the Northern Territory Surveyor-General, Darwin.

Secondly:

All that parcel of land containing an area of 690 hectares more or less being that part of the North South Stock Route commencing at the northern boundary of Northern Territory Portion 515 Bond Springs Locality and continuing north to the southern bank of 16 Mile Creek as shown hatched on the following diagram:

Authorised Version C2025C00542 registered 03/10/2025



Authorised Version C2025C00542 registered 03/10/2025

ALICE WELL LOCALITY

All that parcel of land in the Northern Territory containing an area of 1,013 hectares more or less, being all of Northern Territory portion 3830 and being more particularly delineated on Survey Plan S.89/65 lodged with the Surveyor-General, Darwin.

BLACK TANK BORE (BOND SPRINGS) LOCALITY

All that parcel of land in the Northern Territory containing an area of 3,640 hectares more or less, being all of Northern Territory portion 3805 and being more particularly delineated on Survey Plans S.89/92A and S.89/92B lodged with the Surveyor-General, Darwin.

FINKE LOCALITY

All those parcels of land in the Northern Territory containing an area of 13,605.6 hectares more or less.

Firstly:

All that parcel of land containing an area of 7,562 hectares more or less, being all of Northern Territory portion 3819 and being more particularly delineated on Survey Plans S.89/78A to S.89/78E lodged with the Surveyor-General, Darwin.

Secondly:

All that parcel of land containing an area of 2,520 hectares more or less, being all of Northern Territory portion 3817 and being more particularly delineated on Survey Plan S.89/80 lodged with the Surveyor-General, Darwin.

Thirdly:

All that parcel of land containing an area of 2,558 hectares more or less, being all of Northern Territory portion 3816 and being more particularly delineated on Survey Plans S.89/81A to S.89/81C lodged with the Surveyor-General, Darwin.

Authorised Version C2025C00542 registered 03/10/2025

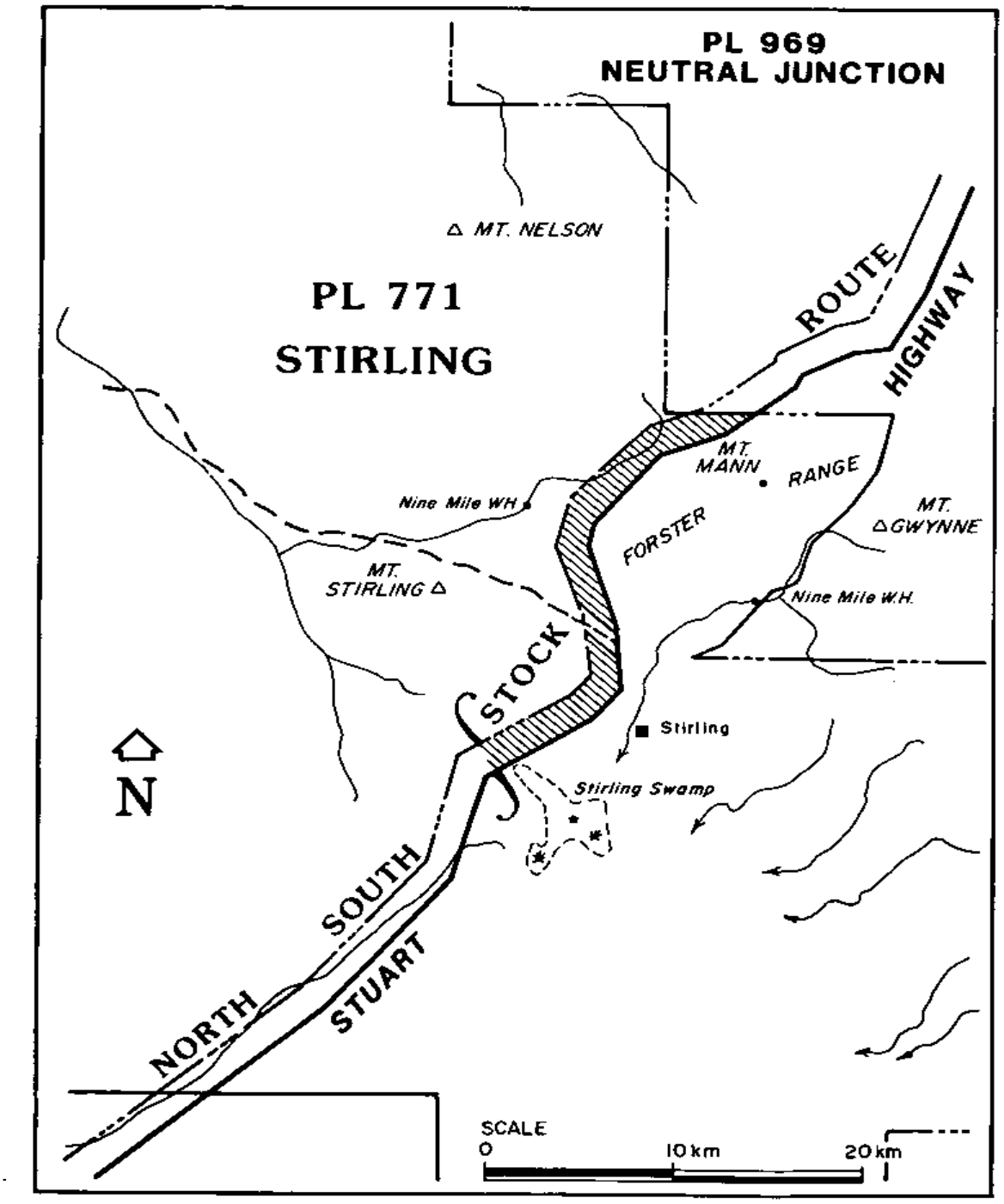
Fourthly:

All that parcel of land containing an area of 965.6 hectares more or less, being all of Northern Territory portion 3818 and being more particularly delineated on Survey Plan S.89/79 lodged with the Surveyor-General, Darwin.'

FORSTER RANGE (STIRLING) LOCALITY

All those parcels of land in the Northern Territory of Australia containing an area of 4310 hectares more or less being those parts of the North South Stock Route as shown hatched on the following diagram:

Authorised Version C2025C00542 registered 03/10/2025



Authorised Version C2025C00542 registered 03/10/2025

HENBURY/ORANGE CREEK LOCALITY

All those parcels of land in the Northern Territory containing an area of 9,215 hectares more or less:

Firstly:

All that parcel of land containing an area of 2,363 hectares more or less, being all of Northern Territory portion 3814 and being more particularly delineated on Survey Plans S.89/83A and S.89/83B lodged with the Surveyor-General, Darwin.

Secondly:

All that parcel of land containing an area of 2,886 hectares more or less, being all of Northern Territory portion 3813 and being more particularly delineated on Survey Plans S.89/84A and S.89/84B lodged with the Surveyor-General, Darwin.

Thirdly:

All that parcel of land containing an area of 2,024 hectares more or less, being all of Northern Territory portion 3812 and being more particularly delineated on Survey Plans S.89/85A and S.89/85B lodged with the Surveyor-General, Darwin.

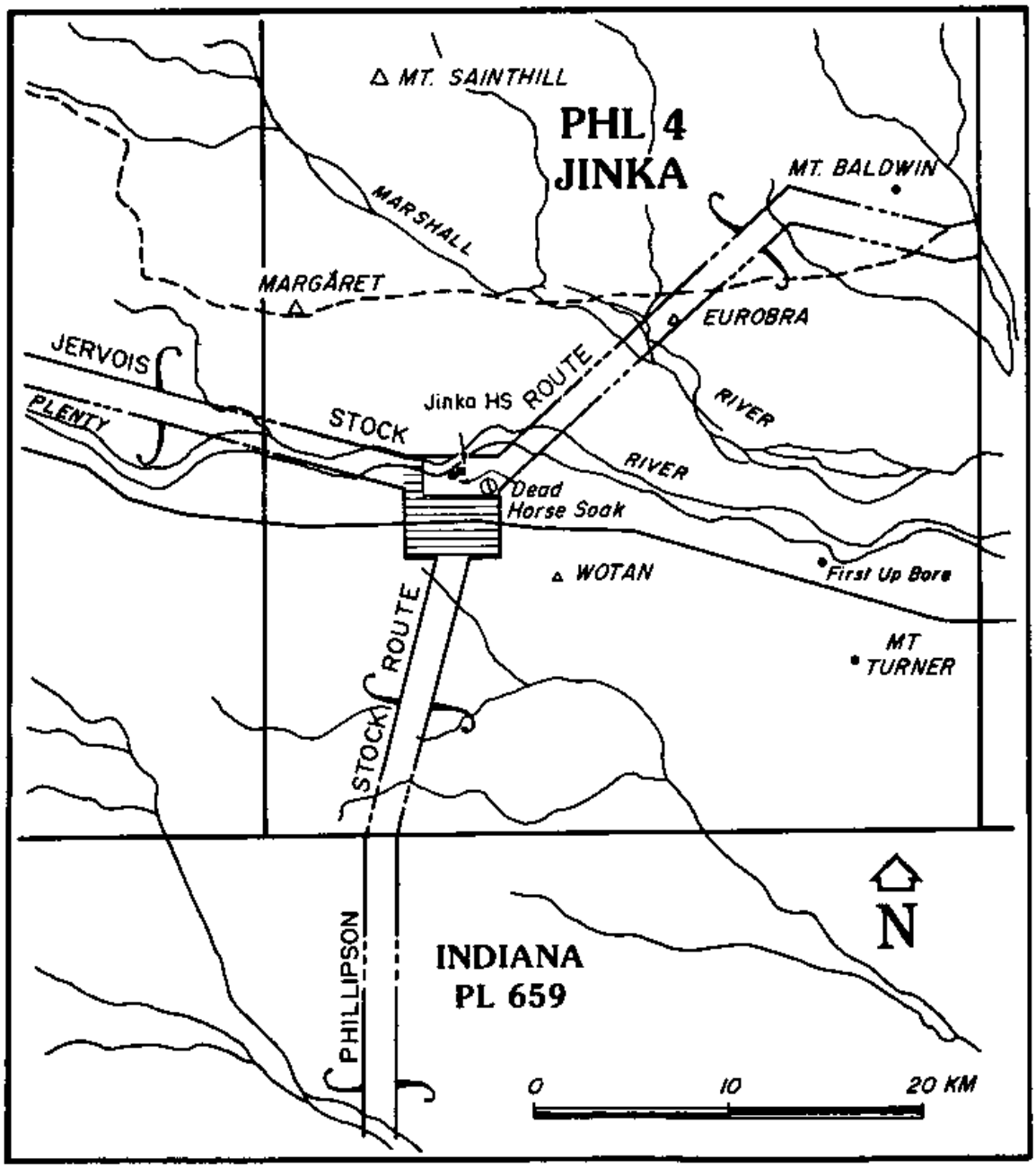
Fourthly:

All that parcel of land containing an area of 1,942 hectares more or less, being all of Northern Territory portion 3811 and being more particularly delineated on Survey Plan S.89/86 lodged with the Surveyor-General, Darwin.

JINKA LOCALITY

All that parcel of land near Pastoral Homestead Lease 4 (Jinka) in the Northern Territory of Australia containing an area of 1772 hectares more or less being that part of Reserve No. 1779, described in Northern Territory Government Gazette No. S89, 23 December 1986, as shown hatched on the following diagram:

Authorised Version C2025C00542 registered 03/10/2025



Authorised Version C2025C00542 registered 03/10/2025

LORNE CREEK LOCALITY

All that parcel of land in the Northern Territory containing an area of 3,344 hectares more or less, being all of Northern Territory portion 3828 and being more particularly delineated on Survey Plans S.89/67A to S.89/67E lodged with the Surveyor-General, Darwin.

MT KATHLEEN (LOVES CREEK) LOCALITY

All those parcels of land in the Northern Territory of Australia containing an area of 5404 hectares more or less.

Firstly:

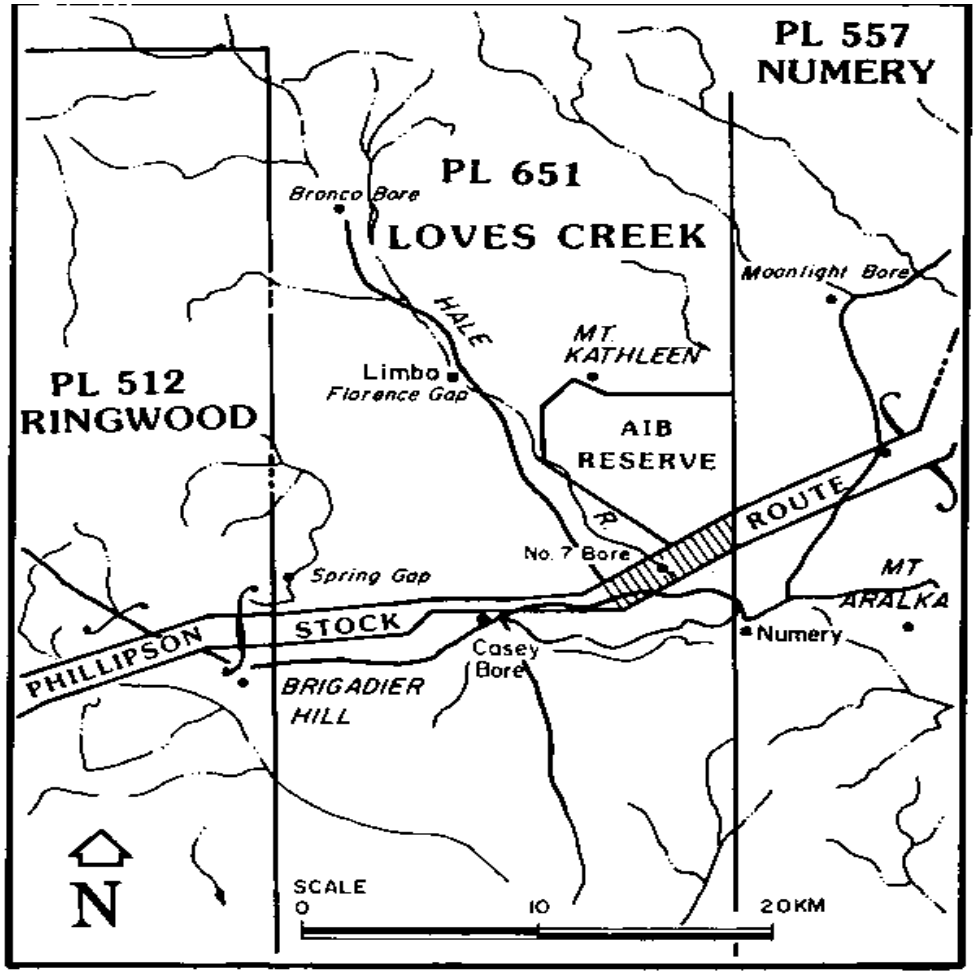
All that parcel of land near Numery Homestead in the Northern Territory of Australia containing an area of 4470 hectares more or less and bounded by lines described as follows:

Commencing at the intersection of the northern boundary of the Phillipson Stock Route with a western boundary of Pastoral Lease 557 (Numery) thence by lines bearing 237 degrees 46 minutes 2987.4 metres; 310 degrees 6 minutes 6672.8 metres; 360 degrees 43 minutes 2586.28 metres; 44 degrees 54 minutes 1925.76 metres; 121 degrees 14 minutes 1316.54 metres; 91 degrees 47 minutes 3803.16 metres; 90 degrees 1312.66 metres; 180 degrees 5856.48 metres to the point of commencement.

Secondly:

All that parcel of land near Numery Homestead in the Northern Territory of Australia containing an area of 934 hectares more or less being that part of the Phillipson Stock Route as shown hatched on the following diagram:

Authorised Version C2025C00542 registered 03/10/2025



NEWCASTLE WATERS LOCALITY

All that parcel of land situated near the town of Newcastle Waters in the Northern Territory of Australia containing an area of 214 hectares more or less, being all of Northern Territory portion 3624 and being more particularly delineated on Survey Plan S.89/37 lodged with the Surveyor-General, Darwin.

Authorised Version C2025C00542 registered 03/10/2025

NO 47 BORE (ALEXANDRIA) LOCALITY

All that parcel of land in the Northern Territory containing an area of 1,549 hectares more or less, being all of Northern Territory portion 3825 and being more particularly delineated on Survey Plans S.89/69A and S.89/69B lodged with the Surveyor-General, Darwin.

SANDOVER RIVER (AMMAROO) LOCALITY

All that parcel of land in the Northern Territory containing an area of 1569 hectares more or less, being all of Northern Territory Portion 3802 and being more particularly delineated on Survey Plans S.89/95A to S.89/95E lodged with the Northern Territory Surveyor-General, Darwin.

WILLIAMS BORE (UNDOOLYA) LOCALITY

All that parcel of land in the Northern Territory containing an area of 2,469 hectares more or less, being all of Northern Territory portion 3820 and being more particularly delineated on Survey Plans S.89/75A and S.89/75B lodged with the Surveyor-General, Darwin.

WYCLIFFE WELL LOCALITY

All those parts of land in the Northern Territory of Australia containing an area of 895 hectares more or less.

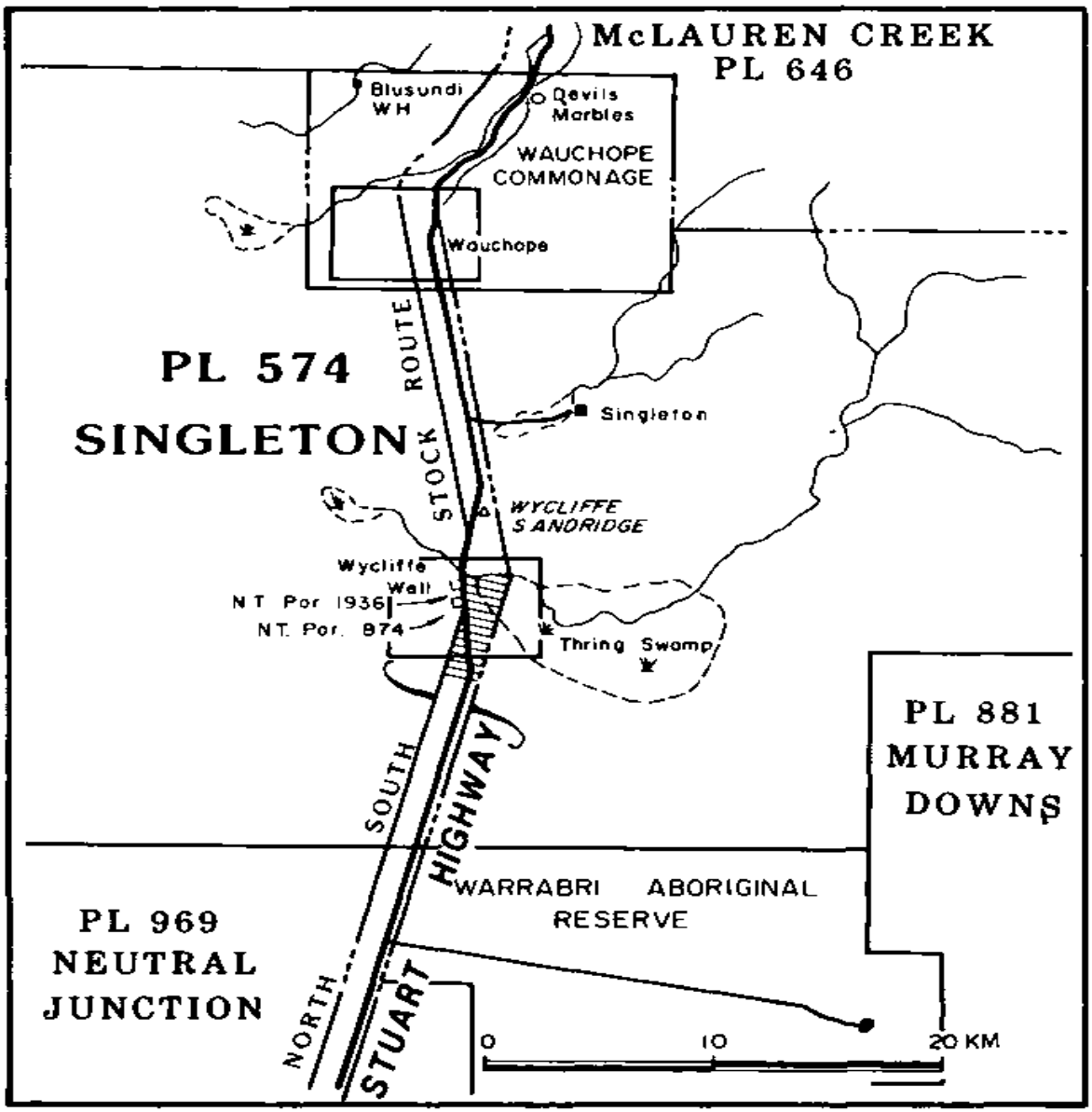
Firstly:

All that parcel of land being Northern Territory Portion 874 containing an area of 20.25 hectares more or less and being more particularly delineated on Survey Plan B270 lodged with the Northern Territory Surveyor-General, Darwin.

Secondly:

All that parcel of land containing an area of 875 hectares more or less being that part of the North South Stock Route as shown hatched on the following diagram:

Authorised Version C2025C00542 registered 03/10/2025



YAMBAH LOCALITY

All those parcels of land in the Northern Territory of Australia containing an area of 5990 hectares more or less.

Authorised Version C2025C00542 registered 03/10/2025

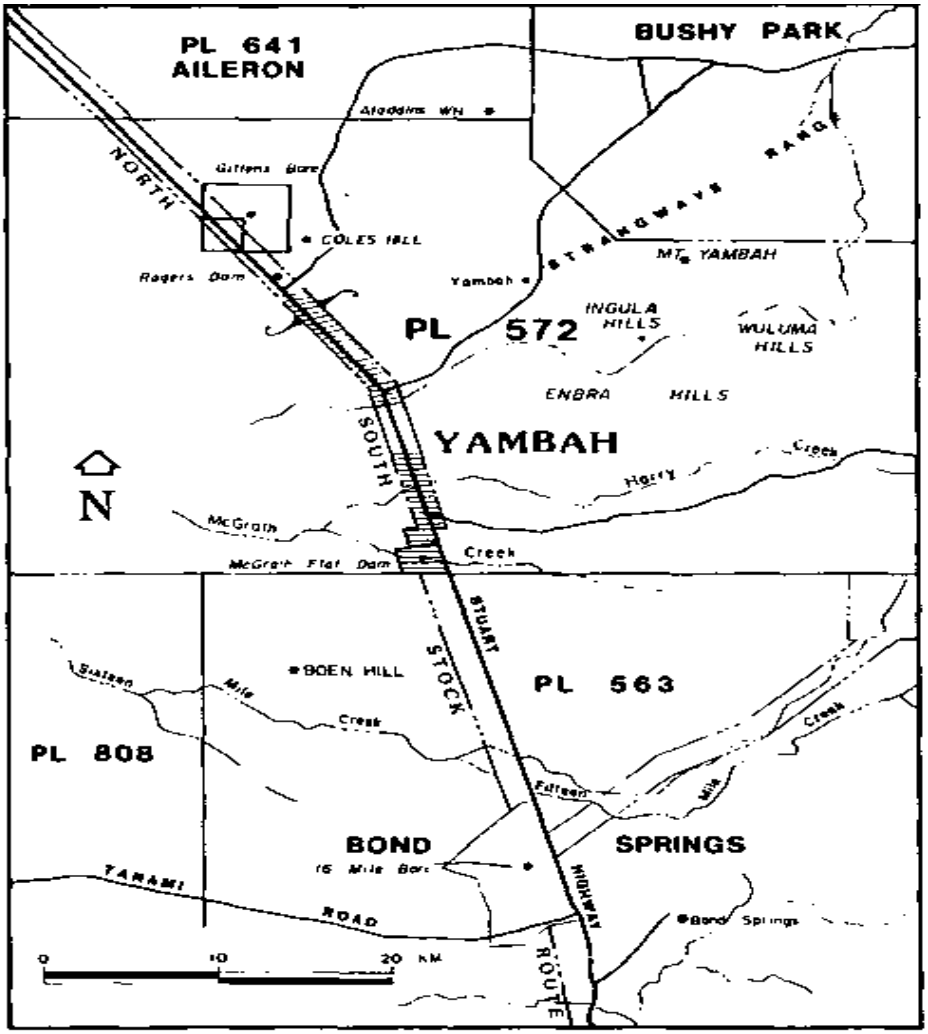
Firstly:

All that parcel of land approximately 70 kilometres north of the Town of Alice Springs in the Northern Territory of Australia containing an area of 2590 hectares more or less and bounded by lines described as follows: Commencing at a point bearing 141 degrees 35 minutes 9850 metres from the intersection of the southwestern boundary of the North South Stock Route with a northern boundary of NT Portion 641 (Yambah) thence by lines bearing 360 degrees 2839.6 metres; 90 degrees 5090 metres; 180 degrees 5089 metres; 270 degrees 5088 metres; 360 degrees 2249.4 metres to the point of commencement.

Secondly:

All those parcels of land north of the Town of Alice Springs in the Northern Territory of Australia containing an area of 3400 hectares more or less being those parts of the North South Stock Route as shown hatched on the following diagram:

Authorised Version C2025C00542 registered 03/10/2025



Authorised Version C2025C00542 registered 03/10/2025

Schedule 2

Sections 40 and 41

RANGER PROJECT AREA

All that piece of land in the Northern Territory of Australia containing an area of 79 square kilometres more or less bounded by lines described as follows: Commencing at the intersection of latitude 12 degrees 38 minutes with longitude 132 degrees 53 minutes 30 seconds thence proceeding to the intersection of latitude 12 degrees 36 minutes with longitude 132 degrees 53 minutes 30 seconds thence proceeding to the intersection of latitude 12 degrees 36 minutes with longitude 132 degrees 53 minutes thence proceeding to the intersection of latitude 12 degrees 35 minutes with longitude 132 degrees 53 minutes thence proceeding to a point which lies at the intersection of latitude 12 degrees 35 minutes with a line joining the intersections of latitude 12 degrees 29 minutes with longitude 132 degrees 51 minutes and latitude 12 degrees 36 minutes with longitude 132 degrees 55 minutes thence proceeding to the intersection of latitude 12 degrees 36 minutes with longitude 132 degrees 55 minutes thence proceeding to a point which lies at the intersection of longitude 132 degrees 56 minutes 22 seconds with a line joining the intersections of latitude 12 degrees 36 minutes with longitude 132 degrees 55 minutes and latitude 12 degrees 33 minutes 20 seconds with longitude 133 degrees thence proceeding to the intersection of latitude 12 degrees 42 minutes 39 seconds with longitude 132 degrees 56 minutes 22 seconds thence proceeding to the intersection of latitude 12 degrees 42 minutes 39 seconds with longitude 132 degrees 53 minutes thence proceeding to a point which lies at the intersection of longitude 132 degrees 53 minutes with a line joining the intersection of latitude 12 degrees 38 minutes with longitude 132 degrees 53 minutes 30 seconds and latitude 12 degrees 39 minutes 50 seconds with longitude 132 degrees 49 minutes thence proceeding to the intersection of latitude 12 degrees 38 minutes with longitude 132 degrees 53 minutes 30 seconds.

Authorised Version C2025C00542 registered 03/10/2025

Schedule 3

Section 48AA

EASTERN AREAS ON GROOTE EYLANDT

All those pieces of land in the Northern Territory of Australia containing an area of 43.96 square kilometres more or less:

Firstly

Commencing at the intersection of latitude 14 degrees 01 minutes with longitude 136 degrees 30 minutes 30 seconds thence proceeding to the intersection of latitude 14 degrees 01 minutes with longitude 136 degrees 32 minutes 30 seconds thence proceeding to the intersection of latitude 14 degrees 03 minutes with longitude 136 degrees 32 minutes 30 seconds thence proceeding to the intersection of latitude 14 degrees 03 minutes with longitude 136 degrees 30 minutes 45 seconds thence proceeding to the intersection of latitude 14 degrees 02 minutes with longitude 136 degrees 30 minutes 45 seconds thence proceeding to the intersection of latitude 14 degrees 02 minutes with longitude 136 degrees 30 minutes 30 seconds thence proceeding to the intersection of latitude 14 degrees 01 minutes with longitude 136 degrees 30 minutes 30 seconds.

Secondly

Commencing at the intersection of latitude 14 degrees 04 minutes with longitude 136 degrees 28 minutes 45 seconds thence proceeding to the intersection of latitude 14 degrees 04 minutes with longitude 136 degrees 31 minutes thence proceeding to the intersection of latitude 14 degrees 04 minutes 30 seconds with longitude 136 degrees 31 minutes thence proceeding to the intersection of latitude 14 degrees 04 minutes 30 seconds with longitude 136 degrees 34 minutes 15 seconds thence proceeding to the intersection of latitude 14 degrees 06 minutes 30 seconds with longitude 136 degrees 34 minutes 15 seconds thence proceeding to the intersection of latitude 14 degrees 06 minutes 30 seconds with longitude 136 degrees 31 minutes 30 seconds thence proceeding to the intersection of latitude 14 degrees 06 minutes with longitude

Authorised Version C2025C00542 registered 03/10/2025

136 degrees 31 minutes 30 seconds thence proceeding to the intersection of latitude 14 degrees 06 minutes with longitude 136 degrees 30 minutes thence proceeding to the intersection of latitude 14 degrees 05 minutes with longitude 136 degrees 30 minutes thence proceeding to the intersection of latitude 14 degrees 05 minutes with longitude 136 degrees 28 minutes 45 seconds thence proceeding to the intersection of latitude 14 degrees 04 minutes with longitude 136 degrees 28 minutes 45 seconds.

Authorised Version C2025C00542 registered 03/10/2025

Schedule 4

Section 3

ALLIGATOR RIVERS AREA (No. 3)

Firstly, all those pieces of land in the Northern Territory of Australia containing an area of 7000 square kilometres more or less bounded by lines described as follows: Commencing at the northwestern corner of Pastoral Lease 739 (Mudginberri), thence southerly by part of the western boundary of the said Pastoral Lease to the northeastern corner of Pastoral Lease 737 (Munmarlary), thence northwesterly by a line to the intersection of the parallel of south latitude 12 degrees 5 minutes 30 seconds with the meridian of east longitude 132 degrees 33 minutes 28 seconds, thence northwesterly by the northwesterly prolongation of the said line to its intersection with the sea coast of Van Diemen Gulf at Point Farewell, thence generally southwesterly by the said sea coast to the left bank of the Wildman River, but excluding therefrom those parts along the sea coast of all intersecting rivers, streams and estuaries inland from a straight line joining the seaward extremity of each of the opposite banks of each of the said rivers, streams and estuaries so that the aforesaid boundary line shall follow that part below the sea coast of each of the aforesaid straight lines across each of the aforesaid intersecting rivers, streams and estuaries, thence generally southeasterly by the said bank of the said river to its intersection with the eastern boundary of Pastoral Lease 785 (Point Stuart), thence southerly, southwesterly and westerly by eastern, southeastern and southern boundaries of the said Pastoral Lease to the southwestern corner of the said Pastoral Lease, thence southerly by the eastern boundary of Pastoral Lease 786 (Point Stuart) to the southeastern corner of the said Pastoral Lease, thence easterly and southerly by part of the northern boundary and the eastern boundary of Pastoral Lease 766 (Wildman River) to the southeastern corner of the said Pastoral Lease, thence easterly and southerly by part of the northern boundary and an eastern boundary of Pastoral Lease 747 (Annaburro) to the southeastern corner of the said Pastoral Lease, thence easterly by part of a northern boundary of Pastoral Lease 561 (Mt Bundey) and a northern boundary of Pastoral Lease 612 (Goodparla) to the most northern northeastern corner of Pastoral

Authorised Version C2025C00542 registered 03/10/2025

Lease 612 (Goodparla), thence northeasterly by a line to the intersection of the right bank of the South Alligator River with the westerly prolongation of a surveyed line as shown on Survey Plan A 913 lodged with the Surveyor-General for the Northern Territory, thence generally northerly by the right bank of the South Alligator River to the southwestern corner of Pastoral Lease 737 (Munmarlary), thence easterly by the southern boundary of the said Pastoral Lease and part of the southern boundary of Pastoral Lease 739 (Mudginberri) to the meridian of east longitude 132 degrees 53 minutes, thence north to the parallel of south latitude 12 degrees 38 minutes 12.227 seconds, thence northeasterly to the intersection of the parallel of south latitude 12 degrees 38 minutes and the meridian of east longitude 132 degrees 53 minutes 30 seconds, thence north to the parallel of south latitude 12 degrees 36 minutes, thence west to the meridian of east longitude 132 degrees 53 minutes, thence north to the parallel of south latitude 12 degrees 35 minutes, thence east to the meridian of east longitude 132 degrees 54 minutes 25.7 seconds, thence southeasterly to the intersection of the parallel of south latitude 12 degrees 36 minutes and the meridian of east longitude 132 degrees 55 minutes, thence northeasterly to the intersection of the parallel of south latitude 12 degrees 35 minutes 16.28 seconds and the meridian of east longitude 132 degrees 56 minutes 22 seconds, thence north to the left bank of the East Alligator River, thence generally westerly by the said bank of the said river and the northern boundary of Pastoral Lease 739 (Mudginberri) to the point of commencement and including those parts above the sea coast of Field and Barron Islands.

Secondly, all that piece of land in the Northern Territory of Australia containing an area of 324 square kilometres more or less bounded by lines described as follows: Commencing at the most eastern northeastern corner of Pastoral Lease 668 (Gimbat); thence westerly and northerly by northern and eastern boundaries of the said Pastoral Lease to the most northern northeastern corner of the said Pastoral Lease, thence easterly by the easterly prolongation of the most northern boundary of Pastoral Lease 668 (Gimbat) to its intersection with the meridian of east longitude 133 degrees; thence south to the point of commencement.

Authorised Version C2025C00542 registered 03/10/2025

Schedule 5

Subsection 63(3)

NABARLEK PROJECT AREA

All that piece or parcel of land in the Northern Territory of Australia containing an area of 1279 hectares, the boundary of which is described as follows—

Commencing at the datum peg in the south-west corner of the land hence proceed on a bearing of 270° for a distance of 1000 metres; hence on a bearing of 360° for a distance of 1000 metres; hence on a bearing of 90° for a distance of 500 metres; hence on a bearing of 45° for a distance of 2827.97 metres; hence on a bearing of 80° for a distance of 1999.59 metres; hence on a bearing of 180° for a distance of 1850 metres; hence on a bearing of 90° for a distance of 150 metres; hence on a bearing of 167°16'30" for a distance of 1589.02 metres; hence on a bearing of 270° for a distance of 1500 metres; hence on a bearing of 180° for a distance of 700 metres; hence on a bearing of 270° for a distance of 721.16 metres; hence on a bearing of 18°0'30" for a distance of 163.18 metres; hence on a bearing of 327°40'30" for a distance of 542.37 metres; hence on a bearing of 57°40'30" for a distance of 195.07 metres; hence on a bearing of 327°40'30" for a distance of 219.46 metres; hence on a bearing of 237°40'30" for a distance of 195.08 metres; hence on a bearing of 327°40'30" for a distance of 474.76 metres; hence on a bearing of 259° 30' for a distance of 258.25 metres; hence on a bearing of 252°32'30" for a distance of 276.58 metres; hence on a bearing of 251°16'30" for a distance of 256.25 metres; hence on a bearing of 257°2' for a distance of 134.36 metres; hence on a bearing of 252°41' for a distance of 140.96 metres; hence on a bearing of 255°45' for a distance of 113.8 metres; hence on a bearing of 254°27'30" for a distance of 31.04 metres; hence on a bearing of 360° for a distance of 321.26 metres to the point of commencement.

The Datum is located 1500 metres in a direction true west of the Queensland Mines Limited Survey Monument which has the Australian Metric Grid co-ordinates 317,101.15mE

Authorised Version C2025C00542 registered 03/10/2025

8,638,680.56mN, and latitude 12°18'33.042" south, longitude 133°19'05.314" east.

All Bearings referred to in this Schedule are true bearings.

Authorised Version C2025C00542 registered 03/10/2025

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes
Endnote 2—Abbreviation key
Endnote 3—Legislation history
Endnote 4—Amendment history

Abbreviation key—Endnote 2
The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4
Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes
The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

Misdescribed amendments
A misdescribed amendment is an amendment that does not accurately describe how an amendment is to be made. If, despite the misdescription, the amendment

Authorised Version C2025C00542 registered 03/10/2025

can be given effect as intended, then the misdescribed amendment can be incorporated through an editorial change made under section 15V of the *Legislation Act 2003*.

If a misdescribed amendment cannot be given effect as intended, the amendment is not incorporated and "(md not incorp)" is added to the amendment history.

Authorised Version C2025C00542 registered 03/10/2025

Endnote 2—Abbreviation key

ad = added or inserted

am = amended

amdt = amendment

C[x] = Compilation No. x

ch = Chapter(s)

cl = clause(s)

cont. = continued

def = definition(s)

Dict = Dictionary

disallowed = disallowed by Parliament

div = Division(s)

ed = editorial change

exp = expires/expired or ceases/ceased to have effect

gaz = gazette

LA = *Legislation Act 2003*

LIA = *Legislative Instruments Act 2003*

(md) = misdescribed amendment can be given effect

(md not incorp) = misdescribed amendment cannot be given effect

mod = modified/modification

No. = Number(s)

Ord = Ordinance

orig = original

p = page(s)

para = paragraph(s)/subparagraph(s) /sub-subparagraph(s)

pres = present

prev = previous

(prev…) = previously

pt = Part(s)

r = regulation(s)/Court rule(s)

reloc = relocated

renum = renumbered

rep = repealed

rs = repealed and substituted

s = section(s)/subsection(s) /rule(s)/subrule(s)/order(s)/suborder(s)

sch = Schedule(s)

SLI = Select Legislative Instrument

SR = Statutory Rules

sub ch = Sub-Chapter(s)

sub div = Subdivision(s)

sub pt = Subpart(s)

underlining = whole or part not commenced or to be commenced

Authorised Version C2025C00542 registered 03/10/2025

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Aboriginal Land Rights (Northern Territory) Act 1976	191, 1976	16 Dec 1976	s 70: 1 Feb 1979 (s 2(2) and gaz 1979, No S9) Remainder: 26 Jan 1977 (s 2(1) and gaz 1977, No S6)	
Aboriginal Land Rights (Northern Territory) Amendment Act 1978	21, 1978	17 May 1978	23 June 1978 (s 2 and gaz 1978, No S110)	—
Aboriginal Land Rights (Northern Territory) Amendment Act (No. 3) 1978	70, 1978	22 June 1978	1 July 1978 (s 2)	s 10
Aboriginal Land Rights (Northern Territory) Amendment Act (No. 2) 1978	83, 1978	22 June 1978	22 June 1978 (s 2)	—
Aboriginal Land Rights (Northern Territory) Amendment Act 1979	189, 1979	4 Dec 1979	4 Dec 1979	s 9(2), (3), 13, 14
as amended by				
Aboriginal Land Rights Legislation Amendment Act 1982	16, 1982	15 Apr 1982	15 Apr 1982 (s 2)	s 7(2)
Aboriginal Land Rights (Northern Territory) Amendment Act 1980	72, 1980	28 May 1980	s 3, 6-9: 26 Jan 1977 (s 2(2)) Remainder: 28 May 1980 (s 2(1))	s 10, 11
Companies (Miscellaneous Amendments) Act 1981	92, 1981	18 June 1981	s 8: 1 July 1982 (s 2(3))	—

Authorised Version C2025C00542 registered 03/10/2025

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Aboriginal Land Rights Legislation Amendment Act 1982	16, 1982	15 Apr 1982	15 Apr 1982 (s 2)	s 7(2)
as amended by				
Statute Law (Miscellaneous Amendments) Act (No. 2) 1982	80, 1982	22 Sept 1982	s 11: 15 Apr 1982 (s 2(2))	—
Statute Law (Miscellaneous Amendments) Act (No. 2) 1982	80, 1982	22 Sept 1982	s 13: 15 Apr 1982 (s 2(2)) s 14: 20 Oct 1982 (s 2(16))	—
Public Service Reform Act 1984	63, 1984	25 June 1984	s 151(9) and sch 4: 1 July 1984 (s 2(4) and gaz 1984, No S245)	s 151(9)
as amended by				
Statute Law (Miscellaneous Provisions) Act (No. 2) 1984	165, 1984	25 Oct 1984	sch 1: 1 July 1984 (s 2(21)(b))	—
Statute Law (Miscellaneous Provisions) Act (No. 1) 1984	72, 1984	25 June 1984	s 5(1) and sch: 25 June 1984 (s 2(3), (24))	s 5(1)
Statute Law (Miscellaneous Provisions) Act (No. 1) 1984	65, 1985	5 June 1985	sch 1: 3 July 1985 (s 2(1))	—
Aboriginal Land Rights (Northern Territory) Amendment Act 1985	93, 1985	2 Sept 1985	2 Sept 1985 (s 2)	—

Authorised Version C2025C00542 registered 03/10/2025

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Public Service and Statutory Authorities Amendment Act 1995	166, 1985	11 Dec 1985	s 45(2) and sch 1: 8 Jan 1996 (s 2(7))	s 45(2)
Aboriginal Land Rights (Northern Territory) Amendment Act (No. 2) 1987	18, 1987	18 May 1987	18 May 1987 (s 2)	—
as amended by				
Statute Law (Miscellaneous Provisions) Act 1988	38, 1988	3 June 1988	sch 1: 18 May 1987 (s 2(2))	—
Aboriginal Land Rights (Northern Territory) Amendment Act 1987	40, 1987	5 June 1987	s 13(b) (insertion of para 23(1)(ea) Aboriginal Land Rights (Northern Territory) Act 1976): awaiting commencement (s 2(2)) s 25 (insertion of s 50(2D), (2E) Aboriginal Land Rights (Northern Territory) Act 1976): 1 Mar 1990 (s 2(2) and gaz 1990, No S51) s 26: 30 June 1986 (s 2(3) s 34: never commenced (s 2(2) Remainder: 5 June 1987 (s 2(1))	—

Authorised Version C2025C00542 registered 03/10/2025

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
as amended by				
Aboriginal Land Rights (Northern Territory) Amendment Act 1989	2, 1990	17 Jan 1990	s 17: 17 Jan 1990 (s 2)	—
Aboriginal Land Rights (Northern Territory) Amendment Act (No. 3) 1987	75, 1987	5 June 1987	5 June 1987 (s 2)	s 7, 8
as amended by				
Aboriginal Land Rights (Northern Territory) Amendment Act 1989	2, 1990	17 Jan 1990	s 18: 17 Jan 1990 (s 2)	—
Statute Law (Miscellaneous Provisions) Act 1987	141, 1987	18 Dec 1987	sch 1: 18 Dec 1987 (s 2(1))	s 5(1)
Lands Acquisition (Repeal and Consequential Provisions) Act 1989	21, 1989	20 Apr 1989	sch 2: 9 June 1989 (s 2)	—
Aboriginal and Torres Strait Islander Commission Act 1989	150, 1989	27 Nov 1989	s 227: 5 Mar 1990 (s 2(1) and gaz 1990 No S48)	—
Aboriginal Land Rights (Northern Territory) Amendment Act 1989	2, 1990	17 Jan 1990	s 1-16: 17 Jan 1990 (s 2)	—

Number and year	FRLI registration or gazettal	Commencement	Application, saving and transitional provisions
1990 No. 282	6 Sept 1990	6 Sept 1990	—

Authorised Version C2025C00542 registered 03/10/2025

Endnote 3—Legislation history

Number and year	FRLI registration or gazettal	Commencement	Application, saving and transitional provisions
	(F1996B00459)		
as amended by			
1991 No. 26	6 Mar 1991 (F1996B00460)	6 Mar 1991	—
1991 No. 38	28 Mar 1991 (F1996B00461)	28 Mar 1991	—
1991 No. 62	17 Apr 1991 (F1996B00462)	17 Apr 1991	—
1991 No. 115	6 June 1991 (F1996B00463)	6 June 1991	—
1991 No. 282	17 Sept 1991 (F1996B00454)	17 Sept 1991	—
1991 No. 340	12 Nov 1991 (F1996B00458)	12 Nov 1991	—

Authorised Version C2025C00542 registered 03/10/2025

Endnote 4—Amendment history

Provision affected	How affected
Part I	
s 3	am No 21, 1978; No 70, 1978; No 72, 1984; No 18, 1987; No 40, 1987; No 75, 1987; No 21, 1989; No 2, 1990
s 3A	ad No 70, 1978
s 3B	ad No 40, 1987
s 3C	ad No 21, 1989
Part II	
s 4	am No 21, 1978; No 16, 1982; No 40, 1987; No 2, 1990
s 5	am No 21, 1978; No 21, 1989
s 7	am No 16, 1982
s 10	am No 16, 1982; No 93, 1985; No 40, 1987
s 11	am No 21, 1978; No 189, 1979; No 16, 1982; No 80, 1982; No 72, 1984; No 18, 1987; No 40, 1987
s 11A	ad No 40, 1987
s 12	am No 21, 1978; No 72, 1980; No 93, 1985; No 18, 1987; No 40, 1987; No 21, 1989
s 12AAA	ad No 16, 1982
s 12AA	ad No 72, 1980
s 12AB	ad No 72, 1980
s 12AC	ad No 72, 1980
s 12AD	ad No 40, 1987
s 12A	ad No 21, 1978
s 12B	ad No 21, 1978
s 12C	ad No 21, 1978
s 14	am No 70, 1978
s 16	am No 40, 1987
s 17	rs No 70, 1978
s 18A	ad No 83, 1978
s 18B	ad No 83, 1978

Authorised Version C2025C00542 registered 03/10/2025

Endnote 4—Amendment history

Provision affected	How affected
s 18C	ad No 83, 1978
s 19	am No 21, 1978; No 70, 1978; No 93, 1985; No 40, 1987
s 20A	ad No 21, 1978
Part III	
s 23	am No 40, 1987 (s 13(b) (in part)); No 2, 1990
s 23A	ad No 21, 1978
s 23B	ad No 21, 1978
s 23C	ad No 21, 1978
	am No 40, 1987
s 23D	ad No 21, 1978
s 23E	ad No 21, 1978
	am No 63, 1984; No 40, 1987; No 150, 1989
s 24	am No 40, 1987
s 26	am No 40, 1987
s 27	am No 189, 1979; No 72, 1980; No 166, 1985; No 40, 1987
s 28	am No 40, 1987
s 29A	ad No 40, 1987
s 33	am No 72, 1984
s 34	am No 72, 1984
s 35	am No 189, 1979; No 40, 1987; No 75, 1987; No 2, 1990
s 35A	ad No 40, 1987
s 37AA	ad No 40, 1987
s 37A	ad No 189, 1979
	am No 40, 1987
s 39	rep No 65, 1985
Part IV	
Part IV	rs No 75, 1987
s 40	am No 18, 1987
	rs No 75, 1987
	am No 141, 1987; No 2, 1990
s 41	am No 18, 1987

Authorised Version C2025C00542 registered 03/10/2025

Endnote 4—Amendment history

Provision affected	How affected
	rs No 75, 1987
s 42	am No 189, 1979; No 80, 1982; No 18, 1987
	rs No 75, 1987
	am No 141, 1987
s 43	am No 72, 1980; No 18, 1987
	rs No 75, 1987
s 44	am No 21, 1978; No 72, 1980; No 18, 1987
	rs No 75, 1987
	am No 141, 1987
s 44A	ad No 75, 1987
	am No 141, 1987; No 2, 1990
s 45	am No 18, 1987
	rs No 75, 1987
s 46	am No 21, 1978; No 18, 1987
	rs No 75, 1987
s 46A	ad No 72, 1980
	rep No 75, 1987
s 47	am No 92, 1981
	rs No 75, 1987
s 48	am No 72, 1980
	rs No 75, 1987
s 48A	ad No 75, 1987
s 48AA	ad No 2, 1990
s 48B	ad No 75, 1987
s 48C	ad No 75, 1987
s 48D	ad No 75, 1987
s 48E	ad No 75, 1987
s 48F	ad No 75, 1987
s 48G	ad No 75, 1987
s 48H	ad No 75, 1987
s 48J	ad No 75, 1987

Authorised Version C2025C00542 registered 03/10/2025

Endnote 4—Amendment history

Provision affected	How affected
	am No 2, 1990
Part V	
Part V heading	rs No 72, 1984
s 49	am No 72, 1984
s 50	am No 21, 1978; No 189, 1979; No 72, 1984; No 18, 1987; No 40, 1987; No 2, 1990
s 51	am No 72, 1984
s 52	am No 72, 1984; No 40, 1987
s 53	am No 72, 1984; No 40, 1987
s 53A	ad No 21, 1978
	am No 72, 1984; No 40, 1987
s 54	am No 21, 1978; No 72, 1984
s 54A	ad No 21, 1978
	am No 72, 1984
s 54AA	ad No 40, 1987
s 54B	ad No 21, 1978
	am No 72, 1984
s 54C	ad No 189, 1979
	am No 72,1984
s 54D	ad No 40, 1987
s 55	am No 72, 1984
s 56	am No 72, 1984
s 57	am No 21, 1978; No 72, 1984
s 58	am No 72, 1984
s 59	am No 72, 1984
s 60	am No 72, 1984; No 166, 1985
s 61	am No 72, 1984
Part VI	
s 62	am No 21, 1978
s 62A	ad No 21, 1978
s 63	am No 21, 1978; No 70, 1978; No 189, 1979; No 2, 1990

Authorised Version C2025C00542 registered 03/10/2025

Endnote 4—Amendment history

Provision affected	How affected
s 64	am No 21, 1978; No 189, 1979; No 72, 1984
s 64A	ad No 16, 1982
s 64B	ad No 150, 1989
s 65	am No 21, 1978
Part VII	
s 66	am No 21, 1978; No 83, 1978; No 40, 1987
s 67A	ad No 40, 1987
s 68	am No 18, 1987
s 70	am No 40, 1987
s 73	am No 70, 1978
s 74A	ad No 16, 1982
	am No 72, 1984
s 77A	ad No 40, 1987
	am No 75, 1987
s 77B	ad No 40, 1987
s 77C	ad No 2, 1990
Schedule 1	
Schedule 1	am No 21, 1978; No 16, 1982; No 93, 1985; No 2, 1990; Statutory Rules No 282, 1990 (as am by Statutory Rules Nos 26, 38, 62 and 115, 1991); Statutory Rules No. 282, 1991; Statutory Rules No 340, 1991
Schedule 2	
Schedule 2	am No 21, 1978; No 189, 1979
Schedule 3	
Schedule 3	am No 2, 1990
Schedule 4	
Schedule 4	ad No 21, 1978
Schedule 5	
Schedule 5	ad No 2, 1990

Authorised Version C2025C00542 registered 03/10/2025