



Northern Territory National Emergency Response Act 2007

Act No. 129 of 2007 as amended

This compilation was prepared on 27 July 2010
taking into account amendments up to Act No. 103 of 2010

The text of any of those amendments not in force
on that date is appended in the Notes section

The operation of amendments that have been incorporated may be
affected by application provisions that are set out in the Notes section

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An Act to respond to the Northern Territory's national emergency, and for related purposes

Part 1—Preliminary

1 Short title *[see Note 1]*

This Act may be cited as the *Northern Territory National Emergency Response Act 2007*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
1. Parts 1, 2 and 3 and anything in this Act not elsewhere covered by this table	The day after this Act receives the Royal Assent.	18 August 2007
2. Section 31	The day after this Act receives the Royal Assent.	18 August 2007
3. Section 32	A single day to be fixed by Proclamation. However, if any of the provision(s) do not commence within the period of 6 months beginning on the day on which this Act receives the Royal Assent, they commence on the first day after the end of that period.	17 February 2008

Part 1 Preliminary

Section 3

Commencement information		
Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
4. Section 33	A single day to be fixed by Proclamation. However, if any of the provision(s) do not commence within the period of 6 months beginning on the day on which this Act receives the Royal Assent, they commence on the first day after the end of that period.	17 February 2008
5. Sections 34 to 64	The day after this Act receives the Royal Assent.	18 August 2007
6. Parts 5 to 8 and Schedules 1 to 4	The day after this Act receives the Royal Assent.	18 August 2007

Note: This table relates only to the provisions of this Act as originally passed by both Houses of the Parliament and assented to. It will not be expanded to deal with provisions inserted in this Act after assent.

- (2) Column 3 of the table contains additional information that is not part of this Act. Information in this column may be added to or edited in any published version of this Act.

3 Definitions

In this Act:

assessable matters has the meaning given by section 93.

Associations Act means the *Associations Act* of the Northern Territory.

Note: The reference to the *Associations Act* of the Northern Territory is to be construed as a reference to that Act as originally enacted and as amended from time to time: see section 10A of the *Acts Interpretation Act 1901* of the Commonwealth.

authorised officer means the Secretary or a person appointed by the Secretary under section 116.

bail authority means a court or person authorised to grant bail under a law of the Northern Territory.

business management area means:

- (a) an area of land that is covered by a lease granted under paragraph 31(1)(b); or
- (b) an area of land referred to, in a clause, in Parts 1 to 3 of Schedule 1 to this Act; or
- (c) an area of land or a place in the Northern Territory that is specified in Schedule 2 to this Act; or
- (d) an area of land or a place that:
 - (i) is, or is situated wholly within, the Northern Territory; and
 - (ii) is declared by the Minister, by legislative instrument, to be a business management area.

civil penalty provision means a subsection, or a section that is not divided into subsections, that has set out at its foot the words “civil penalty” and one or more amounts in penalty units.

Commonwealth interest in land means all rights, titles and interests in the land that are vested in the Commonwealth under section 47.

Commonwealth Minister, in relation to a provision of this Act, means the Minister administering the provision.

community services entity means any of the following:

- (a) a community government council within the meaning of the Local Government Act;
- (b) an incorporated association within the meaning of the Associations Act;
- (c) an Aboriginal and Torres Strait Islander corporation within the meaning of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*;
- (d) any other person or entity:
 - (i) that performs functions or provides services in a business management area; and
 - (ii) that is specified by the Minister (whether by reference to a class of person or entity or otherwise), by legislative instrument, for the purposes of this paragraph.

community store has the meaning given by section 92.

community store licence means a licence granted under section 97.

criminal behaviour includes:

- (a) any conduct, omission to act, circumstance or result that is, or forms part of, a physical element of the offence in question; and
- (b) any fault element relating to such a physical element.

Crown Lands Act means the *Crown Lands Act* of the Northern Territory.

Note: The reference to the *Crown Lands Act* of the Northern Territory is to be construed as a reference to that Act as originally enacted and as amended from time to time: see section 10A of the *Acts Interpretation Act 1901* of the Commonwealth.

disallowance period for regulations means the period:

- (a) beginning on the earliest day on which the regulations are laid before a House of the Parliament in accordance with section 38 of the *Legislative Instruments Act 2003*; and
- (b) ending on the day on which 15 sitting days of each House of the Parliament have passed since the regulations were laid before the particular House of the Parliament.

food security has the meaning given by section 91B.

funding agreement means an agreement or arrangement, in writing, between the Commonwealth and a community services entity under which the entity is provided with funding to provide services in a business management area (whether or not the agreement or arrangement also makes provision in relation to other matters).

income management regime means the legislative scheme to manage certain payments established under the *Social Security and Other Legislation Amendment (Welfare Payment Reform) Act 2007*, and related measures.

Liquor Act means the *Liquor Act* of the Northern Territory.

Note: The reference to the *Liquor Act* of the Northern Territory is to be construed as a reference to that Act as originally enacted and as amended from time to time: see section 10A of the *Acts Interpretation Act 1901* of the Commonwealth.

Liquor Regulations means the *Liquor Regulations* of the Northern Territory.

Note: The reference to the *Liquor Regulations* of the Northern Territory is to be construed as a reference to those Regulations as originally enacted and as amended from time to time: see section 10A of the *Acts Interpretation Act 1901* of the Commonwealth.

Local Government Act means the *Local Government Act* of the Northern Territory.

Note: The reference to the *Local Government Act* of the Northern Territory is to be construed as a reference to that Act as originally enacted and as amended from time to time: see section 10A of the *Acts Interpretation Act 1901* of the Commonwealth.

local government authority means:

- (a) a body established for the purposes of local government by or under a law of the Northern Territory; or
- (b) a Land Council (within the meaning of the *Aboriginal Land Rights (Northern Territory) Act 1976*).

manager, in relation to a community store, has the meaning given by subsection 93A(2).

native title rights and interests has the same meaning as in the *Native Title Act 1993*.

Northern Territory Minister means:

- (a) in Division 1, and Subdivision B of Division 2, of Part 4—the Minister administering the Crown Lands Act; and
- (b) in Subdivision A of Division 2 of Part 4—the Minister administering the Special Purposes Leases Act; and
- (c) in Division 4 of Part 5—the Minister administering the Local Government Act.

owner, in relation to a community store, has the meaning given by subsection 93A(1).

penalty unit, in relation to a civil penalty provision, has the same meaning as in section 4AA of the *Crimes Act 1914*.

Police Administration Act means the *Police Administration Act* of the Northern Territory.

Note: The reference to the *Police Administration Act* of the Northern Territory is to be construed as a reference to that Act as originally

enacted and as amended from time to time: see section 10A of the *Acts Interpretation Act 1901* of the Commonwealth.

prescribed areas has the meaning given by section 4.

publicly funded computer means a computer:

- (a) in respect of which any or all of the following apply:
 - (i) the computer is owned or leased by an individual who, or a body (whether or not incorporated) that, receives funding from the Commonwealth, a State, a Territory or a local government authority;
 - (ii) the computer is on loan from a body (whether or not incorporated) that receives funding from the Commonwealth, a State, a Territory or a local government authority;
 - (iii) the computer is owned or leased by an individual who, or a body (whether or not incorporated) that, receives money directly or indirectly from the Commonwealth under an arrangement for the delivery of services, or programs, related to employment; and
- (b) that is located in a prescribed area in the Northern Territory, and that is ordinarily so located.

Registrar has the same meaning as in the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*.

relevant owner of land means the following:

- (a) for Aboriginal land (within the meaning of paragraph (a) of the definition of **Aboriginal land** in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*)—the Land Trust that holds the estate in fee simple in the land;
- (b) for land granted under subsection 46(1A) of the *Lands Acquisition Act* of the Northern Territory—the person or body that holds the estate in fee simple in the land;
- (c) for Canteen Creek (as described in Part 3 of Schedule 1 to this Act)—the Northern Territory;
- (d) for Nauiyu (Daly River) (as described in Part 3 of Schedule 1 to this Act)—the Catholic Church of the Diocese of Darwin Property Trust;
- (e) for land in which, at the time section 31 commences, a lease is held by the Aputula Social Club Incorporated, The Aputula Social Club Incorporated, the Aputula Housing Association

Incorporated, The Aputula Housing Association Incorporated or the Daguragu Community Government Council—the Northern Territory;

- (f) for land in which, at the time section 31 commences, an estate in fee simple is held by the Aputula Social Club Incorporated, The Aputula Social Club Incorporated, the Aputula Housing Association Incorporated, The Aputula Housing Association Incorporated, the Daguragu Community Government Council or the Pine Creek Aboriginal Advancement Association Inc.—the person or body that holds the estate in fee simple in the land.

responsible person for a publicly funded computer means:

- (a) if the computer is in the custody and control of a body (whether or not incorporated)—the head (however described) of the body; and
- (b) otherwise—the individual in whose custody and control the computer is.

Special Purposes Leases Act means the *Special Purposes Leases Act* of the Northern Territory.

Note: The reference to the *Special Purposes Leases Act* of the Northern Territory is to be construed as a reference to that Act as originally enacted and as amended from time to time: see section 10A of the *Acts Interpretation Act 1901* of the Commonwealth.

Telecommunications Minister means the Minister who administers the *Telecommunications Act 1997*.

working day means a day that is not:

- (a) a Saturday or a Sunday; or
- (b) a public holiday in the Northern Territory.

4 Prescribed areas

- (1) The areas in the Northern Territory covered by subsection (2) are **prescribed areas**.
- (2) The areas are:
- (a) an area covered by paragraph (a) of the definition of **Aboriginal land** in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*; and
- (b) any roads, rivers, streams, estuaries or other areas that:

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- (i) are expressly excluded under Schedule 1 to that Act; or
 - (ii) are excluded from grants under that Act because of subsection 12(3) or (3A) of that Act; and
 - (c) land granted to an association under subsection 46(1A) of the *Lands Acquisition Act* of the Northern Territory (including that land as held by a successor to an association); and
 - (d) each area in the Northern Territory identified in a declaration under subsection (3).
- (3) The Commonwealth Minister may declare that areas in the Northern Territory known as town camps that are identified in the declaration are ***prescribed areas*** for the purposes of paragraph (2)(d).
- (4) The Commonwealth Minister may declare that:
- (a) an area in the Northern Territory that would otherwise be covered by subsection (2) is not a ***prescribed area***; or
 - (b) an area in the Northern Territory that is not covered by subsection (2) is a ***prescribed area***.
- (5) A declaration under subsection (3) or (4) is a legislative instrument.

5 Object of this Act

The object of this Act is to improve the well-being of certain communities in the Northern Territory.

6 Sunset provision

- (1) This Act (other than this Part, Parts 4, 6 and 8 and Schedule 1 to this Act) ceases to have effect at the end of the period of 5 years beginning on the day after the day on which this Act receives the Royal Assent.
- Note: Part 4 and Schedule 1 to this Act deal with the granting of 5 year leases and the acquisition of an estate in fee simple in land. Part 6 deals with bail and sentencing. Part 8 contains miscellaneous provisions.
- (2) The regulations may prescribe matters of a transitional nature (including prescribing any saving or application provisions) arising out of this Act ceasing to have effect in accordance with subsection (1).

Part 2—Alcohol

Division 1—Preliminary

6A Object of Part

The object of this Part is to enable special measures to be taken to reduce alcohol-related harm in Indigenous communities in the Northern Territory.

7 Interpretation

Expressions used in this Part that are defined in the Liquor Act have the same meanings as in that Act.

8 Commission and Director must provide information

The Commission or the Director must, if requested by the Commonwealth Minister to provide information relevant to the operation of this Part, take all reasonable steps to provide the information.

9 Modifications

The Liquor Act, the Liquor Regulations and the Police Administration Act have effect subject to the modifications in this Part in relation to a prescribed area.

10 Effect of modified Northern Territory laws

The Liquor Act, the Liquor Regulations and the Police Administration Act, as modified by this Part, have effect as laws of the Northern Territory.

Division 2—Prescribed areas

11 Notice of areas

- (1) While an area is a prescribed area, the Commission may cause to be posted and to be kept posted at:
 - (a) the place where a customary access route enters the area; and
 - (b) the customary departure locations for aircraft flying into the area;a notice:
 - (c) stating that it is an offence to bring liquor into, to be in possession or control of liquor or to consume or sell liquor within the area; and
 - (d) setting out any other information that the Commission considers appropriate.
- (2) The Commission may cause to be published in a newspaper circulating in the district in which the relevant land is situated a notice:
 - (a) describing the relevant area; and
 - (b) stating that it is an offence to bring liquor into, to be in possession or control of liquor or to consume or sell liquor within the area; and
 - (c) setting out any other information that the Commission considers appropriate.
- (3) The Commission may, before exercising a power under subsection (1) or (2), consult people living in the prescribed area on the content of the notice.

12 Modification: prescribed areas

- (1) The Liquor Act has effect as if:
 - (a) each prescribed area were a general restricted area under that Act; and
 - (b) the offences against subsection 75(1) of that Act, so far as they relate to a prescribed area, were replaced by the following provisions of this section.

- (2) A person commits an offence if:
- (a) the person:
 - (i) brings liquor into an area; or
 - (ii) has liquor in his or her possession or control within an area; or
 - (iii) consumes liquor within an area; and
 - (b) the area is a prescribed area.

Maximum penalty:

- (c) 10 penalty units for a first offence; or
 - (d) 20 penalty units for a second or subsequent offence.
- (3) It is a defence to a prosecution for an offence against subsection (2) if the defendant proves that, at the time the conduct referred to in paragraph (2)(a) was engaged in:
- (a) the defendant was in a boat that was on waters in a prescribed area; and
 - (b) the defendant was engaged in recreational boating activities or commercial fishing activities; and
 - (c) the boat was not on waters covered by a declaration made by the Commonwealth Minister under subsection (8).
- (3A) It is a defence to a prosecution for an offence against subsection (2) if the defendant proves that, at the time the conduct referred to in paragraph (2)(a) was engaged in:
- (a) the defendant was engaged in recreational activities in a national park, a Northern Territory park or an area covered by a declaration made by the Commonwealth Minister under subsection (8A); and
 - (b) the activities were organised by a person whose business consists of or includes operating tours for tourists; and
 - (c) if the area is a park—the activities are consistent with the management plan or similar document (if any) for the park; and
 - (d) if the conduct is conduct referred to in subparagraph (2)(a)(iii)—the defendant was behaving in a responsible manner.
- (3B) In subsection (3A), *recreational activities* does not include an activity the sole or primary purpose of which is the consumption of liquor.

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- (3C) It is a defence to a prosecution for an offence against subparagraph (2)(a)(i) or (ii) if the defendant proves that, at the time the conduct referred to in that subparagraph was engaged in, the defendant was engaging in the conduct for the purpose of engaging in recreational activities covered by subsection (3A).
- (4) A person commits an offence if:
- (a) the person:
 - (i) supplies liquor to a third person; or
 - (ii) transports liquor intending to supply any of it, or believing that another person intends to supply any of it, to a third person; or
 - (iii) possesses liquor intending to supply any of it to a third person; and
 - (b) the third person is in a prescribed area.

Maximum penalty:

- (c) 10 penalty units for a first offence; or
 - (d) 20 penalty units for a second or subsequent offence.
- (5) It is a defence to a prosecution for an offence against subsection (4) if the defendant proves that, at the time the conduct referred to in paragraph (4)(a) was engaged in:
- (a) the defendant was in a boat that was on waters in a prescribed area; and
 - (b) the defendant was engaged in recreational boating activities or commercial fishing activities; and
 - (c) the third person was in the same boat; and
 - (d) the boat was not on waters covered by a declaration made by the Commonwealth Minister under subsection (8).
- (5A) It is a defence to a prosecution for an offence against subsection (4) if the defendant proves that, at the time the conduct referred to in paragraph (4)(a) was engaged in:
- (a) the defendant and the third person were engaged in recreational activities in a national park, a Northern Territory park or an area covered by a declaration made by the Commonwealth Minister under subsection (8A); and
 - (b) the activities were organised by a person whose business consists of or includes operating tours for tourists; and

- (c) if the area is a park—the activities are consistent with the management plan or similar document (if any) for the park.
- (5B) In subsection (5A), *recreational activities* does not include an activity the sole or primary purpose of which is the consumption of liquor.
- (5C) It is a defence to a prosecution for an offence against subparagraph (4)(a)(ii) or (iii) if the defendant proves that, at the time the conduct referred to in that subparagraph was engaged in, the defendant was engaging in the conduct for the purpose of engaging in recreational activities covered by subsection (5A).
- (6) If the quantity of alcohol involved in the commission of an offence against subsection (4) is greater than 1,350 ml:
- (a) the maximum penalty for the offence is 680 penalty units or imprisonment for 18 months; and
 - (b) a person who engages in conduct specified in subparagraph (4)(a)(ii) or (iii) is taken to have done so:
 - (i) intending to supply the alcohol; or
 - (ii) believing that another person intends to supply the alcohol;as the subparagraph requires, to a person in a prescribed area.
- (7) Paragraph (6)(b) does not apply in relation to a subparagraph mentioned in that paragraph if the person proves that he or she did not have the intention or belief required by that subparagraph.
- (8) The Commonwealth Minister may declare that a specified area of waters in a prescribed area is an area in relation to which a defence under subsection (3) or (5) is not available.
- (8A) The Commonwealth Minister may declare that a specified area of land or waters in a prescribed area is an area in relation to which a defence under subsection (3A), (3C), (5A) or (5C) is available.
- (9) A declaration under subsection (8) or (8A) is a legislative instrument, but section 42 (disallowance) of the *Legislative Instruments Act 2003* does not apply to the declaration.
- (10) While an area is declared under subsection (8), the Commission may cause to be posted and to be kept posted at the place where a customary access route enters the area a notice stating that a
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defence under subsection (3) or (5) is not available in relation to the area.

- (11) The Commission may cause to be published in a newspaper circulating in the district in which the relevant area is situated a notice stating that a defence under subsection (3) or (5) is not available in relation to the area.
- (13) This section does not apply in relation to anything done in the normal course of the provision of a postal service.
- (14) In this section:

boat means any kind of vessel used in navigation by water.

postal service means a postal service within the meaning of paragraph 51(v) of the Constitution.

supply includes supply by way of sale, exchange or gift.

13 Modification: licences within prescribed area

- (1) This section applies to a licence under the Liquor Act that is in force within a prescribed area (whenever the licence was issued).
- (2) Subject to this section and the Liquor Act, the licence continues to have effect according to its terms.
- (3) The licence is subject to a condition that the licensee must not sell liquor for consumption away from the licensed premises unless the purchaser has a permit issued under section 87 of the Liquor Act that is in force in relation to the relevant prescribed area.
- (4) The Commonwealth Minister may, by notice in writing given to the licensee and the Commission, determine that the licence does not, from a day specified in the notice and for a period (if any) specified in the notice, authorise the sale of liquor, or the sale and consumption of liquor on, at, or away from, those premises.
- (5) The Commonwealth Minister may, by notice in writing given to the licensee and the Commission, determine that the conditions of the licence are varied in a way specified in the notice.
- (6) If a determination is made under subsection (4) or (5), the Liquor Act and the licence have effect accordingly.

14 Modification: permits within prescribed area

- (1) This section applies to a permit issued under section 87 of the Liquor Act that is in force within a prescribed area (whenever the permit was issued).
- (2) The Commonwealth Minister may, by notice in writing given to the permit holder and the Commission, determine that the permit does not authorise a person to:
 - (a) bring liquor into; or
 - (b) have liquor in his or her possession or under his or her control within; or
 - (c) consume liquor within;a prescribed area.
- (3) The Commonwealth Minister may, by notice in writing given to the permit holder and the Commission, determine that the conditions of the permit are varied in a way specified in the notice.
- (4) If a determination is made under subsection (2) or (3), the Liquor Act and the permit have effect accordingly.

15 Orders for interlocutory relief

A court must not grant an interlocutory order suspending or otherwise affecting a decision of the Commonwealth Minister under section 13 or 14 unless the court is satisfied that there are exceptional circumstances for doing so.

16 Offence relating to notices

- (1) The Liquor Act has effect as if it included the following provisions of this section.
- (2) A person commits an offence if the person:
 - (a) removes a notice posted under subsection 11(1) of the *Northern Territory National Emergency Response Act 2007* of the Commonwealth; or
 - (b) damages such a notice;while this Division has effect.

Maximum penalty: 5 penalty units.

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- (3) It is a defence to a prosecution for an offence against subsection (2) if the defendant proves that the conduct was engaged in in the course of the person's duties.

17 Things to be taken into account in deciding whether to seize vehicles

- (1) The Liquor Act has effect as if it included a provision in the same terms as subsection (2) of this section.
- (2) In deciding whether to seize a vehicle under section 95 of the Liquor Act, an inspector must have regard to:
- (a) whether the main use of the vehicle is for the benefit of a community as a whole; and
 - (b) the hardship that might be caused to the community if the vehicle were seized.

18 Application of Police Administration Act

- (1) The Commonwealth Minister may, by legislative instrument, declare that Division 4 of Part VII of the Police Administration Act applies to a specified prescribed area or a specified part of a prescribed area as if the area or part were a public place.

Note: The reference to the *Police Administration Act* of the Northern Territory is to be construed as a reference to that Act as originally enacted and as amended from time to time: see section 10A of the *Acts Interpretation Act 1901* of the Commonwealth.

- (2) The Commonwealth Minister must not make a declaration under subsection (1) in relation to a prescribed area or a part of a prescribed area unless a request is made to the Commonwealth Minister to do so by, or on behalf of, a person who is ordinarily resident in the prescribed area or in the part of the prescribed area.

Community consultation

- (3) Before making a declaration under subsection (1) in relation to a prescribed area or a part of a prescribed area, the Commonwealth Minister must ensure that:
- (a) information setting out:
 - (i) the proposal to make the declaration; and
 - (ii) an explanation, in summary form, of the consequences of the making of the declaration;

has been made available in the prescribed area or the part of the prescribed area; and

- (b) people in the prescribed area or the part of the prescribed area have been given a reasonable opportunity to discuss:
- (i) the proposal to make the declaration; and
 - (ii) the consequences of the making of the declaration; and
 - (iii) their circumstances, concerns and views, so far as they relate to the proposal;
- with employees of the Commonwealth or such other persons as the Commonwealth Minister thinks appropriate.
- (4) A failure to comply with subsection (3) does not affect the validity of a declaration under subsection (1).

Criteria for making a declaration

- (5) In making a declaration under subsection (1) in relation to a prescribed area or a part of a prescribed area, the Commonwealth Minister must have regard to the following matters:
- (a) the well-being of people living in the prescribed area or the part of the prescribed area;
 - (b) whether there is reason to believe that people living in the prescribed area or the part of the prescribed area have been the victims of alcohol-related harm during a period the Commonwealth Minister considers appropriate;
 - (c) the extent to which people living in the prescribed area or the part of the prescribed area have, during a period the Commonwealth Minister considers appropriate, expressed their concerns about being at risk of alcohol-related harm;
 - (d) the extent to which people living in the prescribed area or the part of the prescribed area have, during a period the Commonwealth Minister considers appropriate, expressed the view that their well-being will be improved if Division 4 of Part VII of the Police Administration Act applies in relation to the prescribed area or the part of the prescribed area in accordance with this section;
 - (e) whether there is an alcohol management plan in relation to a community or communities in the prescribed area or the part of the prescribed area;
 - (f) any discussions of the kind referred to in paragraph (3)(b);

- (g) any other matter that the Commonwealth Minister considers relevant.

19 Declarations by Commonwealth Minister

- (1) The Commonwealth Minister may declare that this Division, or specified provisions of this Division:
 - (a) cease to have effect; or
 - (b) cease to have effect in relation to a specified prescribed area or a specified part of a prescribed area.

- (2) A declaration is a legislative instrument, but neither section 42 (disallowance) nor Part 6 (sunsetting) of the *Legislative Instruments Act 2003* applies to the declaration.

Note: This Act (other than Parts 4, 6 and 8 and Schedule 1) ceases to have effect at the end of the period of 5 years beginning on the day after the day on which this Act receives the Royal Assent: see section 6.

- (3) The Commonwealth Minister may make a declaration under paragraph (1)(b) in relation to a prescribed area or a part of a prescribed area:
 - (a) on the Commonwealth Minister's own initiative; or
 - (b) following a request made to the Commonwealth Minister by, or on behalf of, a person who is ordinarily resident in the prescribed area or in the part of the prescribed area.
- (4) If the Commonwealth Minister makes a declaration under paragraph (1)(b) in relation to a prescribed area or a part of a prescribed area, this Division continues to apply, or the specified provisions of this Division continue to apply, in relation to that area or part after the declaration takes effect in relation to things done, or omitted to be done, before the declaration takes effect.

Community consultation

- (5) Before making a declaration under paragraph (1)(b) in relation to a prescribed area or a part of a prescribed area, the Commonwealth Minister must ensure that:
 - (a) information setting out:
 - (i) the proposal to make the declaration; and
 - (ii) an explanation, in summary form, of the consequences of the making of the declaration;

has been made available in the prescribed area or the part of the prescribed area; and

- (b) people in the prescribed area or the part of the prescribed area have been given a reasonable opportunity to discuss:
 - (i) the proposal to make the declaration; and
 - (ii) the consequences of the making of the declaration; and
 - (iii) their circumstances, concerns and views, so far as they relate to the proposal;with employees of the Commonwealth or such other persons as the Commonwealth Minister thinks appropriate.
- (6) A failure to comply with subsection (5) does not affect the validity of a declaration under paragraph (1)(b).

Criteria for making a declaration

- (7) In making a declaration under paragraph (1)(b) in relation to a prescribed area or a part of a prescribed area, the Commonwealth Minister must have regard to the following matters:
- (a) the well-being of people living in the prescribed area or the part of the prescribed area;
 - (b) whether there is reason to believe that people living in the prescribed area or the part of the prescribed area have been the victims of alcohol-related harm during a period the Commonwealth Minister considers appropriate;
 - (c) the extent to which people living in the prescribed area or the part of the prescribed area have, during a period the Commonwealth Minister considers appropriate, expressed their concerns about being at risk of alcohol-related harm;
 - (d) the extent to which people living in the prescribed area or the part of the prescribed area have, during a period the Commonwealth Minister considers appropriate, expressed the view that their well-being will be improved if this Division continues to apply, or particular provisions of this Division continue to apply, in relation to the prescribed area or the part of the prescribed area;
 - (e) whether there is an alcohol management plan in relation to a community or communities in the prescribed area or the part of the prescribed area;
 - (f) any discussions of the kind referred to in paragraph (5)(b);

- (g) any other matter that the Commonwealth Minister considers relevant.

19A Reapplication of the provisions of this Division

- (1) The Commonwealth Minister may, by legislative instrument, revoke a declaration made under paragraph 19(1)(b) in relation to a prescribed area or a part of a prescribed area.
- (2) At and after the time the instrument made under subsection (1) takes effect:
 - (a) subject to paragraph (b), this Division again has effect, or the provisions of this Division specified in the declaration referred to in subsection (1) again have effect, in relation to the prescribed area or the part of the prescribed area; or
 - (b) if, in the instrument made under subsection (1), the Commonwealth Minister declares that specified provisions of this Division again have effect in relation to the prescribed area or the part of the prescribed area—only those provisions again have effect in relation to the prescribed area or the part of the prescribed area.
- (3) The Commonwealth Minister may make a legislative instrument under this section:
 - (a) on the Commonwealth Minister's own initiative; or
 - (b) following a request made to the Commonwealth Minister by, or on behalf of, a person who is ordinarily resident in the prescribed area or in the part of the prescribed area.

Community consultation

- (4) Before making a legislative instrument under this section, the Commonwealth Minister must ensure that:
 - (a) information setting out:
 - (i) the proposal to make the instrument; and
 - (ii) an explanation, in summary form, of the consequences of the making of the instrument;has been made available in the prescribed area or the part of the prescribed area; and
 - (b) people in the prescribed area or the part of the prescribed area have been given a reasonable opportunity to discuss:

- (i) the proposal to make the instrument; and
 - (ii) the consequences of the making of the instrument; and
 - (iii) their circumstances, concerns and views, so far as they relate to the instrument;
- with employees of the Commonwealth or such other persons as the Commonwealth Minister thinks appropriate.

- (5) A failure to comply with subsection (4) does not affect the validity of a legislative instrument under this section.

Criteria for making legislative instrument

- (6) In making a legislative instrument under this section, the Commonwealth Minister must have regard to the following matters:
- (a) the well-being of people living in the prescribed area or the part of the prescribed area;
 - (b) whether there is reason to believe that people living in the prescribed area or the part of the prescribed area have been the victims of alcohol-related harm during a period the Commonwealth Minister considers appropriate;
 - (c) the extent to which people living in the prescribed area or the part of the prescribed area have, during a period the Commonwealth Minister considers appropriate, expressed their concerns about being at risk of alcohol-related harm;
 - (d) the extent to which people living in the prescribed area or the part of the prescribed area have, during a period the Commonwealth Minister considers appropriate, expressed the view that their well-being will be improved if this Division applies, or particular provisions of this Division apply, in relation to the prescribed area or the part of the prescribed area;
 - (e) whether there is an alcohol management plan in relation to a community or communities in the prescribed area or the part of the prescribed area;
 - (f) any discussions of the kind referred to in paragraph (4)(b);
 - (g) any other matter that the Commonwealth Minister considers relevant.

Division 4—Liquor Regulations

23 Liquor Regulations

The Liquor Regulations have effect as if the following offences included in the Liquor Act under Division 2 of Part 2 of the *Northern Territory National Emergency Response Act 2007* of the Commonwealth were infringement offences for the purposes of those Regulations:

- (a) an offence against subsection 12(2);
- (b) an offence against subsection 12(4) if the quantity of alcohol involved in the commission of the offence is 1,350 ml or less;
- (c) an offence against subsection 16(2).

24 Declarations by Commonwealth Minister

- (1) The Commonwealth Minister may declare that this Division ceases to have effect.
- (2) A declaration is a legislative instrument, but neither section 42 (disallowance) nor Part 6 (sunsetting) of the *Legislative Instruments Act 2003* applies to the declaration.

Note: This Act (other than Parts 4, 6 and 8 and Schedule 1) ceases to have effect at the end of the period of 5 years beginning on the day after the day on which this Act receives the Royal Assent: see section 6.

Division 5—Application of offences

25 Application of offences

The offences created by this Part apply to conduct engaged in on or after the 28th day after the commencement of this Part.

Division 6—Certain things not valid

25A Certain things not valid

Any amendment of an Act or other law of the Northern Territory, or any action taken under an Act or other law of the Northern Territory, whether the amendment commences or the action is taken before or after the commencement of this section, has no force or effect, and is taken never to have had any force or effect, to the extent that it would otherwise have the effect of preventing the Liquor Act operating as if each prescribed area were a general restricted area.

25B Declarations by Commonwealth Minister

- (1) The Commonwealth Minister may declare that this Division ceases to have effect.
- (2) A declaration is a legislative instrument, but neither section 42 (disallowance) nor Part 6 (sunsetting) of the *Legislative Instruments Act 2003* applies to the declaration.

Note: This Act (other than Parts 4, 6 and 8 and Schedule 1) ceases to have effect at the end of the period of 5 years beginning on the day after the day on which this Act receives the Royal Assent: see section 6.

Part 3—Requirements for publicly funded computers

26 Obligation to install filters

- (1) The responsible person for a publicly funded computer must ensure that a filter that has been accredited, in writing, by the Telecommunications Minister is installed on the computer.

Note: A person commits an offence if the person contravenes this subsection (see section 30).

- (2) The responsible person for the computer must also ensure that the filter is maintained and updated on the computer.

Note: A person commits an offence if the person contravenes this subsection (see section 30).

- (3) However, the filter is not required to filter content for a period if the person who uses the computer during that period needs, for the purposes of his or her work, research or study, to access material that would otherwise be blocked by the filter.

- (4) An accreditation under subsection (1) is not a legislative instrument.

- (5) The Minister must cause an accreditation under subsection (1) to be published in the *Gazette*.

27 Keeping records of use of publicly funded computers

- (1) The responsible person for a publicly funded computer must ensure that a record is kept of:

- (a) each person who uses the computer; and
- (b) the time during which, and the day on which, each person uses the computer.

Note: A person commits an offence if the person contravenes this subsection (see section 30).

- (2) The responsible person must keep a record kept in respect of a day:
- (a) for 3 years from the first 30 November that follows that day; and

(b) if the day is 30 November—for 3 years.

Note: A person commits an offence if the person contravenes this subsection (see section 30).

28 Development of acceptable use policy

(1) The responsible person for a publicly funded computer must ensure that a policy is developed relating to the kinds of use of the computer that are acceptable.

Note: A person commits an offence if the person does not develop a policy in accordance with this section (see section 30).

(2) The Minister may, by legislative instrument, determine matters that the policy must provide for. If the Minister does so, the policy must provide for those matters (although the policy may also provide for additional matters).

(3) Without limiting subsection (2), the policy must state that a person must not use the computer:

(a) to access, or to send a communication containing, material or a statement:

- (i) that contravenes, or forms part of an activity that contravenes, a law of the Commonwealth, a State or a Territory; or
- (ii) that incites a person to contravene a law of the Commonwealth, a State or a Territory; or
- (iii) that is slanderous, libellous or defamatory; or
- (iv) that is offensive or obscene; or
- (v) that is abusive or that threatens the use of violence; or
- (vi) that harasses another person on the basis of sex, race, disability or any other status that is protected by a law of the Commonwealth, a State or a Territory; or

(b) to send an anonymous or a repeated communication that is designed to annoy or torment.

(4) The responsible person for a publicly funded computer must ensure that each person (the *user*) who uses the computer with the responsible person's consent is made aware of:

- (a) the matters provided for by the policy; and
- (b) the fact that use of the computer by the user is audited; and

- (c) the fact that a report of the audit (which might include the user's name and usage of the computer) is given to the Australian Crime Commission.

Note: A person commits an offence if the person contravenes this subsection (see section 30).

29 Auditing publicly funded computers

- (1) The responsible person for a publicly funded computer must ensure that the computer is audited on the days specified in subsection (2) or (3) in the manner determined, in writing, by the Minister.

Note: A person commits an offence if the person contravenes this subsection (see section 30).

- (2) The audit must be conducted on:
- (a) 31 May and 30 November each year; and
 - (b) any other day determined, by legislative instrument, by the Minister.
- (3) If 31 May or 30 November is not a working day, then the audit must be conducted on the first working day that follows 31 May or 30 November (as the case requires).
- (4) The responsible person for a publicly funded computer must ensure that the computer is audited as soon as practicable if the person knows or is reckless that material that contravenes a law of the Commonwealth, a State or a Territory is stored on, or has been accessed by, the computer.

Note: A person commits an offence if the person contravenes this subsection (see section 30).

- (5) The responsible person for a publicly funded computer must, within 14 days of conducting an audit, give a report of the audit to the Australian Crime Commission.

Note: A person commits an offence if the person contravenes this subsection (see section 30).

- (6) The report must be given in the form approved, in writing, by the Minister.
- (7) The responsible person must keep a record of the report for 3 years from the day on which the audit is conducted.

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Note: A person commits an offence if the person contravenes this subsection (see section 30).

- (8) A determination under subsection (1), and the approval of a form under subsection (6), are not legislative instruments.
- (9) The Minister must cause a determination under subsection (1), or the approval of a form under subsection (6), to be published in the *Gazette*.

30 Offences

- (1) A person commits an offence if:
 - (a) a computer is a publicly funded computer; and
 - (b) the person is the responsible person for the computer; and
 - (c) the person contravenes one or more of the following provisions:
 - (i) subsection 26(1) or (2) (filters);
 - (ii) subsection 27(1) or (2) (keeping records);
 - (iii) subsection 28(4) (publication of acceptable use policy);
 - (iv) subsection 29(1), (5) or (7) (computer audits).

Penalty: 5 penalty units.

- (2) Subsection (1) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the *Criminal Code*.

- (3) Subsection (1) does not apply if:
 - (a) the responsible person contravenes subsection 26(2); and
 - (b) either:
 - (i) the filter was intentionally disabled by another person without the knowledge or consent of the responsible person; or
 - (ii) the filter was not required to filter content under subsection 26(3).

Note: A defendant bears an evidential burden in relation to the matter in subsection (3) (see subsection 13.3(3) of the *Criminal Code*).

- (4) A person commits an offence if:
 - (a) a computer is a publicly funded computer; and
 - (b) the person is the responsible person for the computer; and
 - (c) the person contravenes subsection 29(4) (computer audits).

Penalty: 5 penalty units.

- (5) A person commits an offence if:
- (a) a computer is a publicly funded computer; and
 - (b) the person is the responsible person for the computer; and
 - (c) the person contravenes subsection 29(1) or (4) (computer audits); and
 - (d) material that contravenes a law of the Commonwealth, a State or a Territory is stored on, or has been accessed by, the computer; and
 - (e) if the person had not contravened that subsection, the storage of the material on, or the access of the material by, the computer would have been identified.

Penalty: 10 penalty units.

- (6) A person commits an offence if:
- (a) a computer is a publicly funded computer; and
 - (b) the person is the responsible person for the computer; and
 - (c) the person does not develop a policy in accordance with subsections 28(1), (2) and (3) (acceptable use policy).

Penalty: 5 penalty units.

- (7) Subsection (6) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the *Criminal Code*.

- (8) The offences created by this section apply to conduct engaged in on or after the 28th day after the day on which this Act receives the Royal Assent.

Part 4 Acquisition of rights, titles and interests in land

Division 1A Preliminary

Section 30A

Part 4—Acquisition of rights, titles and interests in land

Division 1A—Preliminary

30A Object of Part

The object of this Part is to enable special measures to be taken to:

- (a) improve the delivery of services in Indigenous communities in the Northern Territory; and
- (b) promote economic and social development in those communities.

Division 1—Grants of leases for 5 years

Subdivision A—Grant of lease

31 Grant of lease for 5 years

- (1) A lease of the following land is, by force of this subsection, granted to the Commonwealth by the relevant owner of the land:
- (a) land referred to, in a clause, in Parts 1 to 3 of Schedule 1 to this Act;
 - (b) any of the following land that is prescribed by the regulations:
 - (i) Aboriginal land (within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*);
 - (ii) land granted to an association under subsection 46(1A) of the *Lands Acquisition Act* of the Northern Territory (including that land as held by a successor to an association);
 - (iii) land in which, at the time this section commences, an estate in fee simple or a lease is held by the Aputula Social Club Incorporated, The Aputula Social Club Incorporated, the Aputula Housing Association Incorporated, The Aputula Housing Association Incorporated, the Daguragu Community Government Council or the Pine Creek Aboriginal Advancement Association Inc.
- Note 1: Certain land might be excluded from, or included in, a lease (see subsection (3) and subsection 35(6)).
- Note 2: For the effect of Commonwealth and Northern Territory laws in relation to a lease granted under this section, see Division 3.
- (2) A lease granted under subsection (1) is for a term:
- (a) beginning:
 - (i) if the lease is of land referred to in clause 2, 4, 5, 6, 11, 13, 14, 15, 17, 18, 19, 27, 30, 32, 36, 37, 39, 41, 45, 47, 48, 49, 57, 60, 62 or 63 of Schedule 1 to this Act—at the time at which this section commences; or

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- (ii) if the lease is of land referred to in clause 1, 3, 7, 8, 9, 10, 12, 21, 22, 23, 24, 25, 29, 31, 33, 34, 35, 38, 40, 42, 43, 50, 51, 55 or 58 of Schedule 1 to this Act—at the time specified in section 32; or
 - (iii) if the lease is of land referred to in clause 16, 20, 26, 28, 44, 46, 52, 53, 54, 56, 59, 61 or 65 of Schedule 1 to this Act—at the time specified in section 33; or
 - (iv) if the lease is of land referred to in clause 64 of Schedule 1 to this Act, and that land has been prescribed by regulations for the purposes of this subparagraph—on the first day after the end of the disallowance period for the regulations (subject to section 42 of the *Legislative Instruments Act 2003*); or
 - (v) if the lease is of land prescribed by the regulations under paragraph (1)(b)—on the first day after the end of the disallowance period for the regulations (subject to section 42 of the *Legislative Instruments Act 2003*); and
- (b) ending 5 years after the time at which this section commences.

Note: The lease might be terminated early under subsection 35(7) or subsection 37(7).

Exclusion of land covered by earlier leases

- (3) If:
- (a) land would, apart from this subsection, be covered by a lease granted under subsection (1); and
 - (b) a registered lease covering all or part of that land (the whole or the part being the *previously leased land*) existed immediately before the lease granted under subsection (1) takes effect;

then, at the time the lease granted under subsection (1) takes effect, the previously leased land is, by force of this subsection, excluded from the land that is covered by the lease granted under subsection (1).

Note: This subsection does not apply to leases of Nauiyu (Daly River), Finke or Kalkarindji (see sections 39 and 40).

- (4) To avoid doubt, a registered lease referred to in paragraph (3)(b) may also cover land that is not covered by a lease granted under subsection (1).

32 Commencement of certain leases

Leases referred to in subparagraph 31(2)(a)(ii) commence at the time at which this section commences.

33 Commencement of certain other leases

Leases referred to in subparagraph 31(2)(a)(iii) commence at the time at which this section commences.

34 Preserving any existing right, title or other interest

- (1) This section applies to any right, title or other interest in land if:
 - (a) the land is covered by a lease granted under section 31; and
 - (b) the right, title or interest exists immediately before the time that lease takes effect.

Note: This section does not apply to leases of Nauiyu (Daly River), Finke or Kalkarindji (see sections 39 and 40).

- (2) However, this section does not apply to any native title rights and interests.

Note: Native title rights and interests are dealt with in section 51.

- (3) The right, title or interest is preserved as a right, title or interest (as the case requires) in the land after that time.

Note: The right, title or interest can be terminated under subsection 37(1).

- (4) If the right, title or interest in the land was granted by the relevant owner of the land, the right, title or interest has effect, while the lease is in force, as if it were granted by the Commonwealth on the same terms and conditions as existed immediately before that time.
- (5) However, at any time, the Minister may determine in writing that subsection (4) does not apply to a right, title or interest.
- (6) The Minister must give a copy of a determination under subsection (5) to the person who holds the right, title or interest. The Minister may also give a copy of the determination to the relevant owner of the land and any other relevant person.
- (7) The determination takes effect at the time specified in the determination (which must not be earlier than the day on which the

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determination is given to the person who holds the right, title or interest).

- (8) Subsection (4) is to be disregarded for the purposes of subsection 19A(11) of the *Aboriginal Land Rights (Northern Territory) Act 1976*.
- (9) A determination under subsection (5) is not a legislative instrument.
- (10) A reference in this section to a right, title or interest includes a reference to a licence.

35 Terms and conditions of leases

- (1) A lease of land granted under section 31 gives the Commonwealth exclusive possession and quiet enjoyment of the land while the lease is in force (subject to section 34, subsection 37(6) and section 52 of this Act or sections 70C to 70G of the *Aboriginal Land Rights (Northern Territory) Act 1976*).

Note: The Minister may determine additional terms and conditions under section 36.

- (2) The Commonwealth is not liable to pay to the relevant owner of land any rent in relation to a lease of that land granted under section 31, except in accordance with subsection 62(5).
- (2A) Subject to subsection (2D), the Commonwealth is entitled to use, and to permit the use of, land covered by a lease granted under section 31 for any use the Commonwealth considers is consistent with the fulfilment of the object of this Part and is not entitled to use, or to permit the use of, the land for any other use.
- (2B) Subject to subsection (2D), subsection (2A) does not entitle the Commonwealth to engage in, or to permit, exploration or mining in respect of land covered by a lease granted under section 31.
- (2C) For the purposes of subsection (2B), *exploration* and *mining* have the same meanings as in the *Mining Act* of the Northern Territory.

Note: The reference to the *Mining Act* of the Northern Territory is to be construed as a reference to that Act as originally enacted and as amended from time to time: see section 10A of the *Acts Interpretation Act 1901* of the Commonwealth.

- (2D) Subsections (2A) and (2B) do not limit Part IV of the *Aboriginal Land Rights (Northern Territory) Act 1976*.
- (3) No action, suit or proceeding lies against the Commonwealth in relation to any act or omission of the Commonwealth that results in loss, damage or injury to any person or property as a result of the condition, at the time the lease takes effect, of the land, or of buildings or infrastructure on the land.
- (4) The relevant owner of land covered by a lease granted under section 31 may not vary or terminate the lease.
- (5) The Commonwealth may not transfer a lease granted under section 31. However, the Commonwealth may, at any time, sublease, license, part with possession of, or otherwise deal with, its interest in the lease.
- (6) The Commonwealth may, at any time, vary a lease granted under section 31 by:
- (a) excluding land from the lease; or
 - (b) including in the lease any land that was excluded under subsection 31(3).
- Note: The Minister may also vary additional terms and conditions of the lease under section 36.
- (7) The Commonwealth may terminate a lease granted under section 31 at any time.
- (8) The Commonwealth varies a lease of land under subsection (6), or terminates a lease of land under subsection (7), by the Minister giving notice in writing to the relevant owner of the land.
- (9) If the Commonwealth varies a lease under subsection (6), the notice must specify the land excluded from, or included in, the lease.
- (10) A variation or termination takes effect, by force of this subsection, at the time specified in the notice given under subsection (8) (which must not be earlier than the day on which the notice is given to the relevant owner of the land).
- (11) A notice given under subsection (8) is not a legislative instrument.

36 Determination of additional terms and conditions

- (1) A lease granted under section 31 is to be on such other terms and conditions as are determined by the Minister.
- (2) The Minister may vary the terms and conditions determined under subsection (1) in relation to all leases, or any specified lease, granted under section 31.
- (3) If the Minister varies the terms and conditions of a specified lease of land, the Minister must give a copy of the variation to the relevant owner of the land.
- (4) A variation under subsection (2) takes effect, by force of this subsection, at the time specified in paragraph 12(1)(d) of the *Legislative Instruments Act 2003*.
- (5) The terms and conditions determined under subsection (1), and a variation under subsection (2), are legislative instruments, but section 42 (disallowance) of the *Legislative Instruments Act 2003* does not apply to the terms or conditions or the variation.
- (6) Subsection 33(3) of the *Acts Interpretation Act 1901* does not apply in relation to the terms and conditions determined under subsection (1).

36A Administering leases

- (1) In administering a lease granted under section 31, regard must be had to the body of traditions, observances, customs and beliefs of Indigenous persons generally, or of a particular group of Indigenous persons, as those traditions, observances, customs and beliefs apply in relation to the land covered by the lease.
- (2) Subsection (1) does not prevent regard being had to other matters in administering a lease granted under section 31.
- (3) In this section:
administering a lease includes exercising a power under subsection 35(5) in relation to the lease.

37 Termination etc. of rights, titles, interests or leases

Termination of existing rights, titles, interests or leases

- (1) The Commonwealth may, at any time, terminate:
 - (a) a right, title or interest that is preserved under section 34; or
 - (b) a lease (the **earlier lease**) of land that (under subsection 31(3)) is excluded from the land covered by a lease (the **later lease**) granted under section 31.

Note: Compensation might be payable under section 60 if the Commonwealth terminates a right, title, interest or lease under this section.

- (2) Subsection (1) does not apply to rights granted under sections 12A, 14, 18, 18A, 18B, 20W, 20X, 20ZH and 20ZI of the *Aboriginal Land Rights (Northern Territory) Act 1976*.
- (3) The Commonwealth terminates a right, title or interest in land, or a lease of land, by the Minister giving notice in writing to the person who holds the right, title, interest or lease. The Minister may also give a copy of the notice to the relevant owner of the land and any other relevant person.
- (4) The termination takes effect, by force of this subsection, at the time specified in the notice (which must not be earlier than the day on which the notice is given to the person who holds the right, title, interest or lease).
- (5) A notice given under subsection (3) is not a legislative instrument.

Early termination of lease on granting a subsequent lease of a township

- (6) Despite the grant of a lease of Aboriginal land under section 31, the Land Trust for the land may, in accordance with section 19A of the *Aboriginal Land Rights (Northern Territory) Act 1976*, grant a lease (the **township lease**) of a township.

Note: The Land Trust may also grant a lease of land under section 19 of that Act (see section 52 of this Act).

- (7) If the Land Trust grants a township lease that covers all of the land, the lease granted under section 31 of that land is terminated by force of this subsection.

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- (8) If the Land Trust grants a township lease that covers part of the land, the lease granted under section 31 that covers that part is varied, by force of this subsection, to exclude that part.
- (9) The lease granted under section 31 is terminated, or varied, at the time the township lease takes effect.

37A Negotiations on terms and conditions of another lease

- (1) The relevant owner of land leased under section 31 may request the Commonwealth to enter into negotiations with the relevant owner on the terms and conditions of another lease covering all or a part of that land.
- (2) If the relevant owner makes a request under subsection (1), then, while the Commonwealth considers that the Commonwealth may be the lessee of that other lease, the Commonwealth must engage in negotiations in good faith with the relevant owner on those terms and conditions.
- (3) The Commonwealth may invite one or more of the following to participate in those negotiations:
 - (a) the Northern Territory;
 - (b) an authority of the Commonwealth;
 - (c) an authority of the Northern Territory;
 - (d) any other person or body.

The Commonwealth may invite a person or body under this subsection only if the Commonwealth considers that the person or body may be the lessee of that other lease.

Note 1: Subsections 37(7) and (8) and subsection 52(3) deal with the termination or variation of a lease of land granted under section 31 if a lease of all or a part of the land is granted under section 19 or 19A of the *Aboriginal Land Rights (Northern Territory) Act 1976*.

Note 2: Subsections 35(6) and (7) allow the Commonwealth to vary or terminate a lease of land granted under section 31. One of those provisions could be used if another lease is granted.

Subdivision B—Special provisions relating to particular land

38 Continuation of traditional land claim for Canteen Creek

- (1) The following have effect despite section 67A of the *Aboriginal Land Rights (Northern Territory) Act 1976* (which is about land subject to traditional land claims):
 - (a) the grant to the Commonwealth, under section 31 of this Act, of the lease of Canteen Creek (as described in clause 65 of Schedule 1 to this Act);
 - (b) the grant by the Commonwealth, under subsection 35(5) of this Act, of any estate or interest in Canteen Creek (as so described).
- (2) Except as set out in this section, the grant of a lease of land, or an estate or interest in land, referred to in paragraph (1)(a) or (b) does not affect any application, made under paragraph 50(1)(a) of the *Aboriginal Land Rights (Northern Territory) Act 1976* in relation to that land, that has not been finally disposed of immediately before the lease, or the grant of the estate or interest, takes effect.
- (3) If, as a result of such an application, the Governor-General executes a deed of grant of an estate in fee simple in that land, then, despite subsection 12(4) of that Act, the deed is of no effect until the lease referred to in paragraph (1)(a) ends.

39 Earlier lease of Nauiyu (Daly River)

- (1) If a lease (the *earlier lease*) that covers Nauiyu (Daly River) (as described in clause 64 of Schedule 1 to this Act) is in force immediately before a lease (the *later lease*) of part of that land is granted under section 31, the earlier lease is varied, by force of this subsection, to exclude the land covered by the later lease.
- (2) The variation under subsection (1) takes effect at the time the later lease takes effect.
- (3) The grant of the later lease does not affect the earlier lease, except as set out in this section.
- (4) If, when the later lease ends, the earlier lease is still in force, then the earlier lease is varied, by force of this subsection, to include the land excluded under subsection (1).

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- (5) The variation under subsection (4) takes effect at the time the later lease ends.
- (6) This section has effect despite subsection 31(3).

40 Leases of Finke and Kalkarindji held by Aputula Social Club Incorporated, Aputula Housing Association Incorporated or Daguragu Community Government Council

- (1) If:
 - (a) a lease of land (the *earlier lease*) is referred to in paragraph (e) of the definition of *relevant owner* in section 3; and
 - (b) another lease (the *later lease*) is granted under section 31 that covers all of that land;the earlier lease is suspended while the later lease is in force.
- (2) The suspension takes effect, by force of this subsection, at the time the later lease takes effect.
- (3) The suspension ceases, by force of this subsection, at the time the later lease ends.
- (4) This section has effect despite subsection 31(3).

41 Modification of Crown Lands Act

- (1) The Crown Lands Act has effect, in relation to the land referred to in Part 2 of Schedule 1 to this Act that is covered by a lease granted under section 31, as if the reference in subsection 20(2) of that Act to the Minister included a reference to the Commonwealth Minister.
- (2) The Crown Lands Act, as modified by subsection (1), has effect as a law of the Northern Territory.
- (3) To avoid doubt, the Commonwealth Minister makes an agreement with an association under subsection 20(2) of the Crown Lands Act on behalf of the Northern Territory Minister.

42 Rights of way

- (1) If more than one area of land is covered by a lease granted under section 31, the Commonwealth and its employees and agents have a right to use the shortest practicable route, on an existing road or track, between the areas of land.
- (2) If:
 - (a) land is:
 - (i) granted to an association under subsection 46(1A) of the *Lands Acquisition Act* of the Northern Territory; or
 - (ii) owned by the Catholic Church of the Diocese of Darwin Property Trust; and
 - (b) only a part (the *leased land*) of that land is covered by a lease granted under section 31 of this Act; and
 - (c) a road through another part of the land granted to the association, or owned by the Trust, gives access to the leased land;the Commonwealth and its employees and agents have a right to use that road to access the leased land.

Division 2—Acquisition of rights, titles and interests relating to town camps

Subdivision A—Resumption and forfeiture of land under the Special Purposes Leases Act

43 Effect of Special Purposes Leases Act

- (1) The Special Purposes Leases Act has effect, in relation to the following land that is the subject of a lease granted under that Act, subject to the modifications in this Subdivision:
 - (a) land referred to in Part 4 of Schedule 1 to this Act;
 - (b) any land in the Northern Territory prescribed by the regulations for the purposes of this section.
- (2) The Special Purposes Leases Act, as modified by this Subdivision, has effect as a law of the Northern Territory.

44 Modification of Special Purposes Leases Act

- (1) The Special Purposes Leases Act has effect, in relation to land referred to in section 43, as if:
 - (a) references in the following provisions of that Act to the Northern Territory Minister or the Administrator included references to the Commonwealth Minister:
 - (i) sections 13, 14, 15, 17, 24, 25, 26, 29, 30 and 32;
 - (ii) section 23 (other than paragraph 23(1)(da));
 - (iii) paragraph 28(a); and
 - (b) in the case of the Commonwealth Minister exercising powers under the provisions referred to in paragraph (a):
 - (i) the reference in section 29 of that Act to 6 months' notice were a reference to 60 days' notice; and
 - (ii) the first reference to the Territory in subsection 26(2) of that Act were a reference to the Commonwealth;
 - (iii) the reference to the Territory in subsection 32(3) of that Act were a reference to the Commonwealth;
 - (iv) references in section 24 of that Act to the *Gazette* were references to either the *Gazette* of the Northern Territory or the *Gazette* of the Commonwealth.

- (2) To avoid doubt, the Commonwealth Minister forfeits a lease of land, or resumes land, under the Special Purposes Leases Act on behalf of the Northern Territory Minister or the Administrator of the Northern Territory.
- (3) The regulations may further modify the effect of the Special Purposes Leases Act for the purposes of this section.
- (4) The Commonwealth Minister may give a notice under subsection 23(1), or make a Proclamation under section 28, of the Special Purposes Leases Act only if the notice is given or the Proclamation is made:
 - (a) for land referred to in paragraph 43(1)(b)—after the end of the disallowance period for the regulations; and
 - (b) in any case—before the end of the period of 5 years beginning on the day on which this section commences.
- (5) In subsection (3):

modify includes add, omit and substitute.

Subdivision B—Resumption and forfeiture of land under the Crown Lands Act

45 Effect of Crown Lands Act

- (1) The Crown Lands Act has effect, in relation to the following land that is the subject of a lease granted under that Act, subject to the modifications in this Subdivision:
 - (a) land referred to in Part 4 of Schedule 1 to this Act;
 - (b) any land in the Northern Territory prescribed by the regulations for the purposes of this section.
- (2) The Crown Lands Act, as modified by this Subdivision, has effect as a law of the Northern Territory.

46 Modification of Crown Lands Act

- (1) The Crown Lands Act has effect, in relation to land referred to in section 45, as if:
 - (a) references in the following provisions of that Act to the Northern Territory Minister or the Administrator included references to the Commonwealth Minister:

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- (i) sections 38, 77, 81, 82, 83, 84, 85 and 87;
 - (ii) paragraph 76(1)(a);
 - (iii) subsection 80(1); and
- (b) in the case of the Commonwealth Minister exercising powers under the provisions referred to in paragraph (a):
- (i) the reference in subsections 80(2), (3) and (4) of that Act to a period of notice were a reference to a period of notice of 60 days; and
 - (ii) references in subsection 81(1) and section 87 of that Act to the *Gazette* were references to either the *Gazette* of the Northern Territory or the *Gazette* of the Commonwealth; and
 - (iii) subsection 82(2) of that Act did not apply.
- (2) To avoid doubt, the Commonwealth Minister forfeits a lease of land, or resumes land, under the Crown Lands Act on behalf of the Northern Territory Minister or the Administrator of the Northern Territory.
- (3) The regulations may further modify the effect of the Crown Lands Act for the purposes of this section.
- (4) The Commonwealth Minister may give a notice under paragraph 38(3)(d) or make a Proclamation under paragraph 76(1)(a), of the Crown Lands Act only if the notice is given or the Proclamation is made:
- (a) for land referred to in paragraph 45(1)(b)—after the end of the disallowance period for the regulations; and
 - (b) in any case—before the end of the period of 5 years beginning on the day on which this section commences.
- (5) In subsection (3):
- modify* includes add, omit and substitute.

Subdivision C—Vesting rights, titles and interests in land in the Commonwealth

47 Vesting rights, titles and interests in land in the Commonwealth

- (1) The Commonwealth Minister may, on behalf of the Commonwealth, give to the Northern Territory a notice specifying
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any of the following land that is the subject of a lease under the Special Purposes Leases Act or the Crown Lands Act:

- (a) land referred to in Part 4 of Schedule 1 to this Act;
 - (b) any land in the Northern Territory prescribed by the regulations for the purposes of this section.
- (2) A notice may specify land referred to in subsection (1) whether or not that land has been resumed, or a lease in respect of that land has been forfeited, under the Special Purposes Leases Act or the Crown Lands Act.
- (3) All rights, titles and interests in land that is specified in a notice given under subsection (1) are (subject to sections 48 and 51):
- (a) vested in the Commonwealth; and
 - (b) freed and discharged from all other rights, titles and interests and from all trusts, restrictions, dedications, reservations, obligations, mortgages, encumbrances, contracts, licences, charges and rates.
- Note 1: Native title rights and interests are dealt with in section 51.
- Note 2: The notice may specify rights, titles and interests that are to be preserved under section 48.
- Note 3: For the effect of Commonwealth and Northern Territory laws in relation to rights, titles and interests vested under this section, see Division 3.
- (4) The vesting takes effect, by force of this subsection, at the time specified in the notice (which must not be earlier than the day on which the notice is given to the Northern Territory).
- (5) A copy of a notice given under subsection (1) must be published in the *Gazette* of the Commonwealth within 7 days of the notice being given to the Northern Territory.
- (6) Failure to comply with subsection (5) does not invalidate a notice.
- (7) A notice given under subsection (1) is not a legislative instrument.
- (8) The Commonwealth Minister may give a notice under subsection (1) only if the notice is given:
- (a) for land referred to in paragraph (1)(b)—after the end of the disallowance period for the regulations; and
 - (b) in any case—before the end of the period of 5 years beginning on the day on which this section commences.

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- (9) In this section, a reference to rights, titles and interests in land does not include a reference to rights, titles and interests in relation to minerals, petroleum or gas (including rights, titles or interests to explore, prospect, mine, mine for, or extract, minerals, petroleum or gas).

48 Preservation of specified rights, titles and interests

- (1) If a right, title or interest is specified in a notice given under section 47 as a right, title or interest which is to be preserved, the right, title or interest is preserved as a right, title or interest (as the case requires) in the land after that time.

Note: The right, title or interest can be terminated under section 49.

- (2) If:
- (a) a right, title or interest in land is preserved under subsection (1); and
 - (b) the right, title or interest was granted by the proprietor of the land;

the Commonwealth Minister may determine that the right, title or interest has effect, while the Commonwealth interest in the land exists, as if it were granted by the Commonwealth on the same terms and conditions as existed immediately before the time specified in the notice.

- (3) The Commonwealth Minister must give a copy of a determination under subsection (2) to the person who holds the right, title or interest. The Commonwealth Minister may also give a copy of the determination to any other relevant person.
- (4) The determination takes effect at the time specified in the determination (which must not be earlier than the day on which the determination is given to the person who holds the right, title or interest).
- (5) A determination under subsection (2) is not a legislative instrument.
- (6) In this section, a reference to a right, title or interest includes a reference to a licence.

49 Termination of existing rights, titles or interests

- (1) The Commonwealth may terminate a right, title or interest in land that is preserved under section 48, while the Commonwealth interest in the land exists.

Note: Compensation might be payable under section 60 if the Commonwealth terminates a right, title or interest under this section.

- (2) The Commonwealth terminates a right, title or interest in land by the Minister giving notice in writing to the person who holds the right, title or interest. The Minister may also give a copy of the notice to any other relevant person.
- (3) The termination takes effect, by force of this subsection, at the time specified in the notice (which must not be earlier than the day on which the notice is given to the person who holds the right, title or interest).
- (4) A notice given under subsection (2) is not a legislative instrument.

Division 3—Effect of other laws in relation to land covered by this Part etc.

50 Application of Commonwealth and Northern Territory laws

- (1) Divisions 1 and 2 of this Part, and section 52, have effect despite any other law of the Commonwealth or the Northern Territory (whether written or unwritten).
- (2) Without limiting subsection (1), the provisions referred to in that subsection have effect despite anything contained in the *Lands Acquisition Act 1989*.

51 Native Title Act

- (1) Division 3 of Part 2 of the *Native Title Act 1993* does not apply in relation to the following acts:
 - (a) either:
 - (i) the grant of a lease of land under section 31; or
 - (ii) the vesting of rights, titles and interests in land under section 47;
 - (b) any other act done by, under or in accordance with any other provision of this Part;
 - (c) any act done by the Commonwealth, the Northern Territory or an Authority, within the period of 5 years beginning on the day on which this section commences, on land that has been resumed, or on land in respect of which a lease has been forfeited, in accordance with Division 2 of this Part (other than land in which a Commonwealth interest exists);
 - (d) any act done by the Commonwealth, the Northern Territory or an Authority on land in which a Commonwealth interest exists;
 - (e) any act (whether done by, under or in accordance with a law of the Commonwealth or the Northern Territory) that is related to an act referred to in paragraph (a), (b), (c) or (d).

Note: Division 3 of Part 2 of the *Native Title Act 1993* is about future acts.

(2) The non-extinguishment principle (within the meaning of the *Native Title Act 1993*) applies to the acts referred to in subsection (1).

(3) In this section:

Authority has the meaning given by the *Aboriginal Land Rights (Northern Territory) Act 1976*.

52 Aboriginal Land Rights (Northern Territory) Act

Grants of leases by a Land Trust under section 19

(1) Despite the grant of a lease of Aboriginal land under section 31, the Land Trust for the land may grant another lease, in accordance with section 19 of the *Aboriginal Land Rights (Northern Territory) Act 1976*, that covers part of that land.

Note: The Land Trust for land covered by a lease granted under section 31 may also grant, in respect of the land, an interest of a kind prescribed by the regulations (see subsection (4A)).

(2) The consent, in writing, of the Minister is required for the grant or variation of a lease under section 19 of that Act (as it applies because of subsection (1)) while the lease under section 31 is in force.

(3) If, in accordance with section 19 of the *Aboriginal Land Rights (Northern Territory) Act 1976* and this section, the Land Trust grants a lease that covers part of the land, the lease granted under section 31 that covers that part is varied, by force of this subsection, to exclude that part.

(4) A variation under subsection (3) takes effect at the time the lease granted under section 19 of that Act takes effect.

Grants of interests by a Land Trust under section 19 if prescribed by regulations

(4A) Despite the grant of a lease of Aboriginal land under section 31, the Land Trust for the land may, in accordance with section 19 of the *Aboriginal Land Rights (Northern Territory) Act 1976*, grant an interest (including a licence but not including a lease) of a kind prescribed by the regulations for the purposes of this section.

Section 53

No other dealings authorised

- (5) To avoid doubt, subsections (1) and (4A) do not authorise a Land Trust to deal with an estate or interest in land covered by a lease granted under section 31, other than by granting a lease or an interest as referred to in those subsections.

No approval required for certain contracts

- (6) Subsection 27(3) of the *Aboriginal Land Rights (Northern Territory) Act 1976* does not apply in relation to a contract with the Commonwealth relating to land covered by a lease granted under section 31.

Dealings by the Commonwealth

- (7) To avoid doubt, subsection 19(8) of the *Aboriginal Land Rights (Northern Territory) Act 1976* does not apply in relation to the grant, by the Commonwealth, of an interest in any land covered by a lease granted under section 31.

53 Public Works Committee Act

- (1) Section 18 of the *Public Works Committee Act 1969* does not apply in relation to work that is proposed to be carried out on the following land:
- (a) land covered by a lease granted under section 31;
 - (b) land in which a Commonwealth interest exists;
 - (c) land that has been resumed, or land in respect of which a lease has been forfeited, in accordance with Division 2 of this Part (other than land referred to in paragraph (1)(b)).
- (2) Subsection (1) applies in relation to land referred to in paragraph (1)(c) only within the period of 5 years beginning on the day on which this section commences.

54 Application of Commonwealth laws

- (1) The Minister may, by legislative instrument, specify a law, or a provision of a law, of the Commonwealth for the purposes of this section. The specified law or provision has no effect to the extent that it would, apart from this section, regulate, hinder or prevent the doing of an act in relation to:

- (a) land covered by a lease granted under section 31; or
 - (b) land in which a Commonwealth interest exists; or
 - (c) land that has been resumed, or land in respect of which a lease has been forfeited, in accordance with Division 2 of this Part (other than land referred to in paragraph (1)(b)).
- (2) Subsection (1) applies in relation to land referred to in paragraph (1)(c) only within the period of 5 years beginning on the day on which this section commences.

55 Registration of dealings with land done by force of this Act

- (1) This section applies in relation to the following dealings with land:
- (a) the grant of a lease under section 31;
 - (b) the variation or termination of a lease granted under section 31;
 - (c) a transfer of a right, title or interest under subsection 34(4) or (5) or 48(2);
 - (d) the termination of a right, title or interest, or a lease, under subsection 37(1) or section 49;
 - (e) the variation of a lease under section 39;
 - (f) the suspension, or the cessation of the suspension, of a lease under section 40;
 - (g) the vesting of rights, titles and interests in land under section 47;
 - (h) any other dealing with land that occurs:
 - (i) under or by force of this Act; or
 - (ii) under or by force of the Special Purposes Leases Act or the Crown Lands Act for the purposes of this Act.
- (2) The Minister may lodge with the Registrar-General for the Northern Territory (or other appropriate officer) a notification, certified by writing signed by the Minister, of the dealing with the land.
- (3) The officer with whom the notification is lodged must deal with and give effect to it as if it were a grant, conveyance, memorandum or instrument of transfer of relevant rights, titles and interests done under the laws of the Northern Territory.

56 Stamp duty and taxes not payable

No stamp duty or similar tax is payable under a law of the Northern Territory in relation to:

- (a) a grant or variation of a lease that occurs by force of Division 1 of this Part or section 52; or
- (b) the vesting of rights, titles and interests in land under section 47; or
- (c) any sublease granted by the Commonwealth under subsection 35(5).

57 Law relating to subdivisions not to apply to leases granted under section 31

The procedures for the subdivision of land, under the law of the Northern Territory relating to the transfer of land, do not apply in relation to land covered by a lease granted under section 31.

58 Modification of certain NT laws for land covered by this Part etc.

- (1) This section applies in relation to the following:
 - (a) land covered by a lease granted under section 31;
 - (b) land in which a Commonwealth interest exists;
 - (c) land that has been resumed, or land in respect of which a lease has been forfeited, in accordance with Division 2 of this Part (other than land referred to in paragraph (1)(b)).
- (2) Subsection (1) applies in relation to land referred to in paragraph (1)(c) only within the period of 5 years beginning on the day on which this section commences.
- (3) The regulations may make modifications of any law of the Northern Territory relating to:
 - (a) planning; or
 - (b) infrastructure; or
 - (c) the subdivision or transfer of land; or
 - (d) local government; or
 - (e) other prescribed matters;to the extent that the law applies to the land.
- (4) In subsection (3):

modifications includes additions, omissions and substitutions.

59 Application of laws of Northern Territory to land covered by this Part

- (1) To the extent that a law of the Northern Territory is capable of operating concurrently with this Act, this Part does not affect the application of the law to:
 - (a) land covered by a lease granted under section 31; or
 - (b) land in which a Commonwealth interest exists; or
 - (c) land that has been resumed, or land in respect of which a lease has been forfeited, in accordance with Division 2 of this Part (other than land referred to in paragraph (1)(b)).
- (2) Subsection (1) applies in relation to land referred to in paragraph (1)(c) only within the period of 5 years beginning on the day on which this section commences.

Division 4—Miscellaneous

60 Compensation for acquisition of property

- (1) Subsection 50(2) of the *Northern Territory (Self-Government) Act 1978* does not apply in relation to any acquisition of property referred to in that subsection that occurs as a result of:
 - (a) the operation of this Part; or
 - (b) any act done in relation to the following land:
 - (i) land covered by a lease granted under section 31;
 - (ii) land that has been resumed, or land in respect of which a lease has been forfeited, by the Commonwealth under the Special Purposes Leases Act or the Crown Lands Act;
 - (iii) land in which a Commonwealth interest exists; or
 - (c) any act done by the Commonwealth Minister under the Special Purposes Leases Act or the Crown Lands Act.
- (2) However, if the operation of this Part, or an act referred to in paragraph (1)(b) or (c), would result in an acquisition of property to which paragraph 51(xxxi) of the Constitution applies from a person otherwise than on just terms, the Commonwealth is liable to pay a reasonable amount of compensation to the person.
- (3) If the Commonwealth and the person do not agree on the amount of the compensation, the person may institute proceedings in a court of competent jurisdiction for the recovery from the Commonwealth of such reasonable amount of compensation as the court determines.

Note: The Court must take account of certain amounts paid or payable by the Commonwealth (see section 61).

- (4) In subsection (2):

acquisition of property has the same meaning as in paragraph 51(xxxi) of the Constitution.

just terms has the same meaning as in paragraph 51(xxxi) of the Constitution.

61 Amounts paid or payable

For the purposes of section 60, in determining a reasonable amount of compensation that is payable in relation to land, the Court must take account of:

- (a) any amounts of rent paid or payable in relation to the land under subsection 62(5); and
- (b) any amounts of compensation paid or payable by the Commonwealth under the Special Purposes Leases Act or the Crown Lands Act in relation to the land; and
- (c) any improvements to the land that are funded by the Commonwealth (whether before or after a lease is granted to, or all rights, titles or interests are vested in, the Commonwealth), including the construction of, or improvements to, any buildings or infrastructure on the land.

62 Payment of agreed amounts or rent etc.

Agreement on amounts in respect of leases granted under section 31

- (1A) The Commonwealth Minister and the relevant owner (the **other party**) (not being the Northern Territory) of land that is covered by a lease granted under section 31 may agree in writing on an amount to be paid by the Commonwealth to the other party.
- (1B) The payment of the amount agreed under subsection (1A) may be made as a one-off payment, or a periodic payment while the lease is in force, as agreed by the Commonwealth Minister and the other party.
- (1C) Before the Commonwealth Minister and the other party agree on an amount under subsection (1A), the Commonwealth Minister may request the Valuer-General (appointed under section 5 of the *Valuation of Land Act* of the Northern Territory) to determine an indicative amount for the purposes of subsection (1A).

Agreement on amounts in respect of lease terminated under paragraph 37(1)(b)

- (1D) The Commonwealth Minister and the person (the **other party**) who held a lease of land that is terminated under paragraph 37(1)(b)

may agree in writing on an amount to be paid as a one-off payment by the Commonwealth to the other party.

Agreement on amounts in respect of leases suspended under section 40

- (1E) The Commonwealth Minister and the person (the *other party*) who holds a lease of land that is suspended under section 40 may agree in writing on an amount to be paid by the Commonwealth to the other party.
- (1F) The payment of the amount agreed under subsection (1E) may be made as a one-off payment, or a periodic payment while the lease is suspended, as agreed by the Commonwealth Minister and the other party.

General provisions relating to payment of agreed amounts

- (1G) The Commonwealth must pay the other party the amount agreed under subsection (1A), (1D) or (1E).
- (1H) If the other party is not represented by a Land Council (within the meaning of the *Aboriginal Land Rights (Northern Territory) Act 1976*) in relation to negotiations to agree on an amount under subsection (1A), (1D) or (1E), the Commonwealth must pay the reasonable expenses incurred in representing the other party in relation to the negotiations.

Payment of rent

- (1) The Commonwealth Minister may, from time to time, request the Valuer-General (appointed under section 5 of the *Valuation of Land Act* of the Northern Territory) to determine a reasonable amount of rent to be paid by the Commonwealth to the relevant owner (not being the Northern Territory) of land that is covered by a lease granted under section 31.

General provisions relating to requests for valuation

- (2) The Valuer-General must comply with a request from the Commonwealth Minister under subsection (1C) or (1).
- (3) Sections 7, 41 and 42 of the *Valuation of Land Act* of the Northern Territory apply, in relation to a request by the Commonwealth

Minister under subsection (1C) or (1), as if a reference in those sections to the *Valuation of Land Act* were a reference to this section.

- (4) In making a determination under subsection (1C) or (1), the Valuer-General must not take into account the value of any improvements on the land.
- (5) The Commonwealth must pay the amount determined by the Valuer-General under subsection (1) in relation to the land to the relevant owner of the land while the lease is in force.

63 Appropriation

- (1) The section applies to the following amounts:
 - (a) an amount that is payable by the Commonwealth under section 60 or 62;
 - (b) an amount that is payable by the Commonwealth under the Special Purposes Leases Act;
 - (c) an amount that is payable by the Commonwealth under the Crown Lands Act;
 - (d) an amount:
 - (i) that is paid to the Commonwealth in respect of a right, title or interest in land that is taken to have been granted by the Commonwealth under subsection 34(4); and
 - (ii) that is payable by the Commonwealth to the relevant owner of the land;
 - (e) an amount:
 - (i) that is paid to the Commonwealth in respect of a sublease granted by the Commonwealth under subsection 35(5); and
 - (ii) that is payable by the Commonwealth to the relevant owner of the land;
 - (f) an amount that is payable by the Commonwealth under section 33B of the *Aboriginal Land Rights (Northern Territory) Act 1976*.
- (2) Amounts referred to in subsection (1) are payable out of the Consolidated Revenue Fund, which is appropriated accordingly.

64 Modification of Part 4 of Schedule 1 by the regulations

- (1) The regulations may amend Part 4 of Schedule 1 to this Act by omitting land referred to in that Part.
- (2) For the purposes of the *Amendments Incorporation Act 1905*, amendments made by regulations for the purposes of this section are to be treated as if they had been made by an Act.

Note: This subsection ensures that the amendments can be incorporated in a reprint of the Act.

Part 5—Business management areas

Division 1—Funding agreements

65 Commonwealth may vary or terminate funding agreements

- (1) This section applies to a funding agreement whether entered into before, on or after the day on which this section commences.
- (2) The Commonwealth may vary a funding agreement (including by omitting existing terms and conditions or adding new terms and conditions) in relation to all or any of the following:
 - (a) the release of funding under the agreement;
 - (b) the way funds are to be spent in accordance with the agreement;
 - (c) the requirements for reporting in relation to services provided under the agreement;
 - (d) the appointment of a person to control funds provided under the agreement;
 - (e) the ways that assets acquired, wholly or partly, with Commonwealth funding are to be used, managed or secured.
- (3) To the extent that a funding agreement does not include a clause in substantially the same terms as the clause set out in Schedule 3 to this Act, the agreement is taken to include the clause set out in Schedule 3 to this Act.
- (4) In this section:
asset excludes an asset that is fixed to land.

66 Effect of varied funding agreement

- (1) If a funding agreement is varied, as allowed by subsection 65(2), the variation:
 - (a) takes effect on the day on which the variation is made; and
 - (b) has effect, despite section 6, for the remainder of the term of the agreement.

Part 5 Business management areas

Division 1 Funding agreements

Section 66

- (2) If a funding agreement is taken to include the clause set out in Schedule 3 to this Act, the included clause has effect, despite section 6, for the remainder of the term of the agreement.

Division 2—Directions relating to services provided in business management areas

Subdivision A—Directions relating to services

67 Minister may give directions relating to services

- (1) This section applies if:
 - (a) a community services entity provides services in a business management area; and
 - (b) either:
 - (i) the Minister is satisfied that a service is not being provided in the area; or
 - (ii) a service is not being provided in the area to the satisfaction of the Minister; and
 - (c) the Minister is satisfied that funding has been provided by the Commonwealth or the Northern Territory that could be used by the entity to provide the service in the area.
- (2) The Minister may give a direction, in writing, to the community services entity to do all or any of the following:
 - (a) provide the service;
 - (b) provide the service in a specified way (including directing that a specified person is to do, or is not to do, any specified thing in relation to the provision of the service);
 - (c) provide the service within a specified period or periods.
- (3) Despite subsection 14(2) of the *Legislative Instruments Act 2003*, a direction may make provision in relation to a matter by applying, adopting or incorporating, with or without modification, any matter contained in any other instrument or writing as in force or existing:
 - (a) at the time when the direction is made; or
 - (b) from time to time.
- (4) A direction given under this section is a legislative instrument, but section 42 (disallowance) of the *Legislative Instruments Act 2003* does not apply to the direction.

Subdivision B—Directions relating to assets

68 Minister may give directions relating to assets

- (1) This section applies if:
 - (a) a community services entity owns, controls or possesses an asset; and
 - (b) the entity provides services in a business management area; and
 - (c) the Minister is satisfied that:
 - (i) the asset's use is required for providing services in the area; and
 - (ii) funding has been provided by the Commonwealth or the Northern Territory that could be used to provide those services (*funded services*).
- (2) The Minister may give a direction, in writing, to the entity to do any of the following for the purpose of providing funded services in the business management area:
 - (a) use the asset in a particular way;
 - (b) manage the asset in a particular way;
 - (c) if the asset is in the entity's possession—transfer possession of the asset to:
 - (i) another community services entity; or
 - (ii) the Commonwealth; or
 - (iii) a specified person;
 - (d) if the asset is owned or controlled by the entity—transfer ownership or possession of the asset to:
 - (i) another community services entity; or
 - (ii) the Commonwealth; or
 - (iii) a specified person.
- (3) If the Minister gives a direction under subparagraph (2)(c)(i) or (iii) or (2)(d)(i) or (iii), the Minister may give a direction, in writing, to the transferee to do any of the things mentioned in paragraphs (2)(a), (b), (c) and (d).
- (4) A direction given under this section is a legislative instrument, but section 42 (disallowance) of the *Legislative Instruments Act 2003* does not apply to the direction.

(5) In this section:

asset means an item of movable personal property, other than money or a chose in action.

transferee means a community services entity or person to whom possession or ownership of an asset has been transferred in compliance with a direction under subsection (2) or (3).

Subdivision C—Compliance

69 Civil penalty—failing to comply with direction

A person contravenes this section if:

- (a) the person is given a direction under this Division; and
- (b) the person fails to comply with the direction.

Civil penalty: 50 penalty units.

Note 1: A person may be relieved, wholly or partly, from liability to which the person would otherwise be subject, or that might otherwise be imposed, because of the contravention: see section 84.

Note 2: An injunction may also be obtained from the Federal Court to enforce compliance with a direction: see section 89.

Subdivision D—Miscellaneous

70 Directions—relationship with existing laws etc.

- (1) A direction given under this Division has effect despite either of the following:
 - (a) a law of the Northern Territory, or an instrument (however described) made under a law of the Northern Territory;
 - (b) the constitution of a community services entity.
- (2) However, if a direction (the *Commonwealth direction*) given under this Division is in force in relation to a community services entity at the same time that another direction (the *NT direction*) is in force in relation to the entity under section 181A of the Local Government Act:
 - (a) the Commonwealth direction and the NT direction each apply to the extent that they can operate concurrently; but

Part 5 Business management areas

Division 2 Directions relating to services provided in business management areas

Section 71

- (b) to the extent that there is any inconsistency between the Commonwealth direction and the NT direction, the Commonwealth direction prevails.

71 Directions—publication

The Minister may publish a direction given under this Division in a way the Minister considers appropriate.

Division 3—Observers of community services entities

72 Minister may appoint observers

- (1) The Minister may appoint, in writing, one or more persons to be an observer of a community services entity if the entity performs functions or provides services in a business management area.
- (2) An observer is entitled to attend a meeting (however described) of:
 - (a) the community services entity; or
 - (b) any committee (however described) established by the entity or under the entity's constituting legislation.
- (3) An observer entitled to attend a meeting:
 - (a) has the same rights and obligations as a member of the entity or committee, other than voting rights; and
 - (b) for the purposes of section 48A of the *Interpretation Act* of the Northern Territory, is treated as a member of the entity or committee.

Note: Section 48A of the *Interpretation Act* of the Northern Territory provides for participation in meetings by telephone etc.
- (4) To avoid doubt, an observer may be present:
 - (a) during any deliberations of the entity or committee with respect to a matter; and
 - (b) during any voting on the matter.
- (5) A community services entity must not impose fees in respect of an observer appointed under this section being an observer of the entity.

73 Notices

Notice of appointment

- (1) The Minister must give written notice to a community services entity of a person's appointment as an observer of that entity.

Section 74

Notice of meeting etc.

- (2) The community services entity must give to any observer entitled to attend a meeting (as mentioned in subsection 72(2)):
 - (a) notice of the day, time and place of the meeting; and
 - (b) a copy of any papers or documents to be considered at the meeting or that provide background to matters to be considered at the meeting; and
 - (c) minutes of the previous meeting or, if minutes were not recorded, notice of decisions made at the previous meeting;at the same time, and in the same way, as these things are required to be, or are usually, given to a member of the entity or committee.
- (3) If the things mentioned in subsection (2) cannot be given to an observer at the same time, and in the same way, as those things have been given to a member of the community services entity or committee, the entity must give those things to the observer as quickly as reasonably possible.

74 Civil penalty—failing to give notice etc. of meeting

A community services entity contravenes this section if:

- (a) the entity is given a notice under subsection 73(1); and
- (b) the entity fails to give a thing required to be given to an observer within the time mentioned in subsection 73(2) or (3).

Civil penalty: 50 penalty units.

Note 1: A person may be relieved, wholly or partly, from liability to which the person would otherwise be subject, or that might otherwise be imposed, because of the contravention: see section 84.

Note 2: An injunction may also be obtained from the Federal Court to enforce compliance with a direction: see section 89.

75 Application of Division

This Division applies despite either of the following:

- (a) a law of the Northern Territory or an instrument (however described) made under a law of the Northern Territory;
- (b) the constitution of a community services entity.

Division 4—Commonwealth management in business management areas

Subdivision A—Commonwealth management of community government councils

76 Definitions

Expressions used in Table 1 in Schedule 4 that are defined in the Local Government Act have the same meanings as in that Act.

77 Effect of Local Government Act

- (1) The Local Government Act has effect subject to the modifications in this Subdivision in relation to a community government council (within the meaning of that Act).
- (2) The Local Government Act, as modified by this Subdivision, has effect as a law of the Northern Territory.

78 Community government councils—Commonwealth management

- (1) The Local Government Act has effect as if the Commonwealth Minister had the same powers in relation to a community government council (within the meaning of that Act) as the Northern Territory Minister under Part 13 of that Act, subject to this section.
- (2) The Commonwealth Minister may suspend all the members of a community government council under subsection 264(1) of the Local Government Act (as modified by this section) only if:
 - (a) the ground for suspension under that subsection relates to the provision of services by the council in a business management area; and
 - (b) the Commonwealth Minister is satisfied that funding has been provided by the Commonwealth or the Northern Territory that could be used by the council to provide the services.

Section 79

- (3) The Local Government Act has effect in relation to the exercise of the powers by the Commonwealth Minister as if:
 - (a) that Act were modified as set out in Table 1 in Schedule 4; and
 - (b) references in Part 13 of that Act (as so modified) to the Northern Territory Minister were references to the Commonwealth Minister.
- (4) The regulations may amend Table 1 in Schedule 4 for the purposes of this section.
- (5) For the purposes of the *Amendments Incorporation Act 1905*, amendments made by the regulations for the purposes of this section are to be treated as if they had been made by an Act.

Note: This subsection ensures that the amendments can be incorporated in a reprint of the Act.

Subdivision B—Commonwealth management of incorporated associations

79 Definitions

Expressions used in Table 2 in Schedule 4 that are defined in the Associations Act have the same meanings as in that Act.

80 Effect of Associations Act

- (1) The Associations Act has effect subject to the modifications in this Subdivision in relation to an incorporated association (within the meaning of that Act).
- (2) The Associations Act, as modified by this Subdivision, has effect as a law of the Northern Territory.

81 Incorporated associations—Commonwealth management

- (1) The Associations Act has effect as if the Commonwealth Minister had the same powers in relation to an incorporated association (within the meaning of that Act) as the Northern Territory Commissioner under Division 2 of Part 9 of that Act, subject to this section.

- (2) The Commonwealth Minister may appoint a statutory manager to administer the affairs of the association under subsection 78(1) of the Associations Act (as modified by this section) only if:
- (a) the ground for appointment under that subsection relates to the provision of services by the association in a business management area; and
 - (b) the Commonwealth Minister is satisfied that funding has been provided by the Commonwealth or the Northern Territory that could be used by the association to provide the services.
- (3) The Associations Act has effect in relation to the exercise of the powers by the Commonwealth Minister as if:
- (a) references in Division 2 of Part 9 of that Act to the Northern Territory Commissioner were references to the Commonwealth Minister; and
 - (b) that Act were otherwise modified as set out in Table 2 in Schedule 4.
- (4) The regulations may amend Table 2 in Schedule 4 for the purposes of this section.
- (5) For the purposes of the *Amendments Incorporation Act 1905*, amendments made by the regulations for the purposes of this section are to be treated as if they had been made by an Act.
- Note: This subsection ensures that the amendments can be incorporated in a reprint of the Act.
- (6) In this section:
- Northern Territory Commissioner*** means the Commissioner within the meaning of the Associations Act.

Division 5—Enforcement

Subdivision A—Civil penalties

82 Federal Court may order person to pay pecuniary penalty for contravening civil penalty provision

Application for order

- (1) Within 6 years of a person (the *wrongdoer*) contravening a civil penalty provision, the Secretary may apply on behalf of the Commonwealth to the Federal Court for an order that the wrongdoer pay the Commonwealth a pecuniary penalty.

Court may order wrongdoer to pay pecuniary penalty

- (2) If the Federal Court is satisfied that the wrongdoer has contravened a civil penalty provision, the Court may order the wrongdoer to pay to the Commonwealth for each contravention the pecuniary penalty that the Court determines is appropriate (but not more than the maximum amount specified for the provision).

Determining amount of pecuniary penalty

- (3) In determining the pecuniary penalty, the Federal Court must have regard to all relevant matters, including:
 - (a) the nature and extent of the contravention; and
 - (b) the nature and extent of any loss or damage suffered as a result of the contravention; and
 - (c) the circumstances in which the contravention took place; and
 - (d) whether the person has previously been found by the Court in proceedings under this Act to have engaged in any similar conduct.

Civil evidence and procedure rules apply

- (4) The Federal Court must apply the rules of evidence and procedure for civil matters when hearing and determining an application for an order under this section.

Note: The standard of proof in civil proceedings is the balance of probabilities: see section 140 of the *Evidence Act 1995*.

83 Persons involved in contravening civil penalty provision

- (1) A person must not:
 - (a) aid, abet, counsel or procure a contravention of a civil penalty provision; or
 - (b) induce (by threats, promises or otherwise) a contravention of a civil penalty provision; or
 - (c) conspire to contravene a civil penalty provision.
- (2) This Part applies to a person who contravenes subsection (1) in relation to a civil penalty provision as if the person had contravened the civil penalty provision.

84 Relief for contravening civil penalty provisions

- (1) If:
 - (a) proceedings for the contravention of section 69 or 74 are brought against a person; and
 - (b) in the proceedings it appears to the Federal Court that the person has, or may have, contravened that section but that:
 - (i) the person has a reasonable excuse; and
 - (ii) having regard to all the circumstances of the case, the person ought fairly to be excused for the contravention;the Court may relieve the person either wholly or partly from a liability to which the person would otherwise be subject, or that might otherwise be imposed on the person, because of the contravention.
- (2) If a person thinks that proceedings for the contravention of section 69 or 74 will or may be begun against the person, he or she may apply to the Federal Court for relief.
- (3) On an application under subsection (2), the Federal Court may grant relief under subsection (1) as if proceedings had been begun in the Federal Court.
- (4) For the purposes of subsection (2) as applying for the purposes of a case tried by a judge with a jury:
 - (a) a reference in that subsection to the Federal Court is a reference to the judge; and
 - (b) the relief that may be granted includes withdrawing the case in whole or in part from the jury and directing judgment to be

entered for the person on such terms as to costs as the judge thinks appropriate.

85 Recovery of a pecuniary penalty

If the Federal Court orders a person to pay a pecuniary penalty, the Commonwealth may enforce the order as if it were a judgment of the Court.

86 Gathering information for application for pecuniary penalty

- (1) This section applies if it appears to the Secretary that a person (the *wrongdoer*) may have contravened a civil penalty provision.
- (2) If the Secretary, on reasonable grounds, suspects that a person other than the wrongdoer can give information relevant to an application for a civil penalty order in relation to the contravention, whether or not such an application has been made, the Secretary may, by writing given to the person, require the person to give all reasonable assistance in connection with such an application.
- (3) Subsection (2) does not apply in relation to a duly qualified legal practitioner who is acting, or has acted, for the wrongdoer.
- (4) If a person fails to give assistance as required under subsection (2), the Federal Court may, on the application of the Secretary, order the person to comply with the requirement as specified in the order.
- (5) If a person fails to give assistance as required under subsection (2), the person commits an offence against this subsection.

Penalty: 30 penalty units.

- (6) A requirement made under subsection (2) is not a legislative instrument.

87 Continuing and multiple contraventions of civil penalty provisions

- (1) If, under this Part, an act or thing is required to be done within a particular period or before a particular time, then, unless the contrary intention appears, the obligation to do that act or thing continues, even if the period has expired or the time has passed, until the act or thing is done.

- (2) If a refusal or failure to comply with a requirement described in subsection (1) contravenes a civil penalty provision, a person contravenes the provision on each day during which the person refuses or fails to comply with that requirement, including the day the Federal Court orders the person to pay a pecuniary penalty for any of the contraventions or any later day.
- (3) Proceedings against a person for any number of orders to pay pecuniary penalties for contraventions of a civil penalty provision that are founded on the same facts, or form, or are part of, a series of contraventions of the same or a similar character, may be joined.
- (4) The Federal Court may make a single order to pay a pecuniary penalty for all the contraventions described in subsection (3), but the penalty must not exceed the sum of the maximum penalties that could be ordered if a separate penalty were ordered for each of the contraventions.
- (5) Subsection (1) does not affect the application of section 4K of the *Crimes Act 1914* in relation to any law of the Commonwealth.

Subdivision B—Application of civil penalty provisions

88 Application of civil penalty provisions

The civil penalty provisions created by this Part (sections 69 and 74) apply to a contravention that occurs on or after the 28th day after the day on which this Act receives the Royal Assent.

Subdivision C—Injunctions

89 Injunctions

- (1) If a person:
 - (a) has engaged or is engaging in conduct that contravenes this Part (other than Division 4); or
 - (b) is proposing to engage in conduct that would contravene this Part (other than Division 4);the Federal Court may, on the application of the Minister or any person whose interests have been, are or would be affected by the conduct or proposed conduct, grant an injunction on such terms as the Court considers appropriate.

Section 89

- (2) If a person:
- (a) has refused, failed, is refusing or failing, or is proposing to refuse or fail, to do an act or thing; and
 - (b) that refusal or failure contravenes, or would contravene, this Part (other than Division 4);
- the Federal Court may, on the application of the Minister or any person whose interests have been, are or would be affected by the refusal or failure, grant an injunction on such terms as the Court considers appropriate.
- (3) If, in the opinion of the Federal Court it is desirable to do so, the Court may grant an interim injunction pending the determination of an application under subsection (1) or (2).
- (4) If the Minister makes an application to the Federal Court under this section, the Court shall not require the Minister or any other person, as a condition of granting an interim injunction, to give any undertakings as to damages.

Part 6—Bail and sentencing

90 Matters to be considered in certain bail applications

- (1) In determining whether to grant bail to a person charged with, or convicted of, an offence against a law of the Northern Territory, or in determining conditions to which bail granted to such a person should be subject, a bail authority:
 - (a) must take into consideration the potential impact of granting bail on:
 - (i) any person against whom the offence is, or was, alleged to have been committed; and
 - (ii) any witness, or potential witness, in proceedings relating to the alleged offence, or offence; and
 - (b) must not take into consideration any form of customary law or cultural practice as a reason for:
 - (i) excusing, justifying, authorising, requiring or lessening the seriousness of the alleged criminal behaviour to which the alleged offence relates, or the criminal behaviour to which the offence relates; or
 - (ii) aggravating the seriousness of the alleged criminal behaviour to which the alleged offence relates, or the criminal behaviour to which the offence relates.
- (2) If a person referred to in subparagraph (1)(a)(i) or (ii) is living in, or otherwise located in, a remote community, the bail authority must also take into consideration that fact in considering the potential impact of granting bail on that person.
- (3) To avoid doubt, except as provided by subsections (1) and (2), this section does not affect any other matters that a bail authority must, must not or may take into consideration in determining whether to grant bail or in determining conditions to which bail should be subject.

91 Matters to which court is to have regard when passing sentence etc.

In determining the sentence to be passed, or the order to be made, in respect of any person for an offence against a law of the Northern Territory, a court must not take into account any form of customary law or cultural practice as a reason for:

- (a) excusing, justifying, authorising, requiring or lessening the seriousness of the criminal behaviour to which the offence relates; or
- (b) aggravating the seriousness of the criminal behaviour to which the offence relates.

Part 7—Licensing of community stores

Division 1A—Object of Part

91A Object of Part

- (1) The object of this Part is to enable special measures to be taken for the purpose of promoting food security for certain Indigenous communities in the Northern Territory.
- (2) In particular, this Part is intended to enhance the contribution made by community stores in the Northern Territory to achieving food security for certain Indigenous communities.

Division 1—Meaning of expressions

91B Meaning of *food security*

For the purposes of this Act, *food security* means a reasonable ongoing level of access to a range of food, drink and grocery items that is reasonably priced, safe and of sufficient quantity and quality to meet nutritional and related household needs.

92 Meaning of *community store*

- (1) A business is a *community store* if:
 - (a) the Secretary is satisfied that the business is a key source of food, drink and grocery items for an Indigenous community; and
 - (b) the business is carried on:
 - (i) at premises in a prescribed area; or
 - (ii) at premises in an area or place in the Northern Territory that is specified by the Minister under subsection 123(1) for the purposes of this subparagraph; or
 - (iii) at premises in the Northern Territory that are specified by the Minister under subsection 123(2) for the purposes of this subparagraph.
- (2) The following businesses are not *community stores*:
 - (c) a business at premises in an area or place in the Northern Territory that is an area or place specified by the Minister under subsection 123(3) for the purposes of this paragraph;
 - (d) a business at premises specified by the Minister under subsection 123(4) for the purposes of this paragraph;
 - (e) a business of a kind prescribed by the regulations for the purposes of this paragraph.

93 Meaning of *assessable matters*

- (1) The *assessable matters*, in relation to a community store, are the following:
 - (a) whether the community store makes, or will make, available a sufficient quantity and range of safe and good quality food,

- drink and grocery items to meet the nutritional and related household needs of each Indigenous community it services or may service;
- (b) the capacity of the manager to promote, and the manager's promotion of, better nutritional outcomes through methods including, but not limited to:
 - (i) stock placement and store layout; and
 - (ii) nutritional displays and demonstrations;
 - (c) the quality of the retail management practices of the manager in relation to matters including, but not limited to, the following:
 - (i) stock management;
 - (ii) adequacy of stock storage;
 - (iii) stock pricing methodology;
 - (iv) sustainable management of store infrastructure;
 - (v) point of sale management;
 - (vi) the practices of the store in relation to maintaining cleanliness and hygiene;
 - (vii) the practices of the store in relation to ensuring the safety of its customers and employees;
 - (viii) freight arrangements;
 - (d) whether the financial practices of the owner and manager of the community store support the sustainable operation of the store including, but not limited to, in relation to the following:
 - (i) financial accounting practices;
 - (ii) budgeting procedures;
 - (iii) creditor and debtor management;
 - (iv) cash and assets management;
 - (v) procurement practices;
 - (vi) insurance arrangements;
 - (vii) management of employment arrangements;
 - (e) the character of the manager, employees and other persons associated with carrying on the business of the community store, including, but not limited to, whether the manager, employees or other persons have a criminal history;
 - (f) the business structure and governance practices of the community store;

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- (g) the community store's capacity to participate in, and (if applicable) the community store's record of compliance with the requirements of, the income management regime;
 - (h) matters relating to food security specified by the Minister under subsection 125(2);
 - (i) any other matter relating to food security that the Secretary considers relevant.
- (2) For the purpose of considering whether to grant a community store licence to a person, the Secretary may consider the assessable matters as they apply to a community store at the time of the consideration or as the person proposes they will apply in future in relation to a community store.
- (3) For the purpose of considering whether to revoke, vary or impose conditions upon a community store licence held by a person, the Secretary may consider the assessable matters as they apply to the community store to which the licence relates or will relate at the time of the consideration, or as they are proposed to apply to the store in future.
- (4) The Secretary may, by written notice given to:
- (a) an individual who is the manager or an employee of a community store; or
 - (b) another person associated with the carrying on of the business of a community store;
- request the individual to give to the Secretary any written consent that the Secretary requires to enable criminal records to be checked for the purposes of this Part.
- (5) This section does not affect the operation of Part VIIC of the *Crimes Act 1914* (which includes provisions that, in certain circumstances, relieve persons from the requirement to disclose spent convictions and require persons aware of such convictions to disregard them).

93A Meanings of *owner* and *manager*

- (1) For the purposes of this Act, the ***owner*** of a community store is the person who has overall ownership of the community store business and is entitled to the profits (if any), and liable for the debts (if any), of the community store.

- (2) For the purposes of this Act, the *manager* of a community store is the person who is responsible for the day to day management of the community store.
- (3) To avoid doubt:
 - (a) the same person can be both the owner and manager of a community store; and
 - (b) more than one person can be:
 - (i) the owner of a community store; or
 - (ii) the manager of a community store.

93B Unincorporated associations and partnerships

- (1) For the purposes of the definition of *owner* of a community store in subsection 93A(1), an unincorporated association or a partnership:
 - (a) is taken to be a person; and
 - (b) is taken to have overall ownership of the community store business and to be entitled to the profits (if any), and liable for the debts (if any), of the community store, if:
 - (i) in the case of an unincorporated association—one or more members of the unincorporated association, have overall ownership of the community store business and are entitled to those profits and liable for those debts; or
 - (ii) in the case of a partnership—one or more partners in the partnership have overall ownership of the community store business and are entitled to those profits and liable for those debts.
- (2) If, because of subsection (1), an unincorporated association or a partnership is the owner of a community store, this Part applies as follows in relation to the unincorporated association or partnership:
 - (a) if a provision of this Part requires or permits a notice to be given to the owner of the community store, the notice may be given to the following:
 - (i) in the case of an unincorporated association—any of the members of the committee of management from time to time;
 - (ii) in the case of a partnership—any of the partners from time to time;
 - (b) anything done, or not done, by a member of the committee of management or a partner, in relation to the community store,

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is taken to have been done, or not done, by the unincorporated association or the partnership;

- (c) the obligations, requirements and restrictions imposed, and the rights conferred, under this Part upon the owner of the community store are taken to be imposed or conferred upon the members of the committee of management, or the partners, from time to time.
- (3) For the purposes of this Part, a change in the composition of an unincorporated association or a partnership does not affect the continuity of the unincorporated association or partnership.
- (4) In this section:

committee of management of an unincorporated association means a body (however described) that governs, manages or conducts the affairs of the association.

93C More than one owner or manager of a community store

If more than one person is the owner or the manager of a community store, this Part applies as follows:

- (a) if a provision of this Part requires or permits a notice to be given to the owner of the community store the notice may be given to any of the owners;
- (b) if a provision of this Part requires or permits a notice to be given to the manager of the community store, the notice may be given to any of the managers;
- (c) the obligations, requirements and restrictions imposed, and rights conferred, under this Part upon the owner of the community store are taken to be imposed or conferred upon each owner;
- (d) the obligations, requirements and restrictions imposed, and rights conferred, under this Part upon the manager of the community store are taken to be imposed or conferred upon each manager.

Division 2—Assessments of community stores

94 Community stores may be assessed

- (1) The Secretary may, on the Secretary's own initiative, require an authorised officer to assess a community store for one or more of the following purposes:
 - (a) deciding whether or not a community store licence is required to be held in relation to a community store (see Division 2A);
 - (b) deciding whether to grant, revoke, vary or impose conditions upon a community store licence (see Division 3).
- (2) In assessing a community store, an authorised officer must have regard to the following:
 - (a) in the case of an assessment referred to in paragraph (1)(a)—the general objective of promoting food security in an Indigenous community the community store services or may service;
 - (b) in the case of an assessment referred to in paragraph (1)(b)—the assessable matters (see section 93).
- (3) In assessing a community store, an authorised officer may consult with such persons as the authorised officer considers appropriate.
- (4) The Secretary may require an authorised officer to assess a community store whether or not an application under section 96 has been made in relation to the community store.

95 Notice in relation to assessments

- (1) This section applies if an assessment of a community store is to be, or is being, conducted.
- (2) The Secretary, or the authorised officer responsible for conducting the assessment, must give a written notice to the owner and the manager of the community store that specifies the following:
 - (a) that the assessment is to be, or is being, conducted;
 - (b) the name of the authorised officer or authorised officers who are conducting, or will conduct, the assessment;
 - (c) the purpose of the assessment;

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- (d) the matters to which the authorised officer is to have regard in conducting the assessment (see subsection 94(2)).
- (3) If entry to the community store, or access to material or documents, is required for the purposes of the assessment, written notice of the requirement must be given (whether in the notice under subsection (2) or in another notice) at least 7 working days before the entry or access is required, unless a shorter period is agreed with the owner or manager.
- (4) To avoid doubt, nothing in this section requires that a store be visited or entered for the purposes of conducting an assessment.

Division 2A—Secretary may require community store licences

95A Secretary may decide whether a community store licence is required

- (1) The Secretary may, at any time, consider whether a community store licence is required to be held by the owner of a community store.
- (2) If the Secretary decides that a community store licence is or is not required to be held by the owner of a community store, the Secretary must give written notice of the decision to the owner and the manager of the community store.

Note: Under subsection 33(3) of the *Acts Interpretation Act 1901*, the Secretary may vary or revoke a notice.

- (3) The Secretary must not decide that a community store licence is required to be held by the owner of a community store unless the Secretary is satisfied that to do so is reasonably likely to promote food security for an Indigenous community that the community store services or may service.
- (4) In making a decision under this section, the Secretary must have regard to:
 - (a) the circumstances, concerns and views of people who are being serviced by the community store; and
 - (b) the object of this Part (see section 91A).

Division 3—Licensing of community stores

Subdivision A—Granting and refusing to grant community store licences

96 Application for a community store licence

- (1) The owner of a community store, or a person acting on the owner's behalf, may apply for a community store licence in relation to the community store.
- (2) An application is to be made in the form (if any) specified in writing by the Secretary.
- (3) A form under subsection (2) may specify:
 - (a) the information to be included in an application; and
 - (b) documents or other material that must accompany an application.

97 Decision to grant or refuse a community store licence

- (1) The Secretary must decide whether to grant a community store licence to the owner of a community store if:
 - (a) an application for the community store licence has been made under section 96; or
 - (b) a notice under section 95A that a community store licence is required to be held by the owner of the community store is in effect, and such a licence was not in effect at the time the notice was given.
- (2) The Secretary may grant a community store licence to the owner of a community store on the Secretary's own initiative.
- (3) The Secretary must not grant a community store licence to the owner of a community store unless the Secretary is satisfied that, if the licence is granted, the community store or stores to which the licence relates will be operated in a satisfactory manner, having regard to:
 - (a) the assessable matters; and

- (b) any assessment of the community store or stores under section 94; and
 - (c) any other matter the Secretary considers relevant.
- (4) The Secretary may refuse to grant a community store licence to a person if:
- (a) the person or another person:
 - (i) unreasonably withholds consent for an authorised officer to enter the premises of the community store under section 118; or
 - (ii) unreasonably refuses to provide documents, material or assistance as required by section 119; or
 - (b) in any case—the person does not give the Secretary sufficient documents, material or assistance to enable the Secretary to make an informed decision.
- (5) In making a decision under this section, the Secretary must have regard to:
- (a) the circumstances, concerns and views of people who are being serviced by the community store; and
 - (b) the object of this Part (see section 91A).

98 Community store licence may relate to more than one store

A community store licence may be expressed to relate to a specified community store or specified community stores.

99 Procedure before refusing to grant a community store licence

- (1) If the Secretary proposes to refuse to grant a community store licence, the Secretary must give written notice of the proposed refusal to the owner and the manager of the community store.
- (2) The notice must:
 - (a) specify the reasons for the proposed refusal; and
 - (b) invite written responses, from the owner and manager of the community store, to the matters specified in the notice; and
 - (c) specify the day (the *response day*) by which responses are to be received; and
 - (d) specify the address where written responses are to be lodged.

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- (3) The response day must not be less than 7 working days after the day on which the notice is given.
- (4) If:
 - (a) the community store has been assessed for the purpose of deciding whether to grant the licence; and
 - (b) a notice under section 95A that a community store licence is required to be held by the owner of the store is in effect;the notice under subsection (1) must advise that, if a community store licence is not held by the owner of the community store by the day specified in the notice, or by a later day agreed to by the Secretary, the community store will not be eligible to participate in the income management regime after that day.
- (5) The Secretary must not refuse to grant a community store licence unless:
 - (a) each person required to be given a notice under subsection (1) has been given such a notice; and
 - (b) the Secretary has considered all written responses received by the response day.

100 Duration of community store licence

A community store licence has effect for the period:

- (a) beginning on the day specified in the licence or, if no day is specified, the day on which the licence is granted; and
- (b) ending on whichever of the following days occurs first:
 - (i) the day specified in the licence as the day on which the licence ceases to be in effect;
 - (ii) the day on which the licence is revoked;
 - (iv) the day on which this Part ceases to have effect.

101 Notice of decision

- (1) If the Secretary decides to grant a community store licence, the Secretary:
 - (a) must give written notice of the decision to the owner and the manager of the community store; and
 - (b) must attach a copy of the licence (including any conditions to which it is subject).

- (2) If the Secretary decides to refuse to grant a community store licence, the Secretary must give written notice of the decision to the owner and the manager of the community store.
- (3) A notice under subsection (2) must specify the reasons for the refusal.

Subdivision B—Conditions of community store licences

102 Community store licence is subject to conditions

A community store licence is subject to the following conditions:

- (a) the conditions set out in sections 104 (satisfactory performance) and 105 (monitoring and audits);
- (b) the conditions (if any) specified by the Minister under section 124;
- (c) the conditions (if any) imposed by the Secretary at the time of issuing the licence;
- (d) the conditions imposed by the Secretary under section 107 after the licence is granted.

103 Conditions that may be specified or imposed

Licence conditions that are specified by legislative instrument or imposed by the Secretary under section 102 may relate to, but are not limited to, the following:

- (a) assessable matters (including, but not limited to, specifying standards to be met in relation to assessable matters);
- (b) documentation and record-keeping requirements;
- (ba) notifying a change of manager or owner (whether permanent or temporary);
- (bb) notifying a change in the composition or structure of the owner;
- (c) the income management regime (including, but not limited to, requirements relating to funds received under that regime);
- (d) auditing and reporting;
- (e) assistance and facilities to be provided for the purposes of making assessments under section 94 or monitoring compliance with the conditions of the licence.

104 Condition about satisfactory performance

It is a condition of a community store licence that the owner of the community store must ensure the store is operated in a satisfactory manner, having regard to the assessable matters.

105 Condition about monitoring and audits

- (1) It is a condition of a community store licence that the owner and the manager of the community store in relation to which a licence is in effect must:
 - (a) allow the Secretary or an authorised officer to enter the premises of the store or stores to which the licence relates, for the purposes of auditing or monitoring compliance with the conditions of the licence; and
 - (b) allow the Secretary or an authorised officer to inspect things at the premises; and
 - (c) if requested to do so—produce to the Secretary or to an authorised officer documents and materials relevant to auditing and monitoring compliance.
- (2) Subsection (1) does not limit the conditions that may be imposed by legislative instrument (see section 124) or by the Secretary in the licence.

Subdivision C—Revocation and variation of community store licences

106 Revocation of community store licence

- (1) The Secretary may, by notice in writing given to the owner and the manager of a community store, revoke the licence if:
 - (a) the Secretary believes on reasonable grounds that a condition of the licence has been breached; or
 - (b) the Secretary believes on reasonable grounds that the owner or the manager, or a person covered by the licence, has committed an offence against this Act; or
 - (c) the licence was obtained improperly; or
 - (d) the Secretary is satisfied that the community store is not being operated in a satisfactory manner, having regard to the assessable matters.

Note: A community store licence can also be revoked under section 111 (which relates to registration under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*).

- (2) A revocation takes effect on the date on which the notice is given or on a later date specified in the notice.

107 Variation of community store licence

- (1) The Secretary may vary a community store licence by notice in writing given to the owner and the manager of the community store:
- (a) at any time, on the Secretary's own initiative; or
 - (b) on application by the owner, or a person acting on the owner's behalf.
- (2) An application for a variation must be in writing and must contain:
- (a) such information as is prescribed by the regulations (if any); and
 - (b) such information (if any) as is specified in writing by the Secretary.
- (3) Without limiting subsection (1), the Secretary may:
- (a) impose licence conditions or additional licence conditions; or
 - (b) remove or vary licence conditions that were imposed by the Secretary; or
 - (c) extend or shorten the period of effect of the licence.
- (4) The Secretary must not vary a licence unless the Secretary is satisfied that the variation will not detract from the satisfactory operation of the community store, having regard to the assessable matters.
- (4A) Subsection (4) does not apply to an application for a variation that would have the effect of shortening the period of effect of a licence.
- (5) A variation takes effect on the date on which the notice is given or on a later date specified in the notice.
- (6) A variation to extend or shorten the period of effect of a licence may be expressed to take effect on a date earlier than the date on which the notice is given.

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- (7) The Secretary may refuse to vary a community store licence if:
- (a) a person:
 - (i) unreasonably withholds consent for an authorised officer to enter the premises of the community store under section 118; or
 - (ii) unreasonably refuses to provide documents, material or assistance as required by section 119; or
 - (b) the owner or manager of the community store does not give the Secretary sufficient documents, material or assistance to enable the Secretary to make an informed decision.

108 Notice to be given before varying, revoking or refusing to vary a community store licence

- (1) This section applies if:
- (a) the Secretary proposes to vary a community store licence; or
 - (b) the Secretary proposes to revoke a community store licence under section 106; or
 - (c) an application under paragraph 107(1)(b) has been made for a community store licence to be varied, and the Secretary proposes to refuse to vary the licence in accordance with the application.
- (2) The Secretary must give written notice of the proposed variation, revocation or refusal to vary to the owner and the manager of the community store.

108A Requirements for notices relating to varying, revoking or refusing to vary a community store licence

- (1) A notice under subsection 108(2) in relation to a proposed variation or revocation of, or a proposed refusal to vary, a community store licence must:
- (a) specify the reasons for the proposed variation, revocation or refusal to vary; and
 - (b) invite written responses in relation to the matters specified in the notice; and
 - (c) specify the day (the *response day*) by which written responses are to be received; and
 - (d) specify the address where written responses are to be lodged.

- (2) The response day must not be less than 7 working days after the day on which the notice is given.
- (3) If:
- (a) an application is made for a variation that would, if the variation were made, extend the period of effect of the community store licence; and
 - (b) the community store has been assessed for the purpose of deciding whether to vary the licence as mentioned in paragraph (a);
- the notice must advise that, if the period of effect of the licence is not extended, the community store will not be eligible to participate in the income management regime after the licence ceases to be in effect.
- (4) If:
- (a) the Secretary proposes to revoke the community store licence; and
 - (b) the community store has been assessed for the purposes of deciding whether to revoke the community store licence;
- the notice must advise that, if the licence is revoked, the community store will not be eligible to participate in the income management regime after the revocation takes effect.
- (5) The Secretary must not vary, revoke or refuse to vary a community store licence unless:
- (a) the persons required to be given a notice under subsection 108(2) have been given such a notice; and
 - (b) the Secretary has considered all written responses received by the response day.

Division 4—Requirement to register under the Corporations (Aboriginal and Torres Strait Islander) Act 2006

110 Secretary may require registration under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*

- (1) The Secretary may give a written notice to the owner and the manager of a community store requiring the owner to become registered under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* by the day specified in the notice.
- (2) The Secretary must not give a notice under subsection (1) to the owner and the manager of a community store unless, at the time the notice is given:
 - (a) a community store licence is in effect in relation to the store; and
 - (b) the owner of the community store is incorporated under the Associations Act.
- (3) The notice must:
 - (a) advise the owner that if the owner does not become registered by the day specified in the notice (the **registration day**):
 - (i) the Secretary may revoke the community store licence; and
 - (ii) the community store will not be eligible to participate in the income management regime after the revocation takes effect; and
 - (b) invite written responses from the owner and the manager of the community store in relation to the requirement to become registered by the day (the **response day**) specified in the notice.

Note: Under subsection 33(3) of the *Acts Interpretation Act 1901*, the Secretary may vary or revoke a notice.
- (4) The response day must not be earlier than 4 weeks before the registration day.
- (5) A notice under subsection (1) is not a legislative instrument.

111 Secretary may revoke licence if owner does not become registered

- (1) The Secretary may, by notice given in writing to the owner and the manager of a community store, revoke a community store licence in relation to the store, if:
 - (a) the Secretary has given the owner and the manager of the community store a notice under subsection 110(1) requiring the owner to become registered under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* by the registration day referred to in paragraph 110(3)(a); and
 - (b) the owner has not become registered under that Act as at the registration day, or such later day as is agreed by the Secretary.
- (2) The revocation takes effect on the day on which the notice under subsection (1) is given, or on a later day specified in the notice.
- (3) The Secretary must not revoke a licence under subsection (1) unless the Secretary has considered all written responses made by the response day referred to in paragraph 110(3)(b).
- (4) The Secretary must not revoke a licence under subsection (1) if the Secretary is satisfied that it was not reasonably practicable in the circumstances for the owner to become registered by the day specified in the notice, or the later day agreed to by the Secretary, having regard to the following:
 - (a) any responses received from the owner by the response day;
 - (b) any views expressed by the Registrar;
 - (c) any other matter the Secretary considers relevant.

Division 4A—Certain community stores not eligible to participate in income management

112 Community stores not eligible to participate in income management—failure to hold a licence

- (1) This section applies to a community store if:
 - (a) both:
 - (i) a notice has been given as mentioned in subsection 99(4), advising that if a community store licence is not in effect in relation to the community store by a specified day, the community store will not be eligible to participate in the income management regime after that day; and
 - (ii) as at the specified day, or such later day as agreed in writing by the Secretary, such a licence is not in effect; or
 - (b) both:
 - (i) a notice has been given as mentioned in subsection 108A(3), advising that if the period of effect of the community store licence held in relation to the community store is not extended, the community store will not be eligible to participate in the income management regime; and
 - (ii) the community store licence subsequently ceases to be in effect because the licence was not extended; or
 - (c) both:
 - (i) a notice has been given as mentioned in subsection 108A(4) or 110(1), advising that if the community store licence held in relation to the community store is revoked, the community store will not be eligible to participate in the income management regime; and
 - (ii) the licence is subsequently revoked.
- (2) The community store is not eligible to participate in the income management regime during the period:
 - (a) beginning on whichever of the following days is applicable:

- (i) in the case of a community store referred to in paragraph (1)(a)—the day specified in the notice or the later day referred to in subparagraph (1)(a)(ii);
 - (ii) in the case of a community store referred to in paragraph (1)(b)—the day on which the community store licence ceases to be in effect;
 - (iii) in the case of a community store referred to in paragraph (1)(c)—the day on which the revocation takes effect; and
- (b) ending on the earlier of the following days:
- (i) the day on which a community store licence comes into effect in relation to the community store;
 - (ii) the day on which the Secretary gives a notice under section 95A stating that a community store licence is not required in relation to the community store.

Note: The consequences of not being eligible to participate in the income management regime are dealt with in section 113.

113 Consequences of community store not being eligible to participate in income management regime

- (1) This section sets out the consequences for a community store if it is not eligible to participate in the income management regime during a period referred to in subsection 112(2).
- (2) The Secretary must take reasonable steps to ensure that a stored value card given to a person under section 123YE or 123YF of the *Social Security (Administration) Act 1999* cannot be used to acquire goods or services from the community store during the period.
- (3) The Secretary must not make a payment under section 123YI or 123YJ of the *Social Security (Administration) Act 1999* to the owner or manager of the community store during the period.
- (4) If, before the beginning of the period, the Secretary had made a payment under section 123YI or 123YJ of the *Social Security (Administration) Act 1999* to the owner or manager of the community store, the Secretary must give the owner or manager a notice under section 123ZH of that Act requiring the owner or manager to repay so much of the amount paid as has not been

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applied by the relevant account holder for the purposes of the acquisition of goods or services.

Division 5—Authorised officers

116 Appointment of authorised officers

(1) The Secretary may, in writing, appoint an appropriately qualified officer to be an authorised officer for the purposes of the exercise of the powers conferred on authorised officers by this Part.

(2) In this section:

officer means the following:

- (a) an APS employee in the Department;
- (b) any other person engaged by the Department, under contract or otherwise, to exercise powers, or perform duties or functions, under this Part.

117 Identity cards

The Secretary may issue an identity card to an authorised officer in the form approved by the Secretary. The identity card must contain a recent photograph of the authorised officer.

118 Power to enter premises for the purpose of making assessments

(1) For the purposes of assessing a community store under section 94, an authorised officer may enter the premises of the community store.

(2) An authorised officer is not authorised to enter premises under subsection (1) unless the occupier of the premises, or another person who apparently represents the occupier, has consented to the entry and the officer has shown his or her identity card if required by the occupier.

Note: If consent is unreasonably withheld, the Secretary may refuse to grant a licence (see subsection 97(4)).

(3) The authorised officer must leave premises entered under this section if the occupier, or another person who apparently represents the occupier, asks the authorised officer to do so.

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119 Authorised officers may obtain access to records and assistance

[see Note 2]

- (1) This section applies if an authorised officer is assessing a community store under section 94.
- (2) The owner of the community store, the manager of the store, the occupier of premises of the store or another person who apparently represents the occupier, must, if requested, produce to an authorised officer, or any other person assisting the authorised officer, such documents and material as are reasonably necessary for the authorised officer to make the assessment.

Penalty: 60 penalty units.

- (3) The operator of the community store, the occupier of premises of the community store, or another person who apparently represents the occupier, must provide the authorised officer, or any other person assisting the authorised officer, with such assistance and facilities as are necessary and reasonable for making the assessment.

Penalty: 10 penalty units.

- (4) Subsections (2) and (3) are offences of strict liability.

Note: For strict liability, see section 6.1 of the *Criminal Code*.

120 Power to request information

- (1) This section applies to a person if the Secretary has reason to believe that information (the *compellable information*) relating to the assessment of a community store under section 94 is in the person's possession, custody or control (whether held electronically or in any other form).
- (2) The Secretary may, in writing, require the person to give specified compellable information to the Secretary:
 - (a) within a specified period of time; and
 - (b) in a specified form or manner.
- (3) The person must not fail to comply with a requirement under this section.

Penalty: 10 penalty units.

- (4) The person must not, in purported compliance with a requirement under this section, give to the Secretary information that is false or misleading in a material particular.

Penalty: 60 penalty units.

- (5) Subsection (3) does not apply to the extent that the person has a reasonable excuse. However, a person does not have a reasonable excuse merely because the information in question is:
- (a) of a commercial nature; or
 - (b) subject to an obligation of confidentiality arising from a commercial relationship; or
 - (c) commercially sensitive.
- (6) Subsection (3) does not apply in relation to compellable information covered by paragraph (1)(b) if giving the information might tend to incriminate the person or expose the person to a penalty.
- (7) This section has effect despite any law of the Commonwealth, a State or a Territory prohibiting disclosure of the information.

Division 6—Other matters

Subdivision A—Interaction with other laws

121 Application of laws of Northern Territory to community stores

To the extent that a law of the Northern Territory is capable of operating concurrently with this Part, this Part does not affect the application of the law to a community store or to the operator of a community store.

122 Interaction with other Commonwealth laws

- (1) This Part has effect despite any other law of the Commonwealth.
- (2) For the purposes of subsection 51(1) of the *Trade Practices Act 1974*, the following things are to be regarded as specified in this section and specifically authorised by this section:
 - (a) granting a community store licence;
 - (b) refusing to grant a community store licence;
 - (c) imposing or specifying a condition of a community store licence;
 - (d) varying or refusing to vary a community store licence (including by extending or refusing to extend its period of effect or varying or refusing to vary the conditions to which it is subject);
 - (e) revoking a community store licence;
 - (f) transferring a community store licence;
 - (g) taking any action in connection with an action referred to in paragraph (a), (b), (c), (d), (e) or (f);
 - (h) taking any action (including but not limited to an action taken by the Commonwealth, a Commonwealth authority, the holder of a community store licence or a person acting in accordance with a community store licence), being an action that is:
 - (i) required by a community store licence; or
 - (ii) authorised by a community store licence; or
 - (iii) in connection with an action referred to in subparagraph (i) or (ii).

Subdivision B—Legislative instruments

123 Minister may make instruments relating to the meaning of *community store*

- (1) The Minister may, by legislative instrument, specify an area or place for the purposes of subparagraph 92(1)(b)(ii).
- (2) The Minister may, by legislative instrument, specify premises for the purposes of subparagraph 92(1)(b)(iii).
- (3) The Minister may, by legislative instrument, specify an area or place for the purposes of paragraph 92(2)(c).
- (4) The Minister may, by legislative instrument, specify premises for the purposes of paragraph 92(2)(d).

123A Community consultation

- (1) Before making a legislative instrument under section 123 in relation to an area, a place or premises, the Minister must ensure that:
 - (a) information setting out:
 - (i) the proposal to make the legislative instrument; and
 - (ii) an explanation, in summary form, of the consequences of the making of the legislative instrument;has been made reasonably available to people who are being, or would be, serviced by each business that may be a community store if the instrument were made; and
 - (b) such people have been given a reasonable opportunity to discuss:
 - (i) the proposal to make the legislative instrument; and
 - (ii) the consequences of the making of the legislative instrument; and
 - (iii) their circumstances, concerns and views, so far as they relate to the proposal;with employees of the Commonwealth or such other persons as the Minister thinks appropriate.
- (2) A failure to comply with subsection (1) does not affect the validity of an instrument under section 123.

123B Criteria for making legislative instrument

In making a legislative instrument under section 123 in relation to an area, a place or premises, the Minister must have regard to the following matters:

- (a) the number and geographic distribution of the Indigenous people that are being, or would be, serviced by each business that may be a community store if the instrument were made;
- (b) access for such people to alternative sources of food security;
- (c) whether there is evidence that existing arrangements have resulted in, may have led to or may lead to, unacceptable risks to food security for such people;
- (d) any discussions of the kind referred to in paragraph 123A(1)(b);
- (e) any other matter that the Minister considers relevant.

124 Minister may specify conditions by legislative instrument

The Minister may, by legislative instrument, specify conditions to which community store licences are subject.

125 Minister may issue guidelines about assessable matters

- (1) The Minister may, by legislative instrument, issue guidelines relating to either or both of the following:
 - (a) the consideration of assessable matters by authorised officers when assessing a community store under section 94;
 - (b) the Secretary's consideration of assessable matters when considering whether or not to grant, revoke, vary or impose conditions upon a community store licence.
- (2) The Minister may, by legislative instrument, specify one or more matters relating to food security to be assessable matters for the purposes of paragraph 93(1)(h).
- (3) If guidelines under subsection (1) are in force, an authorised officer or the Secretary (as the case requires) must comply with the guidelines in assessing a community store or considering whether or not to grant, revoke, vary or impose conditions upon a community store licence.

- (4) An authorised officer may assess a community store, and the Secretary may grant or refuse to grant, revoke, vary or impose conditions upon a community store licence, even if no guidelines are in force under subsection (1) and whether or not the Minister has specified matters under subsection (2).

Subdivision C—Other matters

127 Application of offences

The offences created by this Part apply to conduct engaged in on or after the 28th day after the day on which this Act receives the Royal Assent.

127A Review of decisions

An application may be made to the Administrative Appeals Tribunal for review of the following decisions of the Secretary:

- (a) a decision under section 95A that a community store licence is required in relation to a community store;
- (b) a decision under section 97 to refuse to grant a community store licence;
- (c) a decision under section 106 or 111 to revoke a community store licence;
- (d) a decision under section 107 to refuse to vary a community store licence;
- (e) a decision under section 107 to vary a community store licence on the Secretary's own initiative.

Part 8—Miscellaneous

128 Delegation

- (1) The Minister may, in writing, delegate to the Secretary of the Department, or an SES employee or acting SES employee in the Department, any of the Minister's functions or powers under this Act.
- (2) To avoid doubt, the Minister may not delegate to any person mentioned in subsection (1), any power referred to in Division 4 of Part 5 (Commonwealth management in business management areas).
- (3) The Secretary may, in writing, delegate to an SES employee or acting SES employee in the Department, any of the Secretary's functions or powers under this Act.

129 Modification of Northern Territory laws

To the extent that this Act, or regulations made under this Act, modify an Act or regulations of the Northern Territory, the *Interpretation Act* of the Northern Territory, and other Acts of the Northern Territory of general application, apply in relation to this Act or regulations made under this Act.

130 References in Northern Territory or Commonwealth laws

- (1) A reference in a law of the Commonwealth, or a law of the Northern Territory, to a law of the Northern Territory includes a reference to a law of the Northern Territory as modified by this Act or regulations made under this Act.
- (2) A reference in a law of the Commonwealth, or a law of the Northern Territory, to an offence against a law of the Northern Territory includes a reference to an offence against a law of the Northern Territory as modified by this Act or regulations made under this Act.

- (3) A reference in a law of the Commonwealth or a law of the Northern Territory to a law of the Commonwealth does not include a reference to a law of the Northern Territory as modified by this Act or regulations made under this Act.
- (4) A reference in a law of the Northern Territory to a particular law of the Northern Territory includes a reference to that law as modified by this Act or regulations made under this Act.

131 Northern Territory (Self-Government) Act

Section 49 of the *Northern Territory (Self-Government) Act 1978* does not apply in relation to the operation of this Act.

132 Racial Discrimination Act

- (1) The provisions of this Act, and any acts done under or for the purposes of those provisions, are, for the purposes of the *Racial Discrimination Act 1975*, special measures.
- (2) The provisions of this Act, and any acts done under or for the purposes of those provisions, are excluded from the operation of Part II of the *Racial Discrimination Act 1975*.
- (3) In this section, a reference to any acts done includes a reference to any failure to do an act.

133 Some Northern Territory laws excluded

- (1) The provisions of this Act are intended to apply to the exclusion of a law of the Northern Territory that deals with discrimination so far as it would otherwise apply.
- (2) Any acts done under or for the purposes of the provisions of this Act have effect despite any law of the Northern Territory that deals with discrimination.

Northern Territory laws that are not excluded

- (3) However, subsections (1) and (2) do not apply to a law of the Northern Territory so far as the Minister determines, by legislative instrument, that the law is a law to which subsections (1) and (2) do not apply.

Section 134

Reference to acts done includes failure to do an act

- (4) In this section, a reference to any acts done includes a reference to any failure to do an act.

134 Compensation for acquisition of property

- (1) Subsection 50(2) of the *Northern Territory (Self-Government) Act 1978* and section 128A of the *Liquor Act* do not apply in relation to any acquisition of property referred to in those provisions that occurs as a result of the operation of this Act (other than Part 4).

Note: Section 60 deals with acquisitions of property that occur as a result of the operation of Part 4.

- (2) However, if the operation of this Act (other than Part 4) would result in an acquisition of property to which paragraph 51(xxxi) of the Constitution applies from a person otherwise than on just terms, the Commonwealth is liable to pay a reasonable amount of compensation to the person.
- (3) If the Commonwealth and the person do not agree on the amount of the compensation, the person may institute proceedings in a court of competent jurisdiction for the recovery from the Commonwealth of such reasonable amount of compensation as the court determines.
- (4) In subsection (2):

acquisition of property has the same meaning as in paragraph 51(xxxi) of the Constitution.

just terms has the same meaning as in paragraph 51(xxxi) of the Constitution.

135 Regulations

The Governor-General may make regulations prescribing matters:

- (a) required or permitted by this Act to be prescribed; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

Schedule 1—Property descriptions

Note: See Part 4.

Part 1—Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)**1 Acacia Larrakia**

All that area of land contained within the 3 separate areas of land outlined below having a total area of approximately 4.199 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 3, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a southerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 8, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-12° 48' 59"	131° 10' 58"
2	-12° 49' 28"	131° 10' 58"
3	-12° 49' 28"	131° 10' 00"
4	-12° 48' 16"	131° 10' 00"
5	-12° 48' 16"	131° 10' 58"
6	-12° 48' 45"	131° 10' 58"
7	-12° 48' 45"	131° 11' 07"
8	-12° 48' 59"	131° 11' 07"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 2

- (b) Area 2 of 3, that is all of that area contained within and bounded by a line commencing at Point 9 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 12, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
9	-12° 48' 18"	131° 11' 10"
10	-12° 48' 09"	131° 11' 10"
11	-12° 48' 09"	131° 11' 20"
12	-12° 48' 18"	131° 11' 20"

- (c) Area 3 of 3, that is all of that area contained within and bounded by a line commencing at Point 13 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 16, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
13	-12° 48' 35"	131° 11' 04"
14	-12° 48' 23"	131° 11' 04"
15	-12° 48' 23"	131° 11' 17"
16	-12° 48' 35"	131° 11' 17"

2 Ali Curung

All that area of land contained within the 3 separate areas of land outlined below having a total area of approximately 5.198 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in

subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 3, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 12, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-21° 00' 15"	134° 23' 31"
2	-21° 00' 05"	134° 23' 31"
3	-21° 00' 05"	134° 23' 38"
4	-21° 00' 00"	134° 23' 38"
5	-20° 59' 47"	134° 23' 21"
6	-20° 59' 38"	134° 23' 28"
7	-20° 59' 49"	134° 23' 43"
8	-20° 59' 39"	134° 23' 43"
9	-20° 59' 39"	134° 25' 05"
10	-21° 00' 40"	134° 25' 05"
11	-21° 00' 40"	134° 23' 51"
12	-21° 00' 15"	134° 23' 51"

- (b) Area 2 of 3, that is all of that area contained within and bounded by a line commencing at Point 13 listed immediately below, thence initially in an easterly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 16, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
13	-21° 01' 09"	134° 24' 49"
14	-21° 01' 09"	134° 25' 08"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*)

Clause 3

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
15	-21° 01' 25"	134° 25' 08"
16	-21° 01' 25"	134° 24' 49"

- (c) Area 3 of 3, that is all of that area contained within and bounded by a line commencing at Point 17 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 20, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
17	-21° 01' 14"	134° 23' 42"
18	-21° 00' 56"	134° 23' 42"
19	-21° 00' 56"	134° 24' 00"
20	-21° 01' 14"	134° 24' 00"

3 Amanbidji

All that area of land contained within the 2 separate areas of land outlined below having a total area of approximately 3.481 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 2, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 8, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-16° 26' 18"	129° 36' 38"
2	-16° 25' 18"	129° 36' 38"
3	-16° 25' 18"	129° 37' 05"
4	-16° 25' 05"	129° 37' 05"
5	-16° 25' 05"	129° 37' 15"
6	-16° 25' 18"	129° 37' 15"
7	-16° 25' 18"	129° 37' 39"
8	-16° 26' 18"	129° 37' 39"

- (b) Area 2 of 2, that is all of that area contained within and bounded by a line commencing at Point 9 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 12, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
9	-16° 26' 29"	129° 37' 22"
10	-16° 26' 21"	129° 37' 22"
11	-16° 26' 21"	129° 37' 30"
12	-16° 26' 29"	129° 37' 30"

4 Amoonguna

All that area of land contained within the 2 separate areas of land outlined below having a total area of approximately 3.390 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of **Aboriginal land** in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 2, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 5

below, thence initially in a north westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 9, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-23° 46' 39"	133° 55' 59"
2	-23° 46' 22"	133° 55' 41"
3	-23° 45' 25"	133° 55' 41"
4	-23° 45' 25"	133° 55' 56"
5	-23° 45' 31"	133° 55' 56"
6	-23° 45' 31"	133° 56' 38"
7	-23° 46' 32"	133° 56' 38"
8	-23° 46' 32"	133° 56' 18"
9	-23° 46' 39"	133° 56' 18"

- (b) Area 2 of 2, that is all of that area contained within and bounded by a line commencing at Point 10 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 13, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
10	-23° 45' 21"	133° 56' 24"
11	-23° 45' 08"	133° 56' 24"
12	-23° 45' 08"	133° 56' 39"
13	-23° 45' 21"	133° 56' 39"

5 Ampilatwatja

All that area of land contained within the area of land outlined below having a total area of approximately 3.461 square

kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 12, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-21° 39' 51"	135° 12' 58"
2	-21° 38' 52"	135° 12' 58"
3	-21° 38' 52"	135° 13' 27"
4	-21° 38' 39"	135° 13' 27"
5	-21° 38' 39"	135° 13' 38"
6	-21° 38' 52"	135° 13' 38"
7	-21° 38' 52"	135° 13' 58"
8	-21° 39' 17"	135° 13' 58"
9	-21° 39' 38"	135° 14' 15"
10	-21° 39' 44"	135° 14' 06"
11	-21° 39' 34"	135° 13' 58"
12	-21° 39' 51"	135° 13' 58"

6 Areyonga

All that area of land contained within the 3 separate areas of land outlined below having a total area of approximately 5.171 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 3, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a south easterly direction successively along a straight line (loxodrome) between each

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Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 6

of the following points in the sequence to Point 15, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-24° 05' 13"	132° 15' 58"
2	-24° 05' 36"	132° 16' 40"
3	-24° 05' 44"	132° 16' 35"
4	-24° 05' 10"	132° 15' 32"
5	-24° 05' 10"	132° 15' 18"
6	-24° 04' 35"	132° 15' 18"
7	-24° 04' 35"	132° 15' 41"
8	-24° 04' 02"	132° 15' 41"
9	-24° 04' 02"	132° 16' 39"
10	-24° 04' 24"	132° 16' 39"
11	-24° 04' 24"	132° 17' 06"
12	-24° 04' 37"	132° 17' 06"
13	-24° 04' 37"	132° 16' 39"
14	-24° 04' 46"	132° 16' 39"
15	-24° 04' 46"	132° 15' 58"

- (b) Area 2 of 3, that is all of that area contained within and bounded by a line commencing at Point 16 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 19, thence to the point of commencement;

Geocentric Datum of Australia 1994 GDA94		
Point No.	Latitude (S) DMS	Longitude (E) DMS
16	-24° 03' 33"	132° 13' 59"
17	-24° 03' 23"	132° 13' 59"
18	-24° 03' 23"	132° 14' 10"
19	-24° 03' 33"	132° 14' 10"

- (c) Area 3 of 3, that is all of that area contained within and bounded by a line commencing at Point 20 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 23, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
20	-24° 04' 39"	132° 14' 23"
21	-24° 04' 09"	132° 14' 23"
22	-24° 04' 09"	132° 15' 00"
23	-24° 04' 39"	132° 15' 00"

7 Barunga

All that area of land contained within the 2 separate areas of land outlined below having a total area of approximately 5.444 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 2, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a southerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 16, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-14° 31' 47"	132° 52' 22"
2	-14° 32' 04"	132° 52' 22"
3	-14° 32' 04"	132° 51' 20"
4	-14° 30' 58"	132° 51' 20"
5	-14° 30' 58"	132° 52' 10"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 8

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
6	-14° 30' 52"	132° 52' 10"
7	-14° 30' 52"	132° 52' 19"
8	-14° 30' 58"	132° 52' 19"
9	-14° 30' 58"	132° 52' 34"
10	-14° 30' 56"	132° 52' 36"
11	-14° 31' 03"	132° 52' 51"
12	-14° 30' 48"	132° 52' 58"
13	-14° 30' 59"	132° 53' 21"
14	-14° 31' 25"	132° 53' 09"
15	-14° 31' 25"	132° 52' 23"
16	-14° 31' 34"	132° 52' 34"

- (b) Area 2 of 2, that is all of that area contained within and bounded by a line commencing at Point 17 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 20, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
17	-14° 32' 30"	132° 53' 01"
18	-14° 32' 18"	132° 53' 01"
19	-14° 32' 18"	132° 53' 15"
20	-14° 32' 30"	132° 53' 15"

8 Belyuen

All that area of land contained within the 6 separate areas of land outlined below having a total area of approximately 12.349 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in

subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 6, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a north westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 5, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-12° 34' 01"	130° 41' 48"
2	-12° 32' 48"	130° 40' 11"
3	-12° 31' 50"	130° 40' 57"
4	-12° 31' 50"	130° 42' 28"
5	-12° 33' 11"	130° 42' 28"

- (b) Area 2 of 6, that is all of that area contained within and bounded by a line commencing at Point 6 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 9, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
6	-12° 31' 42"	130° 42' 34"
7	-12° 31' 32"	130° 42' 34"
8	-12° 31' 32"	130° 42' 45"
9	-12° 31' 42"	130° 42' 45"

- (c) Area 3 of 6, that is all of that area contained within and bounded by a line commencing at Point 10 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 13, thence to the point of commencement;

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 8

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
10	-12° 31' 55"	130° 42' 57"
11	-12° 31' 42"	130° 42' 57"
12	-12° 31' 42"	130° 43' 12"
13	-12° 31' 55"	130° 43' 12"

- (d) Area 4 of 6, that is all of that area contained within and bounded by a line commencing at Point 14 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 17, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
14	-12° 31' 18"	130° 42' 52"
15	-12° 31' 01"	130° 42' 52"
16	-12° 31' 01"	130° 43' 10"
17	-12° 31' 18"	130° 43' 10"

- (e) Area 5 of 6, that is all of that area contained within and bounded by a line commencing at Point 18 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 21, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
18	-12° 35' 04"	130° 41' 00"
19	-12° 34' 41"	130° 41' 00"
20	-12° 34' 41"	130° 41' 19"
21	-12° 35' 04"	130° 41' 19"

- (f) Area 6 of 6, that is all of that area contained within and bounded by a line commencing at Point 22 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 25, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
22	-12° 34' 56"	130° 41' 42"
23	-12° 34' 43"	130° 41' 42"
24	-12° 34' 43"	130° 41' 58"
25	-12° 34' 56"	130° 41' 58"

9 Beswick

All that area of land contained within the 2 separate areas of land outlined below having a total area of approximately 6.298 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 2, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 6, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-14° 33' 21"	133° 06' 27"
2	-14° 32' 27"	133° 06' 27"
3	-14° 32' 27"	133° 07' 26"
4	-14° 34' 03"	133° 07' 26"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*)

Clause 10

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
5	-14° 34' 03"	133° 05' 59"
6	-14° 33' 21"	133° 05' 59"

- (b) Area 2 of 2, that is all of that area contained within and bounded by a line commencing at Point 7 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 10, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
7	-14° 34' 12"	133° 08' 42"
8	-14° 34' 02"	133° 08' 42"
9	-14° 34' 02"	133° 08' 54"
10	-14° 34' 12"	133° 08' 54"

10 Bulman

All that area of land contained within the 3 separate areas of land outlined below having a total area of approximately 3.436 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 3, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 6, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-13° 40' 54"	134° 20' 28"
2	-13° 40' 54"	134° 20' 06"
3	-13° 40' 20"	134° 20' 06"
4	-13° 40' 20"	134° 19' 31"
5	-13° 39' 33"	134° 19' 31"
6	-13° 39' 33"	134° 20' 28"

- (b) Area 2 of 3, that is all of that area contained within and bounded by a line commencing at Point 7 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 10, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
7	-13° 39' 55"	134° 20' 50"
8	-13° 39' 42"	134° 20' 50"
9	-13° 39' 42"	134° 21' 04"
10	-13° 39' 55"	134° 21' 04"

- (c) Area 3 of 3, that is all of that area contained within and bounded by a line commencing at Point 11 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 14, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
11	-13° 39' 41"	134° 21' 06"
12	-13° 39' 31"	134° 21' 06"
13	-13° 39' 31"	134° 21' 18"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*)

Clause 11

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
14	-13° 39' 41"	134° 21' 18"

11 Daguragu

All that area of land contained within the 7 separate areas of land outlined below having a total area of approximately 4.119 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 7, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 4, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-17° 24' 27"	130° 48' 49"
2	-17° 24' 27"	130° 47' 50"
3	-17° 23' 40"	130° 47' 50"
4	-17° 23' 40"	130° 48' 49"

- (b) Area 2 of 7, that is all of that area contained within and bounded by a line commencing at Point 5 listed immediately below, thence initially in a north westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 8, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
5	-17° 26' 12"	130° 48' 24"

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
6	-17° 26' 05"	130° 48' 12"
7	-17° 25' 11"	130° 48' 48"
8	-17° 25' 18"	130° 49' 00"

- (c) Area 3 of 7, that is all of that area contained within and bounded by a line commencing at Point 9 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 12, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
9	-17° 24' 16"	130° 47' 28"
10	-17° 24' 03"	130° 47' 28"
11	-17° 24' 03"	130° 47' 40"
12	-17° 24' 16"	130° 47' 40"

- (d) Area 4 of 7, that is all of that area contained within and bounded by a line commencing at Point 13 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 16, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
13	-17° 24' 44"	130° 48' 14"
14	-17° 24' 31"	130° 48' 14"
15	-17° 24' 31"	130° 48' 27"
16	-17° 24' 44"	130° 48' 27"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 11

- (e) Area 5 of 7, that is all of that area contained within and bounded by a line commencing at Point 17 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 20, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
17	-17° 25' 02"	130° 48' 31"
18	-17° 24' 52"	130° 48' 31"
19	-17° 24' 52"	130° 48' 42"
20	-17° 25' 02"	130° 48' 42"

- (f) Area 6 of 7, that is all of that area contained within and bounded by a line commencing at Point 21 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 24, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
21	-17° 26' 06"	130° 49' 21"
22	-17° 25' 55"	130° 49' 21"
23	-17° 25' 55"	130° 49' 33"
24	-17° 26' 06"	130° 49' 33"

- (g) Area 7 of 7, that is all of that area contained within and bounded by a line commencing at Point 25 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 28, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
25	-17° 24' 21"	130° 49' 06"
26	-17° 24' 04"	130° 49' 06"
27	-17° 24' 04"	130° 49' 23"
28	-17° 24' 21"	130° 49' 23"

12 Galiwinku

All that area of land contained within the 10 separate areas of land outlined below having a total area of approximately 6.668 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 10, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a southerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to the intersection with the low water mark of the coastline of the Northern Territory at Point 3, thence generally in a northerly direction following the low water mark of that coastline to Point 4, thence successively along a straight line (loxodrome) between each of the following points in the sequence to Point 8, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-12° 01' 19"	135° 34' 36"
2	-12° 02' 11"	135° 34' 36"
3	-12° 02' 11"	135° 33' 37"
4	-12° 00' 54"	135° 33' 44"
5	-12° 00' 54"	135° 34' 36"
6	-12° 01' 02"	135° 34' 36"
7	-12° 01' 09"	135° 35' 20"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 12

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
8	-12° 01' 26"	135° 35' 17"

- (b) Area 2 of 10, that is all of that area contained within and bounded by a line commencing at Point 9 listed immediately below, thence initially in a northerly direction along a straight line (loxodrome) to the intersection with the low water mark of the coastline of the Northern Territory at Point 10, thence generally in an easterly direction following the low water mark of that coastline to Point 11, thence successively along a straight line (loxodrome) between each of the following points in the sequence to Point 13, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
9	-12° 00' 20"	135° 34' 01"
10	-12° 00' 06"	135° 34' 01"
11	-12° 00' 06"	135° 34' 12"
12	-12° 00' 06"	135° 34' 17"
13	-12° 00' 20"	135° 34' 17"

- (c) Area 3 of 10, that is all of that area contained within and bounded by a line commencing at Point 14 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 17, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
14	-12° 00' 45"	135° 35' 19"
15	-12° 00' 20"	135° 35' 19"
16	-12° 00' 20"	135° 35' 41"
17	-12° 00' 45"	135° 35' 41"

- (d) Area 4 of 10, that is all of that area contained within and bounded by a line commencing at Point 18 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 21, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
18	-12° 01' 49"	135° 34' 54"
19	-12° 01' 36"	135° 34' 54"
20	-12° 01' 36"	135° 35' 07"
21	-12° 01' 49"	135° 35' 07"

- (e) Area 5 of 10, that is all of that area contained within and bounded by a line commencing at Point 22 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 25, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
22	-12° 02' 23"	135° 35' 15"
23	-12° 01' 53"	135° 35' 15"
24	-12° 01' 53"	135° 35' 30"
25	-12° 02' 23"	135° 35' 30"

- (f) Area 6 of 10, that is all of that area contained within and bounded by a line commencing at Point 26 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 29, thence to the point of commencement;

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 12

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
26	-12° 02' 44"	135° 35' 21"
27	-12° 02' 35"	135° 35' 21"
28	-12° 02' 35"	135° 35' 32"
29	-12° 02' 44"	135° 35' 32"

- (g) Area 7 of 10, that is all of that area contained within and bounded by a line commencing at Point 30 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to the intersection with the low water mark of the coastline of the Northern Territory at Point 32, thence generally in a southerly direction following the low water mark of that coastline to Point 33, thence along a straight line (loxodrome) to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
30	-12° 03' 20"	135° 35' 21"
31	-12° 02' 59"	135° 35' 21"
32	-12° 02' 59"	135° 35' 35"
33	-12° 03' 20"	135° 35' 32"

- (h) Area 8 of 10, that is all of that area contained within and bounded by a line commencing on the low water mark of the coastline of the Northern Territory at Point 34 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to the intersection with the low water mark of the coastline of the Northern Territory at Point 38, thence generally in a north westerly direction following the low water mark of that coastline to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
34	-12° 03' 09"	135° 33' 32"
35	-12° 03' 01"	135° 33' 32"
36	-12° 03' 01"	135° 33' 50"
37	-12° 03' 21"	135° 33' 50"
38	-12° 03' 21"	135° 33' 41"

- (i) Area 9 of 10, that is all of that area contained within and bounded by a line commencing at Point 39 listed immediately below, thence initially in a northerly direction to the intersection with the low water mark of the coastline of the Northern Territory at Point 40, thence generally in a north easterly direction following the low water mark of that coastline to Point 41, thence successively along a straight line (loxodrome) between each of the following points in the sequence to Point 43, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
39	-12° 02' 57"	135° 33' 17"
40	-12° 02' 49"	135° 33' 17"
41	-12° 02' 44"	135° 33' 22"
42	-12° 02' 44"	135° 33' 30"
43	-12° 02' 57"	135° 33' 30"

- (j) Area 10 of 10, that is all of that area contained within and bounded by a line commencing at Point 44 listed immediately below, thence initially in a northerly direction along a straight line (loxodrome) to the intersection with the low water mark of the coastline of the Northern Territory at Point 45, thence generally in a northerly direction following the low water mark of that coastline to Point 46, thence successively along a straight line (loxodrome) between each of the following points in the sequence to Point 48, thence to the point of commencement.

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*)

Clause 13

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
44	-11° 59' 45"	135° 34' 21"
45	-11° 59' 42"	135° 34' 21"
46	-11° 59' 34"	135° 34' 24"
47	-11° 59' 34"	135° 34' 34"
48	-11° 59' 45"	135° 34' 34"

13 Gapuwiyak

All that area of land contained within the 4 separate areas of land outlined below having a total area of approximately 5.781 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 4, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a southerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 8, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-12° 30' 04"	135° 49' 21"
2	-12° 30' 16"	135° 49' 21"
3	-12° 30' 16"	135° 48' 56"
4	-12° 30' 45"	135° 48' 56"
5	-12° 30' 45"	135° 47' 43"
6	-12° 29' 35"	135° 47' 43"
7	-12° 29' 35"	135° 49' 02"
8	-12° 30' 04"	135° 49' 02"

- (b) Area 2 of 4, that is all of that area contained within and bounded by a line commencing at Point 9 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 12, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
9	-12° 30' 19"	135° 49' 39"
10	-12° 30' 05"	135° 49' 39"
11	-12° 30' 05"	135° 49' 55"
12	-12° 30' 19"	135° 49' 55"

- (c) Area 3 of 4, that is all of that area contained within and bounded by a line commencing at Point 13 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 16, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
13	-12° 31' 23"	135° 48' 10"
14	-12° 31' 04"	135° 48' 10"
15	-12° 31' 04"	135° 48' 27"
16	-12° 31' 23"	135° 48' 27"

- (d) Area 4 of 4, that is all of that area contained within and bounded by a line commencing at Point 17 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 20, thence to the point of commencement.

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*)

Clause 14

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
17	-12° 29' 04"	135° 46' 43"
18	-12° 28' 53"	135° 46' 43"
19	-12° 28' 53"	135° 46' 53"
20	-12° 29' 04"	135° 46' 53"

14 Gunbalanya

All that area of land contained within the 4 separate areas of land outlined below having a total area of approximately 12.135 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 4, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 6, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-12° 19' 55"	133° 02' 18"
2	-12° 19' 55"	133° 01' 46"
3	-12° 18' 43"	133° 01' 46"
4	-12° 18' 43"	133° 03' 49"
5	-12° 20' 26"	133° 03' 49"
6	-12° 20' 26"	133° 02' 18"

- (b) Area 2 of 4, that is all of that area contained within and bounded by a line commencing at Point 7 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the

following points in the sequence to Point 10, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
7	-12° 20' 20"	133° 04' 33"
8	-12° 20' 05"	133° 04' 33"
9	-12° 20' 05"	133° 04' 48"
10	-12° 20' 20"	133° 04' 48"

- (c) Area 3 of 4, that is all of that area contained within and bounded by a line commencing at Point 11 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 14, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
11	-12° 20' 20"	133° 00' 56"
12	-12° 20' 04"	133° 00' 56"
13	-12° 20' 04"	133° 01' 12"
14	-12° 20' 20"	133° 01' 12"

- (d) Area 4 of 4, that is all of that area contained within and bounded by a line commencing at Point 15 listed immediately below, thence initially in a south easterly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 18, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
15	-12° 19' 11"	133° 00' 01"
16	-12° 19' 43"	133° 00' 59"
17	-12° 19' 55"	133° 00' 52"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*)

Clause 15

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
18	-12° 19' 24"	132° 59' 53"

15 Gunyangara

All that area of land contained within the area of land outlined below having a total area of approximately 2,411 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being all of that area contained within and bounded by a line commencing on the low water mark of the coastline of the Northern Territory at Point 1 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to the intersection with the low water mark of the coastline of the Northern Territory at Point 3, thence generally in a southerly direction following the low water mark of that coastline to Point 4, thence successively along a straight line (loxodrome) between each of the following points in the sequence to the intersection with the low water mark of the coastline of the Northern Territory at Point 6, thence generally in a northerly direction following the low water mark of that coastline to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-12° 12' 46"	136° 41' 58"
2	-12° 12' 29"	136° 41' 58"
3	-12° 12' 29"	136° 42' 37"
4	-12° 13' 26"	136° 42' 36"
5	-12° 13' 26"	136° 42' 21"
6	-12° 13' 42"	136° 42' 13"

16 Haasts Bluff

All that area of land contained within the 5 separate areas of land outlined below having a total area of approximately 4.504 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 5, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 6, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-23° 27' 18"	131° 52' 18"
2	-23° 26' 57"	131° 52' 18"
3	-23° 26' 57"	131° 52' 22"
4	-23° 26' 27"	131° 52' 22"
5	-23° 26' 27"	131° 53' 23"
6	-23° 27' 18"	131° 53' 23"

- (b) Area 2 of 5, that is all of that area contained within and bounded by a line commencing at Point 7 listed immediately below, thence initially in a north easterly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 10, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
7	-23° 26' 53"	131° 50' 34"
8	-23° 26' 43"	131° 50' 41"
9	-23° 27' 22"	131° 51' 43"
10	-23° 27' 32"	131° 51' 35"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 16

- (c) Area 3 of 5, that is all of that area contained within and bounded by a line commencing at Point 11 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 14, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
11	-23° 27' 58"	131° 52' 42"
12	-23° 27' 47"	131° 52' 42"
13	-23° 27' 47"	131° 52' 53"
14	-23° 27' 58"	131° 52' 53"

- (d) Area 4 of 5, that is all of that area contained within and bounded by a line commencing at Point 15 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 18, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
15	-23° 29' 26"	131° 52' 16"
16	-23° 29' 12"	131° 52' 16"
17	-23° 29' 12"	131° 52' 34"
18	-23° 29' 26"	131° 52' 34"

- (e) Area 5 of 5, that is all of that area contained within and bounded by a line commencing at Point 19 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 22, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
19	-23° 31' 04"	131° 52' 14"
20	-23° 30' 41"	131° 52' 14"
21	-23° 30' 41"	131° 52' 40"
22	-23° 31' 04"	131° 52' 40"

17 Hermannsburg

All that area of land contained within the 4 separate areas of land outlined below having a total area of approximately 7.340 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 4, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 14, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-23° 57' 10"	132° 46' 49"
2	-23° 57' 10"	132° 46' 02"
3	-23° 56' 15"	132° 46' 02"
4	-23° 56' 15"	132° 45' 46"
5	-23° 56' 03"	132° 45' 46"
6	-23° 56' 03"	132° 46' 02"
7	-23° 55' 49"	132° 46' 02"
8	-23° 55' 49"	132° 46' 29"
9	-23° 56' 04"	132° 46' 29"
10	-23° 56' 04"	132° 47' 35"
11	-23° 57' 06"	132° 47' 35"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 17

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
12	-23° 57' 06"	132° 47' 05"
13	-23° 57' 20"	132° 47' 05"
14	-23° 57' 20"	132° 46' 49"

- (b) Area 2 of 4, that is all of that area contained within and bounded by a line commencing at Point 15 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 18, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
15	-23° 57' 23"	132° 45' 52"
16	-23° 57' 11"	132° 45' 52"
17	-23° 57' 11"	132° 46' 05"
18	-23° 57' 23"	132° 46' 05"

- (c) Area 3 of 4, that is all of that area contained within and bounded by a line commencing at Point 19 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 22, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
19	-23° 55' 58"	132° 47' 53"
20	-23° 55' 56"	132° 47' 53"
21	-23° 55' 56"	132° 47' 56"
22	-23° 55' 58"	132° 47' 56"

- (d) Area 4 of 4, that is all of that area contained within and bounded by a line commencing at Point 23 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 27, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
23	-23° 55' 29"	132° 47' 59"
24	-23° 55' 18"	132° 48' 05"
25	-23° 55' 42"	132° 48' 59"
26	-23° 55' 53"	132° 48' 53"
27	-23° 56' 03"	132° 48' 08"

18 Kaltukatjara

All that area of land contained within the 7 separate areas of land outlined below having a total area of approximately 6.410 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 7, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in an easterly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 14, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-24° 51' 58"	129° 05' 28"
2	-24° 51' 58"	129° 05' 41"
3	-24° 52' 58"	129° 05' 41"
4	-24° 52' 58"	129° 04' 28"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 18

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
5	-24° 53' 09"	129° 04' 28"
6	-24° 53' 09"	129° 04' 15"
7	-24° 52' 32"	129° 04' 15"
8	-24° 52' 32"	129° 04' 01"
9	-24° 52' 15"	129° 04' 01"
10	-24° 52' 15"	129° 04' 29"
11	-24° 51' 58"	129° 04' 29"
12	-24° 51' 58"	129° 05' 15"
13	-24° 51' 45"	129° 05' 15"
14	-24° 51' 45"	129° 05' 28"

- (b) Area 2 of 7, that is all of that area contained within and bounded by a line commencing at Point 15 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 18, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
15	-24° 53' 11"	129° 04' 41"
16	-24° 53' 02"	129° 04' 41"
17	-24° 53' 02"	129° 04' 52"
18	-24° 53' 11"	129° 04' 52"

- (c) Area 3 of 7, that is all of that area contained within and bounded by a line commencing at Point 19 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 22, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
19	-24° 53' 18"	129° 03' 48"
20	-24° 53' 10"	129° 03' 48"
21	-24° 53' 10"	129° 03' 57"
22	-24° 53' 18"	129° 03' 57"

- (d) Area 4 of 7, that is all of that area contained within and bounded by a line commencing at Point 23 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 26, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
23	-24° 53' 42"	129° 03' 40"
24	-24° 53' 33"	129° 03' 40"
25	-24° 53' 33"	129° 03' 51"
26	-24° 53' 42"	129° 03' 51"

- (e) Area 5 of 7, that is all of that area contained within and bounded by a line commencing at Point 27 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 30, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
27	-24° 51' 39"	129° 03' 25"
28	-24° 51' 25"	129° 03' 25"
29	-24° 51' 25"	129° 03' 43"
30	-24° 51' 39"	129° 03' 43"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*)

Clause 19

- (f) Area 6 of 7, that is all of that area contained within and bounded by a line commencing at Point 31 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 34, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
31	-24° 51' 58"	129° 06' 00"
32	-24° 51' 39"	129° 06' 00"
33	-24° 51' 39"	129° 06' 15"
34	-24° 51' 58"	129° 06' 15"

- (g) Area 7 of 7, that is all of that area contained within and bounded by a line commencing at Point 35 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 38, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
35	-24° 51' 43"	129° 06' 44"
36	-24° 51' 27"	129° 06' 44"
37	-24° 51' 27"	129° 07' 54"
38	-24° 51' 43"	129° 07' 54"

19 Kintore

All that area of land contained within the 3 separate areas of land outlined below having a total area of approximately 8.507 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 3, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 12, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-23° 16' 27"	129° 22' 31"
2	-23° 16' 27"	129° 22' 06"
3	-23° 15' 46"	129° 22' 06"
4	-23° 15' 46"	129° 23' 30"
5	-23° 15' 43"	129° 23' 30"
6	-23° 15' 43"	129° 23' 43"
7	-23° 16' 03"	129° 23' 43"
8	-23° 16' 03"	129° 23' 54"
9	-23° 17' 14"	129° 23' 54"
10	-23° 17' 14"	129° 23' 12"
11	-23° 17' 05"	129° 23' 12"
12	-23° 17' 05"	129° 22' 31"

- (b) Area 2 of 3, that is all of that area contained within and bounded by a line commencing at Point 13 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 16, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
13	-23° 17' 31"	129° 23' 21"
14	-23° 17' 23"	129° 23' 21"
15	-23° 17' 23"	129° 23' 29"
16	-23° 17' 31"	129° 23' 29"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*)

Clause 20

- (c) Area 3 of 3, that is all of that area contained within and bounded by a line commencing at Point 17 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 20, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
17	-23° 15' 36"	129° 23' 08"
18	-23° 14' 58"	129° 23' 08"
19	-23° 14' 58"	129° 23' 54"
20	-23° 15' 36"	129° 23' 54"

20 Lajamanu

All that area of land contained within the 7 separate areas of land outlined below having a total area of approximately 7.168 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 7, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 16, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-18° 20' 39"	130° 39' 42"
2	-18° 20' 39"	130° 39' 20"
3	-18° 20' 34"	130° 39' 20"
4	-18° 20' 34"	130° 38' 56"

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
5	-18° 20' 45"	130° 38' 56"
6	-18° 20' 45"	130° 37' 37"
7	-18° 19' 24"	130° 37' 37"
8	-18° 19' 24"	130° 37' 46"
9	-18° 19' 29"	130° 37' 46"
10	-18° 19' 29"	130° 37' 53"
11	-18° 19' 39"	130° 37' 53"
12	-18° 19' 39"	130° 38' 07"
13	-18° 19' 43"	130° 38' 07"
14	-18° 19' 43"	130° 38' 57"
15	-18° 20' 02"	130° 38' 57"
16	-18° 20' 02"	130° 39' 42"

- (b) Area 2 of 7, that is all of that area contained within and bounded by a line commencing at Point 17 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 20, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
17	-18° 19' 40"	130° 37' 03"
18	-18° 19' 31"	130° 37' 03"
19	-18° 19' 31"	130° 37' 14"
20	-18° 19' 40"	130° 37' 14"

- (c) Area 3 of 7, that is all of that area contained within and bounded by a line commencing at Point 21 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 24, thence to the point of commencement;

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 20

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
21	-18° 19' 16"	130° 37' 22"
22	-18° 19' 07"	130° 37' 22"
23	-18° 19' 07"	130° 37' 31"
24	-18° 19' 16"	130° 37' 31"

- (d) Area 4 of 7, that is all of that area contained within and bounded by a line commencing at Point 25 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 28, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
25	-18° 18' 59"	130° 37' 13"
26	-18° 18' 50"	130° 37' 13"
27	-18° 18' 50"	130° 37' 22"
28	-18° 18' 59"	130° 37' 22"

- (e) Area 5 of 7, that is all of that area contained within and bounded by a line commencing at Point 29 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 32, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
29	-18° 18' 47"	130° 36' 53"
30	-18° 18' 34"	130° 36' 53"
31	-18° 18' 34"	130° 37' 07"
32	-18° 18' 47"	130° 37' 07"

- (f) Area 6 of 7, that is all of that area contained within and bounded by a line commencing at Point 33 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 36, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
33	-18° 19' 03"	130° 38' 30"
34	-18° 18' 46"	130° 38' 30"
35	-18° 18' 46"	130° 39' 00"
36	-18° 19' 03"	130° 39' 00"

- (g) Area 7 of 7, that is all of that area contained within and bounded by a line commencing at Point 37 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 40, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
37	-18° 19' 26"	130° 39' 03"
38	-18° 19' 15"	130° 39' 03"
39	-18° 19' 15"	130° 39' 15"
40	-18° 19' 26"	130° 39' 15"

21 Maningrida

All that area of land contained within the 5 separate areas of land outlined below having a total area of approximately 10.456 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 21

subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 5, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a north westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to the intersection with the low water mark of the coastline of the Northern Territory at Point 6, thence generally in a north easterly direction following the low water mark of that coastline to Point 7, thence successively along a straight line (loxodrome) between each of the following points in the sequence to Point 14, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-12° 04' 53"	134° 14' 22"
2	-12° 04' 33"	134° 14' 10"
3	-12° 04' 22"	134° 14' 28"
4	-12° 03' 53"	134° 14' 10"
5	-12° 03' 53"	134° 12' 48"
6	-12° 03' 20"	134° 12' 48"
7	-12° 02' 15"	134° 13' 44"
8	-12° 02' 15"	134° 13' 53"
9	-12° 02' 22"	134° 13' 53"
10	-12° 02' 22"	134° 14' 12"
11	-12° 02' 55"	134° 14' 12"
12	-12° 02' 55"	134° 14' 36"
13	-12° 03' 56"	134° 14' 36"
14	-12° 04' 31"	134° 14' 57"

- (b) Area 2 of 5, that is all of that area contained within and bounded by a line commencing at Point 15 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each

of the following points in the sequence to Point 18, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
15	-12° 04' 13"	134° 12' 43"
16	-12° 04' 02"	134° 12' 43"
17	-12° 04' 02"	134° 12' 55"
18	-12° 04' 13"	134° 12' 55"

- (c) Area 3 of 5, that is all of that area contained within and bounded by a line commencing at Point 19 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 22, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
19	-12° 05' 22"	134° 13' 46"
20	-12° 05' 03"	134° 13' 46"
21	-12° 05' 03"	134° 14' 11"
22	-12° 05' 22"	134° 14' 11"

- (d) Area 4 of 5, that is all of that area contained within and bounded by a line commencing at Point 23 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 26, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
23	-12° 06' 26"	134° 15' 29"
24	-12° 05' 55"	134° 15' 29"
25	-12° 05' 55"	134° 16' 04"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*)

Clause 22

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
26	-12° 06' 26"	134° 16' 04"

- (e) Area 5 of 5, that is all of that area contained within and bounded by a line commencing at Point 27 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 30, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
27	-12° 07' 27"	134° 16' 28"
28	-12° 07' 11"	134° 16' 28"
29	-12° 07' 11"	134° 16' 46"
30	-12° 07' 27"	134° 16' 46"

22 Manyallaluk

All that area of land contained within the 2 separate areas of land outlined below having a total area of approximately 2.209 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 2, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 13, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-14° 16' 19"	132° 49' 46"

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
2	-14° 16' 19"	132° 49' 17"
3	-14° 15' 38"	132° 49' 17"
4	-14° 15' 38"	132° 50' 05"
5	-14° 15' 58"	132° 50' 05"
6	-14° 16' 02"	132° 50' 13"
7	-14° 16' 05"	132° 50' 12"
8	-14° 16' 23"	132° 50' 12"
9	-14° 16' 23"	132° 50' 02"
10	-14° 16' 30"	132° 50' 02"
11	-14° 16' 30"	132° 49' 55"
12	-14° 16' 34"	132° 49' 55"
13	-14° 16' 34"	132° 49' 46"

- (b) Area 2 of 2, that is all of that area contained within and bounded by a line commencing at Point 14 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 17, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
14	-14° 16' 54"	132° 49' 59"
15	-14° 16' 46"	132° 49' 59"
16	-14° 16' 46"	132° 50' 09"
17	-14° 16' 54"	132° 50' 09"

23 Milikapiti

All that area of land contained within the 3 separate areas of land outlined below having a total area of approximately 6.253 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*)

Clause 23

subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 3, that is all of that area contained within and bounded by a line commencing on the low water mark of the coastline of the Northern Territory at Point 1 listed immediately below, thence initially in a south easterly direction following the low water mark of that coastline to Point 2, thence successively along a straight line (loxodrome) between each of the following points in the sequence to Point 14, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-11° 24' 43"	130° 39' 57"
2	-11° 25' 56"	130° 40' 54"
3	-11° 25' 56"	130° 40' 26"
4	-11° 26' 05"	130° 40' 26"
5	-11° 26' 05"	130° 40' 15"
6	-11° 25' 56"	130° 40' 15"
7	-11° 25' 56"	130° 39' 54"
8	-11° 25' 36"	130° 39' 54"
9	-11° 25' 36"	130° 39' 19"
10	-11° 24' 37"	130° 38' 03"
11	-11° 24' 22"	130° 38' 15"
12	-11° 25' 03"	130° 39' 07"
13	-11° 25' 03"	130° 39' 54"
14	-11° 24' 43"	130° 39' 54"

- (b) Area 2 of 3, that is all of that area contained within and bounded by a line commencing at Point 15 listed immediately below, thence initially in an easterly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 18, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
15	-11° 25' 49"	130° 39' 34"
16	-11° 25' 49"	130° 39' 44"
17	-11° 26' 04"	130° 39' 44"
18	-11° 26' 04"	130° 39' 34"

- (c) Area 3 of 3, that is all of that area contained within and bounded by a line commencing at Point 19 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 22, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
19	-11° 27' 04"	130° 39' 57"
20	-11° 26' 34"	130° 39' 57"
21	-11° 26' 34"	130° 40' 18"
22	-11° 27' 04"	130° 40' 18"

24 Milingimbi

All that area of land contained within the 3 separate areas of land outlined below having a total area of approximately 9.241 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 3, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to the intersection with the low water mark of the coastline of the Northern Territory at Point 16, thence generally in a southerly direction following

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 24

the low water mark of that coastline to Point 17, thence successively along a straight line (loxodrome) between each of the following points in the sequence to Point 20, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-12° 06' 18"	134° 54' 23"
2	-12° 06' 18"	134° 53' 39"
3	-12° 06' 34"	134° 53' 39"
4	-12° 06' 34"	134° 53' 07"
5	-12° 05' 40"	134° 53' 07"
6	-12° 05' 33"	134° 52' 53"
7	-12° 05' 15"	134° 53' 01"
8	-12° 05' 27"	134° 53' 27"
9	-12° 05' 07"	134° 53' 29"
10	-12° 05' 09"	134° 53' 45"
11	-12° 05' 34"	134° 53' 43"
12	-12° 05' 47"	134° 54' 12"
13	-12° 05' 39"	134° 54' 12"
14	-12° 05' 39"	134° 54' 27"
15	-12° 05' 45"	134° 54' 27"
16	-12° 05' 45"	134° 55' 48"
17	-12° 06' 50"	134° 55' 07"
18	-12° 06' 50"	134° 54' 42"
19	-12° 07' 30"	134° 54' 42"
20	-12° 07' 30"	134° 54' 23"

- (b) Area 2 of 3, that is all of that area contained within and bounded by a line commencing at Point 21 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 24, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
21	-12° 04' 43"	134° 53' 41"
22	-12° 04' 31"	134° 53' 41"
23	-12° 04' 31"	134° 53' 53"
24	-12° 04' 43"	134° 53' 53"

- (c) Area 3 of 3, that is all of that area contained within and bounded by a line commencing at Point 25 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 28, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
25	-12° 05' 30"	134° 52' 29"
26	-12° 05' 18"	134° 52' 29"
27	-12° 05' 18"	134° 52' 41"
28	-12° 05' 30"	134° 52' 41"

25 Minjilang

All that area of land contained within the 7 separate areas of land outlined below having a total area of approximately 6.167 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 7, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in an easterly direction successively along a straight line (loxodrome) between each of the following points in the sequence to the intersection with the low water mark of the coastline of the Northern Territory at Point 3, thence generally in a southerly direction following

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 25

the low water mark of that coastline to Point 4, thence successively along a straight line (loxodrome) between each of the following points in the sequence to Point 15, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-11° 08' 25"	132° 34' 41"
2	-11° 08' 25"	132° 35' 07"
3	-11° 08' 36"	132° 35' 07"
4	-11° 09' 33"	132° 34' 48"
5	-11° 09' 33"	132° 33' 44"
6	-11° 09' 20"	132° 33' 44"
7	-11° 09' 20"	132° 33' 30"
8	-11° 09' 09"	132° 33' 30"
9	-11° 09' 09"	132° 33' 55"
10	-11° 08' 37"	132° 33' 55"
11	-11° 08' 37"	132° 34' 12"
12	-11° 08' 25"	132° 34' 12"
13	-11° 08' 25"	132° 34' 31"
14	-11° 08' 21"	132° 34' 32"
15	-11° 08' 23"	132° 34' 41"

- (b) Area 2 of 7, that is all of that area contained within and bounded by a line commencing at Point 16 listed immediately below, thence initially in a north westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 19, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
16	-11° 09' 52"	132° 32' 05"
17	-11° 09' 43"	132° 31' 59"
18	-11° 09' 18"	132° 32' 44"

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
19	-11° 09' 28"	132° 32' 49"

- (c) Area 3 of 7, that is all of that area contained within and bounded by a line commencing at Point 20 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 23, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
20	-11° 11' 24"	132° 33' 31"
21	-11° 11' 11"	132° 33' 31"
22	-11° 11' 11"	132° 33' 41"
23	-11° 11' 24"	132° 33' 41"

- (d) Area 4 of 7, that is all of that area contained within and bounded by a line commencing at Point 24 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 27, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
24	-11° 11' 29"	132° 33' 59"
25	-11° 11' 20"	132° 33' 59"
26	-11° 11' 20"	132° 34' 09"
27	-11° 11' 29"	132° 34' 09"

- (e) Area 5 of 7, that is all of that area contained within and bounded by a line commencing at Point 28 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 25

of the following points in the sequence to Point 31, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
28	-11° 12' 35"	132° 34' 41"
29	-11° 12' 18"	132° 34' 41"
30	-11° 12' 18"	132° 34' 58"
31	-11° 12' 35"	132° 34' 58"

- (f) Area 6 of 7, that is all of that area contained within and bounded by a line commencing at Point 32 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to the intersection with the low water mark of the coastline of the Northern Territory at Point 34, thence generally in a south easterly direction following the low water mark of that coastline to Point 35, thence successively along a straight line (loxodrome) between each of the following points in the sequence to Point 36, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
32	-11° 10' 53"	132° 35' 11"
33	-11° 10' 38"	132° 35' 11"
34	-11° 10' 38"	132° 35' 12"
35	-11° 10' 47"	132° 35' 27"
36	-11° 10' 52"	132° 35' 27"

- (g) Area 7 of 7, that is all of that area contained within and bounded by a line commencing at Point 37 listed immediately below, thence initially in a north westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 40, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
37	-11° 10' 12"	132° 29' 11"
38	-11° 09' 25"	132° 28' 25"
39	-11° 09' 14"	132° 28' 36"
40	-11° 10' 02"	132° 29' 22"

26 Mt Liebig

All that area of land contained within the 6 separate areas of land outlined below having a total area of approximately 3.565 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 6, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in an easterly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 4, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-23° 15' 33"	131° 15' 57"
2	-23° 15' 33"	131° 16' 50"
3	-23° 16' 21"	131° 16' 50"
4	-23° 16' 21"	131° 15' 57"

- (b) Area 2 of 6, that is all of that area contained within and bounded by a line commencing at Point 5 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 8, thence to the point of commencement;

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 26

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
5	-23° 17' 12"	131° 16' 03"
6	-23° 16' 58"	131° 16' 03"
7	-23° 16' 58"	131° 16' 24"
8	-23° 17' 12"	131° 16' 24"

- (c) Area 3 of 6, that is all of that area contained within and bounded by a line commencing at Point 9 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 12, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
9	-23° 15' 57"	131° 15' 06"
10	-23° 15' 47"	131° 15' 06"
11	-23° 15' 47"	131° 15' 17"
12	-23° 15' 57"	131° 15' 17"

- (d) Area 4 of 6, that is all of that area contained within and bounded by a line commencing at Point 13 listed immediately below, thence initially in a westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 20, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
13	-23° 14' 42"	131° 15' 28"
14	-23° 14' 47"	131° 15' 04"
15	-23° 14' 37"	131° 15' 02"
16	-23° 14' 26"	131° 16' 01"

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
17	-23° 14' 36"	131° 16' 03"
18	-23° 14' 40"	131° 15' 40"
19	-23° 14' 51"	131° 15' 40"
20	-23° 14' 51"	131° 15' 28"

- (e) Area 5 of 6, that is all of that area contained within and bounded by a line commencing at Point 21 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 24, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
21	-23° 15' 21"	131° 16' 31"
22	-23° 15' 10"	131° 16' 31"
23	-23° 15' 10"	131° 16' 43"
24	-23° 15' 21"	131° 16' 43"

- (f) Area 6 of 6, that is all of that area contained within and bounded by a line commencing at Point 25 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 28, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
25	-23° 13' 46"	131° 17' 43"
26	-23° 13' 33"	131° 17' 43"
27	-23° 13' 33"	131° 17' 59"
28	-23° 13' 46"	131° 17' 59"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*)

Clause 27

27 Ngukurr

All that area of land contained within the 2 separate areas of land outlined below having a total area of approximately 12.094 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 2, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a south easterly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 8, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-14° 43' 05"	134° 44' 22"
2	-14° 43' 43"	134° 45' 53"
3	-14° 44' 44"	134° 45' 53"
4	-14° 44' 44"	134° 44' 46"
5	-14° 44' 37"	134° 44' 46"
6	-14° 44' 37"	134° 43' 19"
7	-14° 43' 18"	134° 43' 19"
8	-14° 43' 18"	134° 44' 16"

- (b) Area 2 of 2, that is all of that area contained within and bounded by a line commencing at Point 9 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 12, thence to the point of commencement.

Geocentric Datum of Australia 1994 GDA94		
Point No.	Latitude (S) DMS	Longitude (E) DMS
9	-14° 42' 57"	134° 44' 17"
10	-14° 42' 23"	134° 44' 17"

Geocentric Datum of Australia 1994 GDA94		
Point No.	Latitude (S) DMS	Longitude (E) DMS
11	-14° 42' 23"	134° 44' 47"
12	-14° 42' 57"	134° 44' 47"

28 Nturiya

All that area of land contained within the 3 separate areas of land outlined below having a total area of approximately 3.299 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 3, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a southerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 6, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-22° 07' 01"	133° 16' 21"
2	-22° 07' 49"	133° 16' 21"
3	-22° 07' 49"	133° 15' 27"
4	-22° 07' 14"	133° 15' 27"
5	-22° 07' 14"	133° 15' 23"
6	-22° 07' 01"	133° 15' 23"

- (b) Area 2 of 3, that is all of that area contained within and bounded by a line commencing at Point 7 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 10, thence to the point of commencement;

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*)

Clause 29

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
7	-22° 08' 26"	133° 19' 10"
8	-22° 07' 58"	133° 19' 10"
9	-22° 07' 58"	133° 19' 49"
10	-22° 08' 26"	133° 19' 49"

- (c) Area 3 of 3, that is all of that area contained within and bounded by a line commencing at Point 11 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 14, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
11	-22° 05' 29"	133° 13' 28"
12	-22° 05' 21"	133° 13' 28"
13	-22° 05' 21"	133° 13' 40"
14	-22° 05' 29"	133° 13' 40"

29 Numbulwar

All that area of land contained within the 4 separate areas of land outlined below having a total area of approximately 7.230 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 4, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a southerly direction along a straight line (loxodrome) to the intersection with the low water mark of the coastline of the Northern Territory at Point 2, thence generally in a south westerly direction following the low water mark of that coastline to Point 3, thence

successively along a straight line (loxodrome) between each of the following points in the sequence to Point 10, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-14° 16' 01"	135° 45' 01"
2	-14° 16' 30"	135° 45' 01"
3	-14° 17' 03"	135° 43' 20"
4	-14° 15' 48"	135° 42' 31"
5	-14° 15' 41"	135° 42' 42"
6	-14° 15' 41"	135° 43' 13"
7	-14° 16' 29"	135° 43' 13"
8	-14° 16' 36"	135° 43' 18"
9	-14° 16' 36"	135° 43' 46"
10	-14° 16' 01"	135° 43' 46"

- (b) Area 2 of 4, that is all of that area contained within and bounded by a line commencing at Point 11 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 14, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
11	-14° 15' 27"	135° 42' 47"
12	-14° 15' 11"	135° 42' 47"
13	-14° 15' 11"	135° 43' 11"
14	-14° 15' 27"	135° 43' 11"

- (c) Area 3 of 4, that is all of that area contained within and bounded by a line commencing at Point 15 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*)

Clause 30

of the following points in the sequence to Point 18, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
15	-14° 15' 22"	135° 43' 41"
16	-14° 15' 06"	135° 43' 41"
17	-14° 15' 06"	135° 43' 55"
18	-14° 15' 22"	135° 43' 55"

- (d) Area 4 of 4, that is all of that area contained within and bounded by a line commencing at Point 19 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 22, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
19	-14° 14' 07"	135° 43' 01"
20	-14° 13' 40"	135° 43' 01"
21	-14° 13' 40"	135° 43' 39"
22	-14° 14' 07"	135° 43' 39"

30 Nyirripi

All that area of land contained within the area of land outlined below having a total area of approximately 3.735 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 12, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-22° 39' 39"	130° 33' 06"
2	-22° 39' 39"	130° 32' 53"
3	-22° 39' 28"	130° 32' 53"
4	-22° 39' 28"	130° 32' 39"
5	-22° 38' 36"	130° 32' 39"
6	-22° 38' 36"	130° 33' 53"
7	-22° 38' 25"	130° 34' 47"
8	-22° 38' 38"	130° 34' 50"
9	-22° 38' 51"	130° 33' 49"
10	-22° 38' 51"	130° 33' 38"
11	-22° 39' 28"	130° 33' 38"
12	-22° 39' 28"	130° 33' 06"

31 Palumpa

All that area of land contained within the 5 separate areas of land outlined below having a total area of approximately 8.136 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 5, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 12, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-14° 21' 05"	129° 52' 09"
2	-14° 21' 05"	129° 51' 17"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 31

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
3	-14° 20' 28"	129° 51' 17"
4	-14° 20' 28"	129° 51' 41"
5	-14° 19' 51"	129° 51' 41"
6	-14° 19' 51"	129° 52' 00"
7	-14° 20' 17"	129° 52' 00"
8	-14° 20' 17"	129° 52' 52"
9	-14° 20' 27"	129° 52' 52"
10	-14° 20' 27"	129° 53' 24"
11	-14° 21' 36"	129° 53' 24"
12	-14° 21' 36"	129° 52' 09"

- (b) Area 2 of 5, that is all of that area contained within and bounded by a line commencing at Point 13 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 16, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
13	-14° 22' 22"	129° 52' 39"
14	-14° 22' 10"	129° 52' 39"
15	-14° 22' 10"	129° 52' 50"
16	-14° 22' 22"	129° 52' 50"

- (c) Area 3 of 5, that is all of that area contained within and bounded by a line commencing at Point 17 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 20, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
17	-14° 22' 35"	129° 52' 52"
18	-14° 22' 25"	129° 52' 52"
19	-14° 22' 25"	129° 53' 02"
20	-14° 22' 35"	129° 53' 02"

- (d) Area 4 of 5, that is all of that area contained within and bounded by a line commencing at Point 21 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 24, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
21	-14° 23' 01"	129° 52' 52"
22	-14° 22' 51"	129° 52' 52"
23	-14° 22' 51"	129° 53' 02"
24	-14° 23' 01"	129° 53' 02"

- (e) Area 5 of 5, that is all of that area contained within and bounded by a line commencing at Point 25 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 28, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
25	-14° 22' 08"	129° 53' 59"
26	-14° 21' 54"	129° 53' 59"
27	-14° 21' 54"	129° 54' 13"
28	-14° 22' 08"	129° 54' 13"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*)

Clause 32

32 Papunya

All that area of land contained within the 7 separate areas of land outlined below having a total area of approximately 7.938 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 7, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in an easterly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 12, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-23° 11' 43"	131° 54' 07"
2	-23° 11' 43"	131° 55' 27"
3	-23° 12' 05"	131° 55' 27"
4	-23° 12' 05"	131° 55' 20"
5	-23° 12' 51"	131° 55' 20"
6	-23° 12' 51"	131° 54' 07"
7	-23° 12' 42"	131° 54' 07"
8	-23° 12' 42"	131° 54' 01"
9	-23° 12' 29"	131° 54' 01"
10	-23° 12' 29"	131° 53' 42"
11	-23° 12' 04"	131° 53' 42"
12	-23° 12' 04"	131° 54' 07"

- (b) Area 2 of 7, that is all of that area contained within and bounded by a line commencing at Point 13 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 16, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
13	-23° 11' 34"	131° 55' 14"
14	-23° 11' 19"	131° 55' 14"
15	-23° 11' 19"	131° 55' 29"
16	-23° 11' 34"	131° 55' 29"

- (c) Area 3 of 7, that is all of that area contained within and bounded by a line commencing at Point 17 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 20, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
17	-23° 14' 07"	131° 58' 45"
18	-23° 13' 40"	131° 58' 45"
19	-23° 13' 40"	131° 59' 10"
20	-23° 14' 07"	131° 59' 10"

- (d) Area 4 of 7, that is all of that area contained within and bounded by a line commencing at Point 21 listed immediately below, thence initially in a north easterly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 24, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
21	-23° 14' 14"	131° 53' 56"
22	-23° 13' 58"	131° 54' 14"
23	-23° 14' 42"	131° 55' 01"
24	-23° 14' 58"	131° 54' 43"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 32

- (e) Area 5 of 7, that is all of that area contained within and bounded by a line commencing at Point 25 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 28, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
25	-23° 15' 48"	131° 53' 30"
26	-23° 15' 35"	131° 53' 30"
27	-23° 15' 35"	131° 53' 53"
28	-23° 15' 48"	131° 53' 53"

- (f) Area 6 of 7, that is all of that area contained within and bounded by a line commencing at Point 29 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 32, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
29	-23° 16' 45"	131° 55' 33"
30	-23° 16' 32"	131° 55' 33"
31	-23° 16' 32"	131° 55' 46"
32	-23° 16' 45"	131° 55' 46"

- (g) Area 7 of 7, that is all of that area contained within and bounded by a line commencing at Point 33 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 36, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
33	-23° 11' 16"	131° 58' 20"
34	-23° 10' 59"	131° 58' 20"
35	-23° 10' 59"	131° 58' 38"
36	-23° 11' 16"	131° 58' 38"

33 Peppimenarti

All that area of land contained within the 4 separate areas of land outlined below having a total area of approximately 7.121 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 4, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 14, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-14° 09' 44"	130° 05' 18"
2	-14° 08' 53"	130° 05' 18"
3	-14° 08' 53"	130° 05' 21"
4	-14° 08' 49"	130° 05' 21"
5	-14° 08' 42"	130° 05' 54"
6	-14° 08' 29"	130° 05' 51"
7	-14° 08' 35"	130° 05' 18"
8	-14° 08' 25"	130° 05' 18"
9	-14° 08' 25"	130° 04' 49"
10	-14° 08' 19"	130° 04' 49"
11	-14° 08' 19"	130° 04' 39"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 33

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
12	-14° 08' 25"	130° 04' 39"
13	-14° 08' 25"	130° 03' 52"
14	-14° 09' 44"	130° 03' 52"

- (b) Area 2 of 4, that is all of that area contained within and bounded by a line commencing at Point 15 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 18, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
15	-14° 08' 24"	130° 05' 30"
16	-14° 08' 14"	130° 05' 30"
17	-14° 08' 14"	130° 05' 39"
18	-14° 08' 24"	130° 05' 39"

- (c) Area 3 of 4, that is all of that area contained within and bounded by a line commencing at Point 19 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 22, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
19	-14° 09' 34"	130° 06' 39"
20	-14° 09' 21"	130° 06' 39"
21	-14° 09' 21"	130° 06' 51"
22	-14° 09' 34"	130° 06' 51"

- (d) Area 4 of 4, that is all of that area contained within and bounded by a line commencing at Point 23 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 26, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
23	-14° 10' 11"	130° 03' 55"
24	-14° 09' 59"	130° 03' 55"
25	-14° 09' 59"	130° 04' 07"
26	-14° 10' 11"	130° 04' 07"

34 Pigeon Hole

All that area of land contained within the area of land outlined below having a total area of approximately 6.209 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 4, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-16° 49' 15"	131° 12' 24"
2	-16° 47' 38"	131° 12' 24"
3	-16° 47' 38"	131° 13' 35"
4	-16° 49' 15"	131° 13' 35"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*)

Clause 35

35 Pirlangimpi

All that area of land contained within the 2 separate areas of land outlined below having a total area of approximately 3.704 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 2, that is all of that area contained within and bounded by a line commencing on the low water mark of the coastline of the Northern Territory at Point 1 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to the intersection with the low water mark of the coastline of the Northern Territory at Point 16, thence generally in a northerly direction following the low water mark of that coastline to the point of commencement;

	Geocentric Datum of Australia 1994 (GDA94)	
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-11° 23' 46"	130° 24' 52"
2	-11° 23' 42"	130° 24' 52"
3	-11° 23' 42"	130° 25' 35"
4	-11° 23' 22"	130° 25' 53"
5	-11° 23' 44"	130° 26' 23"
6	-11° 24' 02"	130° 25' 58"
7	-11° 23' 54"	130° 25' 47"
8	-11° 24' 16"	130° 25' 29"
9	-11° 24' 29"	130° 25' 29"
10	-11° 24' 29"	130° 25' 45"
11	-11° 24' 39"	130° 25' 45"
12	-11° 24' 39"	130° 25' 32"
13	-11° 24' 52"	130° 25' 32"
14	-11° 24' 52"	130° 25' 21"
15	-11° 24' 47"	130° 25' 21"

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
16	-11° 24' 47"	130° 25' 12"

- (b) Area 2 of 2, that is all of that area contained within and bounded by a line commencing at Point 17 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 20, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
17	-11° 24' 50"	130° 25' 47"
18	-11° 24' 38"	130° 25' 47"
19	-11° 24' 38"	130° 25' 59"
20	-11° 24' 50"	130° 25' 59"

36 Pmara Jutunta

All that area of land contained within the 4 separate areas of land outlined below having a total area of approximately 2.994 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 4, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 8, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-22° 12' 57"	133° 26' 18"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 36

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
2	-22° 12' 06"	133° 26' 18"
3	-22° 12' 06"	133° 25' 21"
4	-22° 12' 04"	133° 25' 21"
5	-22° 12' 04"	133° 25' 11"
6	-22° 12' 13"	133° 25' 11"
7	-22° 12' 13"	133° 25' 23"
8	-22° 12' 57"	133° 25' 23"

- (b) Area 2 of 4, that is all of that area contained within and bounded by a line commencing at Point 9 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 12, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
9	-22° 13' 28"	133° 25' 48"
10	-22° 13' 12"	133° 25' 48"
11	-22° 13' 12"	133° 26' 06"
12	-22° 13' 28"	133° 26' 06"

- (c) Area 3 of 4, that is all of that area contained within and bounded by a line commencing at Point 13 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 16, thence to the point of commencement;

Geocentric Datum of Australia 1994 GDA94		
Point No.	Latitude (S) DMS	Longitude (E) DMS
13	-22° 11' 05"	133° 26' 55"
14	-22° 10' 55"	133° 26' 55"

Geocentric Datum of Australia 1994 GDA94		
Point No.	Latitude (S) DMS	Longitude (E) DMS
15	-22° 10' 55"	133° 27' 06"
16	-22° 11' 05"	133° 27' 06"

- (d) Area 4 of 4, that is all of that area contained within and bounded by a line commencing at Point 17 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 20, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
17	-22° 11' 33"	133° 27' 39"
18	-22° 11' 23"	133° 27' 39"
19	-22° 11' 23"	133° 27' 50"
20	-22° 11' 33"	133° 27' 50"

37 Ramingining

All that area of land contained within the 6 separate areas of land outlined below having a total area of approximately 11.597 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 6, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 6, thence to the point of commencement;

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 37

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-12° 21' 04"	134° 55' 09"
2	-12° 19' 09"	134° 55' 09"
3	-12° 19' 09"	134° 56' 29"
4	-12° 19' 42"	134° 56' 29"
5	-12° 19' 42"	134° 56' 13"
6	-12° 21' 04"	134° 56' 13"

- (b) Area 2 of 6, that is all of that area contained within and bounded by a line commencing at Point 7 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 10, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
7	-12° 21' 36"	134° 52' 43"
8	-12° 21' 12"	134° 52' 43"
9	-12° 21' 12"	134° 54' 28"
10	-12° 21' 36"	134° 54' 28"

- (c) Area 3 of 6, that is all of that area contained within and bounded by a line commencing at Point 11 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 14, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
11	-12° 16' 43"	134° 54' 53"
12	-12° 16' 18"	134° 54' 53"
13	-12° 16' 18"	134° 55' 38"

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
14	-12° 16' 43"	134° 55' 38"

- (d) Area 4 of 6, that is all of that area contained within and bounded by a line commencing at Point 15 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 18, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
15	-12° 18' 07"	134° 57' 07"
16	-12° 17' 53"	134° 57' 07"
17	-12° 17' 53"	134° 57' 22"
18	-12° 18' 07"	134° 57' 22"

- (e) Area 5 of 6, that is all of that area contained within and bounded by a line commencing at Point 19 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 22, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
19	-12° 17' 53"	134° 58' 27"
20	-12° 17' 40"	134° 58' 27"
21	-12° 17' 40"	134° 58' 41"
22	-12° 17' 53"	134° 58' 41"

- (f) Area 6 of 6, that is all of that area contained within and bounded by a line commencing at Point 23 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*)

Clause 38

of the following points in the sequence to Point 26, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
23	-12° 19' 53"	134° 57' 37"
24	-12° 19' 32"	134° 57' 37"
25	-12° 19' 32"	134° 58' 01"
26	-12° 19' 53"	134° 58' 01"

38 Robinson River

All that area of land contained within the 3 separate areas of land outlined below having a total area of approximately 4.211 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 3, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in an easterly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 6, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-16° 45' 03"	136° 58' 23"
2	-16° 45' 03"	136° 59' 10"
3	-16° 44' 59"	136° 59' 10"
4	-16° 44' 59"	136° 59' 30"
5	-16° 46' 02"	136° 59' 30"
6	-16° 46' 02"	136° 58' 23"

- (b) Area 2 of 3, that is all of that area contained within and bounded by a line commencing at Point 7 listed immediately
-

below, thence initially in a north westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 10, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
7	-16° 44' 28"	136° 58' 08"
8	-16° 44' 06"	136° 57' 43"
9	-16° 43' 56"	136° 57' 53"
10	-16° 44' 17"	136° 58' 17"

- (c) Area 3 of 3, that is all of that area contained within and bounded by a line commencing at Point 11 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 14, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
11	-16° 44' 55"	136° 57' 55"
12	-16° 44' 41"	136° 57' 55"
13	-16° 44' 41"	136° 58' 10"
14	-16° 44' 55"	136° 58' 10"

39 Santa Teresa

All that area of land contained within the 3 separate areas of land outlined below having a total area of approximately 8.618 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 3, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 39

below, thence initially in a southerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 12, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-24° 08' 29"	134° 22' 09"
2	-24° 08' 48"	134° 22' 09"
3	-24° 08' 48"	134° 21' 47"
4	-24° 07' 10"	134° 21' 47"
5	-24° 07' 10"	134° 22' 52"
6	-24° 06' 36"	134° 23' 03"
7	-24° 06' 36"	134° 24' 25"
8	-24° 06' 58"	134° 24' 25"
9	-24° 06' 58"	134° 23' 58"
10	-24° 07' 15"	134° 23' 53"
11	-24° 07' 15"	134° 23' 06"
12	-24° 08' 29"	134° 23' 06"

- (b) Area 2 of 3, that is all of that area contained within and bounded by a line commencing at Point 13 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 16, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
13	-24° 06' 33"	134° 24' 49"
14	-24° 06' 23"	134° 24' 49"
15	-24° 06' 23"	134° 25' 01"
16	-24° 06' 33"	134° 25' 01"

- (c) Area 3 of 3, that is all of that area contained within and bounded by a line commencing at Point 17 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 20, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
17	-24° 06' 24"	134° 22' 43"
18	-24° 06' 12"	134° 22' 43"
19	-24° 06' 12"	134° 22' 58"
20	-24° 06' 24"	134° 22' 58"

40 Wadeye

All that area of land contained within the 4 separate areas of land outlined below having a total area of approximately 10.385 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 4, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in an easterly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 25, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-14° 13' 43"	129° 31' 22"
2	-14° 13' 43"	129° 31' 48"
3	-14° 13' 55"	129° 31' 48"
4	-14° 13' 55"	129° 32' 10"
5	-14° 14' 09"	129° 32' 10"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

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Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
6	-14° 14' 09"	129° 32' 05"
7	-14° 14' 47"	129° 32' 05"
8	-14° 14' 47"	129° 31' 48"
9	-14° 15' 26"	129° 32' 01"
10	-14° 15' 29"	129° 32' 14"
11	-14° 15' 29"	129° 32' 29"
12	-14° 15' 50"	129° 32' 29"
13	-14° 15' 50"	129° 32' 14"
14	-14° 15' 58"	129° 31' 54"
15	-14° 15' 58"	129° 31' 41"
16	-14° 15' 46"	129° 31' 41"
17	-14° 15' 29"	129° 31' 50"
18	-14° 15' 00"	129° 31' 40"
19	-14° 15' 00"	129° 30' 28"
20	-14° 14' 20"	129° 30' 28"
21	-14° 14' 20"	129° 30' 10"
22	-14° 13' 38"	129° 30' 10"
23	-14° 13' 38"	129° 30' 43"
24	-14° 13' 22"	129° 30' 43"
25	-14° 13' 22"	129° 31' 22"

- (b) Area 2 of 4, that is all of that area contained within and bounded by a line commencing at Point 26 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 29, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
26	-14° 13' 32"	129° 30' 28"
27	-14° 13' 22"	129° 30' 28"

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
28	-14° 13' 22"	129° 30' 37"
29	-14° 13' 32"	129° 30' 37"

- (c) Area 3 of 4, that is all of that area contained within and bounded by a line commencing at Point 30 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 33, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
30	-14° 15' 53"	129° 30' 53"
31	-14° 15' 33"	129° 30' 53"
32	-14° 15' 33"	129° 31' 14"
33	-14° 15' 53"	129° 31' 14"

- (d) Area 4 of 4, that is all of that area contained within and bounded by a line commencing at Point 34 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 37, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
34	-14° 16' 33"	129° 31' 44"
35	-14° 16' 06"	129° 31' 44"
36	-14° 16' 06"	129° 32' 03"
37	-14° 16' 33"	129° 32' 03"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*)

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41 Wallace Rockhole

All that area of land contained within the 2 separate areas of land outlined below having a total area of approximately 4.131 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 2, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 17, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-24° 07' 56"	133° 06' 05"
2	-24° 07' 56"	133° 05' 52"
3	-24° 07' 53"	133° 05' 52"
4	-24° 07' 53"	133° 04' 45"
5	-24° 08' 02"	133° 04' 45"
6	-24° 08' 02"	133° 04' 36"
7	-24° 07' 23"	133° 04' 36"
8	-24° 07' 23"	133° 04' 30"
9	-24° 07' 13"	133° 04' 30"
10	-24° 07' 13"	133° 04' 44"
11	-24° 07' 05"	133° 04' 44"
12	-24° 07' 05"	133° 04' 58"
13	-24° 06' 48"	133° 04' 58"
14	-24° 06' 48"	133° 05' 15"
15	-24° 07' 05"	133° 05' 15"
16	-24° 07' 05"	133° 05' 44"
17	-24° 07' 28"	133° 06' 05"

- (b) Area 2 of 2, that is all of that area contained within and bounded by a line commencing at Point 18 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 21, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
18	-24° 07' 39"	133° 06' 24"
19	-24° 07' 24"	133° 06' 24"
20	-24° 07' 24"	133° 06' 51"
21	-24° 07' 39"	133° 06' 51"

42 Warruwi

All that area of land contained within the 4 separate areas of land outlined below having a total area of approximately 7.547 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 4, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a southerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to the intersection with the low water mark of the coastline of the Northern Territory at Point 13, thence generally in a south easterly direction following the low water mark of that coastline to Point 14, thence successively along a straight line (loxodrome) between each of the following points in the sequence to Point 18, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-11° 39' 15"	133° 22' 19"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

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Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
2	-11° 39' 35"	133° 22' 19"
3	-11° 39' 35"	133° 21' 58"
4	-11° 39' 12"	133° 21' 58"
5	-11° 39' 10"	133° 21' 49"
6	-11° 38' 47"	133° 21' 53"
7	-11° 38' 55"	133° 22' 43"
8	-11° 38' 23"	133° 22' 43"
9	-11° 38' 23"	133° 22' 09"
10	-11° 38' 03"	133° 22' 09"
11	-11° 38' 03"	133° 22' 54"
12	-11° 38' 22"	133° 22' 54"
13	-11° 38' 22"	133° 23' 07"
14	-11° 39' 43"	133° 24' 04"
15	-11° 39' 43"	133° 23' 45"
16	-11° 39' 25"	133° 23' 45"
17	-11° 39' 25"	133° 22' 52"
18	-11° 39' 21"	133° 22' 52"

- (b) Area 2 of 4, that is all of that area contained within and bounded by a line commencing at Point 19 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 22, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
19	-11° 36' 58"	133° 24' 12"
20	-11° 36' 43"	133° 24' 12"
21	-11° 36' 43"	133° 24' 30"
22	-11° 36' 58"	133° 24' 30"

- (c) Area 3 of 4, that is all of that area contained within and bounded by a line commencing at Point 23 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 26, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
23	-11° 36' 49"	133° 24' 41"
24	-11° 36' 32"	133° 24' 41"
25	-11° 36' 32"	133° 24' 57"
26	-11° 36' 49"	133° 24' 57"

- (d) Area 4 of 4, that is all of that area contained within and bounded by a line commencing at Point 27 listed immediately below, thence initially in a westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 32, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
27	-11° 36' 56"	133° 26' 02"
28	-11° 36' 56"	133° 25' 24"
29	-11° 36' 40"	133° 25' 24"
30	-11° 36' 40"	133° 25' 35"
31	-11° 36' 12"	133° 25' 35"
32	-11° 36' 12"	133° 26' 02"

43 Weemol

All that area of land contained within the 4 separate areas of land outlined below having a total area of approximately 3.508 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 43

subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 4, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 6, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-13° 38' 57"	134° 18' 55"
2	-13° 38' 57"	134° 18' 00"
3	-13° 39' 08"	134° 18' 00"
4	-13° 39' 08"	134° 17' 47"
5	-13° 38' 19"	134° 17' 47"
6	-13° 38' 19"	134° 18' 55"

- (b) Area 2 of 4, that is all of that area contained within and bounded by a line commencing at Point 7 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to point 10, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
7	-13° 39' 41"	134° 17' 46"
8	-13° 39' 30"	134° 17' 46"
9	-13° 39' 30"	134° 17' 58"
10	-13° 39' 41"	134° 17' 58"

- (c) Area 3 of 4, that is all of that area contained within and bounded by a line commencing at Point 11 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each

of the following points in the sequence to Point 14, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
11	-13° 39' 40"	134° 18' 23"
12	-13° 39' 24"	134° 18' 23"
13	-13° 39' 24"	134° 18' 37"
14	-13° 39' 40"	134° 18' 37"

- (d) Area 4 of 4, that is all of that area contained within and bounded by a line commencing at Point 15 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 18, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
15	-13° 40' 10"	134° 17' 07"
16	-13° 39' 57"	134° 17' 09"
17	-13° 40' 07"	134° 18' 00"
18	-13° 40' 20"	134° 17' 57"

44 Willowra

All that area of land contained within the 3 separate areas of land outlined below having a total area of approximately 6.329 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 3, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a south westerly direction successively along a straight line (loxodrome) between each

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Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

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of the following points in the sequence to Point 12, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-21° 15' 15"	132° 36' 05"
2	-21° 15' 21"	132° 35' 53"
3	-21° 15' 29"	132° 35' 53"
4	-21° 15' 29"	132° 35' 39"
5	-21° 15' 18"	132° 35' 39"
6	-21° 15' 18"	132° 35' 46"
7	-21° 14' 20"	132° 35' 46"
8	-21° 14' 20"	132° 37' 21"
9	-21° 15' 02"	132° 37' 21"
10	-21° 15' 17"	132° 37' 47"
11	-21° 15' 28"	132° 37' 39"
12	-21° 15' 15"	132° 37' 17"

- (b) Area 2 of 3, that is all of that area contained within and bounded by a line commencing at Point 13 listed immediately below, thence initially in an easterly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 16, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
13	-21° 15' 57"	132° 37' 28"
14	-21° 15' 57"	132° 37' 59"
15	-21° 16' 23"	132° 37' 59"
16	-21° 16' 23"	132° 37' 28"

- (c) Area 3 of 3, that is all of that area contained within and bounded by a line commencing at Point 17 listed immediately below, thence initially in a north easterly

direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 20, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
17	-21° 16' 32"	132° 37' 16"
18	-21° 16' 24"	132° 37' 21"
19	-21° 16' 58"	132° 38' 19"
20	-21° 17' 06"	132° 38' 14"

45 Yirrkala

All that area of land contained within the 2 separate areas of land outlined below having a total area of approximately 14.143 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 2, that is all of that area contained within and bounded by a line commencing on the low water mark of the coastline of the Northern Territory at Point 1 listed immediately below, thence initially in a westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to the intersection with the low water mark of the coastline of the Northern Territory at Point 4, thence generally in a southerly direction following the low water mark of that coastline to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-12° 16' 38"	136° 54' 05"
2	-12° 16' 38"	136° 52' 47"
3	-12° 14' 36"	136° 52' 47"
4	-12° 14' 36"	136° 53' 02"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*)

Clause 46

- (b) Area 2 of 2, that is all of that area contained within and bounded by a line commencing at Point 5 listed immediately below, thence initially in a north westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 8, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
5	-12° 17' 26"	136° 49' 59"
6	-12° 16' 12"	136° 48' 25"
7	-12° 15' 31"	136° 48' 58"
8	-12° 16' 45"	136° 50' 32"

46 Yuelamu

All that area of land contained within the 2 separate areas of land outlined below having a total area of approximately 6.909 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 2, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 16, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-22° 16' 52"	132° 12' 35"
2	-22° 15' 57"	132° 12' 25"
3	-22° 15' 57"	132° 11' 56"
4	-22° 15' 43"	132° 11' 56"

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
5	-22° 15' 43"	132° 11' 46"
6	-22° 15' 21"	132° 11' 46"
7	-22° 15' 21"	132° 11' 56"
8	-22° 15' 00"	132° 11' 56"
9	-22° 15' 00"	132° 13' 01"
10	-22° 14' 53"	132° 13' 01"
11	-22° 14' 53"	132° 13' 29"
12	-22° 15' 58"	132° 13' 29"
13	-22° 15' 58"	132° 12' 59"
14	-22° 16' 11"	132° 12' 59"
15	-22° 16' 11"	132° 12' 44"
16	-22° 16' 49"	132° 12' 51"

- (b) Area 2 of 2, that is all of that area contained within and bounded by a line commencing at Point 17 listed immediately below, thence initially in a north westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 20, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
17	-22° 16' 22"	132° 11' 23"
18	-22° 15' 43"	132° 10' 30"
19	-22° 15' 32"	132° 10' 39"
20	-22° 16' 11"	132° 11' 32"

47 Yuendumu

All that area of land contained within the 4 separate areas of land outlined below having a total area of approximately 8.489 square kilometres, to the extent that it is Aboriginal land within the meaning of paragraph (a) of the definition of *Aboriginal land* in

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

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subsection 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, being:

- (a) Area 1 of 4, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in an easterly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 18, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-22° 14' 36"	131° 48' 21"
2	-22° 14' 36"	131° 48' 42"
3	-22° 14' 52"	131° 48' 42"
4	-22° 14' 52"	131° 48' 30"
5	-22° 15' 47"	131° 48' 30"
6	-22° 15' 47"	131° 47' 02"
7	-22° 15' 27"	131° 47' 02"
8	-22° 14' 58"	131° 46' 21"
9	-22° 14' 46"	131° 46' 30"
10	-22° 15' 09"	131° 47' 02"
11	-22° 14' 35"	131° 47' 02"
12	-22° 14' 35"	131° 47' 30"
13	-22° 14' 26"	131° 47' 30"
14	-22° 14' 26"	131° 47' 37"
15	-22° 14' 10"	131° 47' 37"
16	-22° 14' 10"	131° 47' 51"
17	-22° 14' 26"	131° 47' 51"
18	-22° 14' 26"	131° 48' 21"

- (b) Area 2 of 4, that is all of that area contained within and bounded by a line commencing at Point 19 listed immediately below, thence initially in a southerly direction successively along a straight line (loxodrome) between each

of the following points in the sequence to Point 22, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
19	-22° 13' 28"	131° 49' 08"
20	-22° 13' 48"	131° 49' 08"
21	-22° 13' 48"	131° 49' 36"
22	-22° 13' 28"	131° 49' 36"

- (c) Area 3 of 4, that is all of that area contained within and bounded by a line commencing at Point 23 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 26, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
23	-22° 16' 48"	131° 47' 36"
24	-22° 16' 22"	131° 47' 36"
25	-22° 16' 22"	131° 48' 10"
26	-22° 16' 48"	131° 48' 10"

- (d) Area 4 of 4, that is all of that area contained within and bounded by a line commencing at Point 27 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 30, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
27	-22° 16' 56"	131° 46' 42"
28	-22° 16' 40"	131° 46' 42"
29	-22° 16' 40"	131° 47' 01"

Schedule 1 Property descriptions

Part 1 Aboriginal land (within the meaning of paragraph (a) of the definition of Aboriginal land in subsection 3(1) of the Aboriginal Land Rights (Northern Territory) Act 1976)

Clause 47

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
30	-22° 16' 56"	131° 47' 01"

Part 2—Community living areas

48 Alpururulam

The whole of the land described in Certificate of Title Volume 189 Folio 123 being NT Portion 1949 from plan S 84/014.

49 Atitjere

The whole of the land described in Certificate of Title Volume 238 Folio 180 being NT Portion 2431 from plan S 83/039.

50 Binjari

The whole of the land described in Certificate of Title Volume 469 Folio 018 being NT Portion 3362 from plan S 87/213.

51 Bulla

The whole of the land described in Certificate of Title Volume 233 Folio 059 being NT Portion 2982 from plan S 84/241.

52 Engawala

The whole of the land described in Certificate of Title Volume 238 Folio 167 being NT Portion 1648 from plan S 78/038.

53 Imangara

The whole of the land described in Certificate of Title Volume 375 Folio 186 being NT Portion 1600 from plan S 77/137.

54 Imanpa

All that area of land contained within the 3 separate areas of land outlined below having a total area of approximately 5.220 square kilometres, comprising part of the land described in Certificate of Title Volume 271 Folio 169 being NT Portion 1230 from plan S 77/098, being:

Clause 54

- (a) Area 1 of 3, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a south easterly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 12, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-25° 08' 22"	132° 34' 20"
2	-25° 08' 30"	132° 34' 27"
3	-25° 08' 37"	132° 34' 17"
4	-25° 08' 22"	132° 34' 04"
5	-25° 08' 22"	132° 33' 35"
6	-25° 07' 21"	132° 33' 35"
7	-25° 07' 21"	132° 33' 53"
8	-25° 07' 09"	132° 33' 53"
9	-25° 07' 09"	132° 34' 17"
10	-25° 07' 21"	132° 34' 17"
11	-25° 07' 21"	132° 34' 42"
12	-25° 08' 22"	132° 34' 42"

- (b) Area 2 of 3, that is all of that area contained within and bounded by a line commencing at Point 13 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 16, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
13	-25° 07' 08"	132° 32' 44"
14	-25° 06' 35"	132° 32' 44"
15	-25° 06' 35"	132° 33' 31"
16	-25° 07' 08"	132° 33' 31"

- (c) Area 3 of 3, that is all of that area contained within and bounded by a line commencing at Point 17 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 20, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
17	-25° 06' 41"	132° 34' 22"
18	-25° 06' 32"	132° 34' 22"
19	-25° 06' 32"	132° 34' 32"
20	-25° 06' 41"	132° 34' 32"

55 Jilkminggan

The whole of the land described in Certificate of Title Volume 088 Folio 128 being NT Portion 1508 from plan S 74/134.

56 Laramba

The whole of the land described in Certificate of Title Volume 249 Folio 116 being NT Portion 4069 from plan S 82/182.

57 Minyerri

The whole of the land described in Certificate of Title Volume 673 Folio 456 being NT Portion 1507 from plan S 74/131.

58 Rittarangu

The whole of the land described in Certificate of Title Volume 326 Folio 115 being NT Portion 1545 from plan S 75/095.

59 Tara

The whole of the land described in Certificate of Title Volume 633 Folio 408 being NT Portion 1480 from plan S 74/024.

Clause 60

60 Titjikala

The whole of the land described in Certificate of Title Volume 238 Folio 168 being NT Portion 1475 from plan S 73/117.

61 Wilora

The whole of the land described in Certificate of Title Volume 376 Folio 074 being NT Portion 1628 from plan S 78/013.

62 Wutunugurra

The whole of the land described in Certificate of Title Volume 254 Folio 026 being NT Portion 3360 from plan S 87/028.

63 Yarralin

All that area of land contained within the 3 separate areas of land outlined below having a total area of approximately 5.068 square kilometres, comprising part of the land described in Certificate of Title Volume 112 Folio 125 being NT Portion 2719 from plan S 84/227, being:

- (a) Area 1 of 3, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a westerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 10, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-16° 27' 19"	130° 53' 26"
2	-16° 27' 19"	130° 52' 29"
3	-16° 26' 42"	130° 52' 29"
4	-16° 26' 42"	130° 52' 19"
5	-16° 26' 14"	130° 52' 19"
6	-16° 26' 14"	130° 53' 26"
7	-16° 26' 09"	130° 53' 26"
8	-16° 26' 09"	130° 53' 56"
9	-16° 26' 28"	130° 53' 56"

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
10	-16° 26' 28"	130° 53' 26"

- (b) Area 2 of 3, that is all of that area contained within and bounded by a line commencing at Point 11 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 14, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
11	-16° 24' 33"	130° 52' 53"
12	-16° 24' 15"	130° 52' 53"
13	-16° 24' 15"	130° 53' 29"
14	-16° 24' 33"	130° 53' 29"

- (c) Area 3 of 3, that is all of that area contained within and bounded by a line commencing at Point 15 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 18, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
15	-16° 28' 04"	130° 51' 30"
16	-16° 27' 49"	130° 51' 30"
17	-16° 27' 49"	130° 51' 49"
18	-16° 28' 04"	130° 51' 49"

Part 3—Miscellaneous

64 Nauiyu (Daly River)

All that area of land contained within the area of land outlined below having a total area of approximately 17.588 square kilometres, comprising part of the land described in Certificate of Title Volume 457 Folio 092 being NT Portion 4028 from plan S 91/200B, being all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a southerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to the intersection with the top of the right bank of the Daly River closest to Point 5, thence generally in a northerly direction following the top of the right bank of that river to a point closest to Point 6, thence successively along a straight line (loxodrome) between each of the following points in the sequence to Point 9, thence to the point of commencement.

Point No.	Geocentric Datum of Australia 1994 (GDA94)	
	Latitude (S) DMS	Longitude (E) DMS
1	-13° 44' 05"	130° 43' 41"
2	-13° 44' 37"	130° 43' 41"
3	-13° 46' 23"	130° 42' 49"
4	-13° 46' 23"	130° 42' 18"
5	-13° 45' 47"	130° 42' 18"
6	-13° 43' 55"	130° 41' 11"
7	-13° 43' 55"	130° 42' 07"
8	-13° 43' 03"	130° 42' 07"
9	-13° 43' 03"	130° 43' 14"

65 Canteen Creek

All that area of land contained within the 2 separate areas of land outlined below having a total area of approximately 5.244 square

kilometres, comprising part of NT Portion 4246 from plan S 911035, being:

- (a) Area 1 of 2, that is all of that area contained within and bounded by a line commencing at Point 1 listed immediately below, thence initially in a southerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 12, thence to the point of commencement;

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
1	-20° 37' 57"	135° 35' 51"
2	-20° 38' 16"	135° 35' 51"
3	-20° 38' 16"	135° 35' 43"
4	-20° 39' 08"	135° 35' 43"
5	-20° 39' 08"	135° 34' 32"
6	-20° 38' 51"	135° 34' 32"
7	-20° 38' 51"	135° 34' 41"
8	-20° 38' 17"	135° 34' 41"
9	-20° 38' 17"	135° 35' 02"
10	-20° 37' 30"	135° 35' 02"
11	-20° 37' 30"	135° 35' 40"
12	-20° 37' 57"	135° 35' 40"

- (b) Area 2 of 2, that is all of that area contained within and bounded by a line commencing at Point 13 listed immediately below, thence initially in a northerly direction successively along a straight line (loxodrome) between each of the following points in the sequence to Point 16, thence to the point of commencement.

Geocentric Datum of Australia 1994 (GDA94)		
Point No.	Latitude (S) DMS	Longitude (E) DMS
13	-20° 38' 03"	135° 33' 36"
14	-20° 37' 37"	135° 33' 36"
15	-20° 37' 37"	135° 33' 57"
16	-20° 38' 03"	135° 33' 57"

Part 4—Town camps

66 Darwin

Bagot

- (1) The whole of the land described in Certificate of Title Volume 485 Folio 135 being Lot 4806 Town of Darwin from plan S 88/331.

Knuckey Lagoons

- (2) The whole of the land described in Certificate of Title Volume 159 Folio 068 being Portion 2232 Hundred of Bagot from plan S 79/065.

Kulaluk / Minmirama Park

- (3) The whole of the land described in Certificate of Title Volume 454 Folio 100 being Lot 5182 Town of Darwin from plan S 77/093B and Lot 8630 Town of Nightcliff from plan S 77/093A.

Palmerston Town Camp

- (4) The whole of the land described in Certificate of Title Volume 194 Folio 074 being Lot 1168 Town of Palmerston from plan S 83/113.

Railway

- (5) The whole of the land described in Certificate of Title Volume 157 Folio 040 being Lot 5027 Town of Darwin from plan S 75/116.

67 Katherine

Miali Brumby

- (1) The whole of the land described in Certificate of Title Volume 193 Folio 012 being Lot 1864 Town of Katherine plan S 80/150.

Warlpiri Transient Camp

- (2) The whole of the land described in Certificate of Title Volume 644 Folio 282 being Lot 3031 Town of Katherine from plan S 92/185

68 Tennant Creek

Kargaru

- (1) The whole of the land described in Certificate of Title Volume 501 Folio 041 being Lot 2051 Town of Tennant Creek from plan S 86/060.

Marla Marla

- (2) The whole of the land described in Certificate of Title Volume 312 Folio 089 being Lot 2055 Town of Tennant Creek from plan S 86/102B.

Munji-Marla

- (3) The whole of the land described in Certificate of Title Volume 639 Folio 012 being Lot 1273 Town of Tennant Creek from plan S 74/062A.

Ngalpa Ngalpa

- (4) The whole of the land described in Certificate of Title Volume 629 Folio 846 being Lot 1271 Town of Tennant Creek from plan S 80/190.

Sorry Camp

- (5) The whole of the land described in Certificate of Title Volume 367 Folio 108 being Lot 2056 Town of Tennant Creek from plan S 86/102A.

The Village

- (6) The whole of the land described in Certificate of Title Volume 639 Folio 014 being Lot 1004 Town of Tennant Creek from plan B 000314.

Clause 69

Tinkarli

- (7) The whole of the land described in Certificate of Title Volume 371 Folio 160 being Lot 2065 Town of Tennant Creek from plan S 88/37.

Village Camp

- (8) The whole of the land described in Certificate of Title Volume 311 Folio 019 being Lot 2057 Town of Tennant Creek from plan S 86/102A.

Wuppa

- (9) The whole of the land described in Certificate of Title Volume 371 Folio 161 being Lot 2066 Town of Tennant Creek from plan S 88/37.

69 Alice Springs

Akngwertnarre

- (1) The whole of the land described in Certificate of Title Volume 622 Folio 176 being Lot 5150 Town of Alice Springs from plan S 77/035.

Anthelk-Ewlpaye

- (2) The whole of the land described in Certificate of Title Volume 622 Folio 183 being Lot 1733 Town of Alice Springs from plan S 72/098 and Lot 3702 Town of Alice Springs from plan S 72/098 and Lot 3704 Town of Alice Springs from plan S 72/098.

Anthepe

- (3) The whole of the land described in Certificate of Title Volume 622 Folio 178 being Lot 5146 Town of Alice Springs from plan S 75/103.

Aper-Alwerrkngge

- (4) The whole of the land described in Certificate of Title Volume 622 Folio 260 being Lot 5180 Town of Alice Springs from plan S 78/058.

Basso's Farm

- (5) The whole of the land described in Certificate of Title Volume 192 Folio 046 being Lot 5123 Town of Alice Springs from plan S 81/030B.

Ewyenper-Atwatye

- (6) The whole of the land described in Certificate of Title Volume 622 Folio 177 being Lot 5189 Town of Alice Springs from plan S 79/070.

Ilperle Tyathe

- (7) The whole of the land described in Certificate of Title Volume 623 Folio 349 being Lot 5149 Town of Alice Springs from plan S 77/036.

Ilpeye Ilpeye

- (8) The whole of the land described in Certificate of Title Volume 198 Folio 072 being Lot 6911 Town of Alice Springs from plan S 85/015.

Ilyiperenye

- (9) The whole of the land described in Certificate of Title Volume 192 Folio 020 being Lot 5708 Town of Alice Springs from plan S 80/018.

Inarlenge

- (10) The whole of the land described in Certificate of Title Volume 333 Folio 116 being Lot 3701 Town of Alice Springs from plan S 72/84.

IrklanCHA Atwacha

- (11) The whole of the land described in Certificate of Title Volume 203 Folio 009 being Lot 8042 Town of Alice Springs from plan S 90/011.

Schedule 1 Property descriptions

Part 4 Town camps

Clause 69

Karnte

- (12) The whole of the land described in Certificate of Title Volume 622 Folio 184 being Lot 7850 Town of Alice Springs from plan S 87/059.

Mount Nancy

- (13) The whole of the land described in Certificate of Title Volume 622 Folio 358 being Lot 5135 Town of Alice Springs from plan S 75/104.

Mpwetyerre

- (14) The whole of the land described in Certificate of Title Volume 622 Folio 185 being Lot 2664 Town of Alice Springs from plan A 000556.

New Ilparpa

- (15) The whole of the land described in Certificate of Title Volume 622 Folio 259 being Lot 5713 Town of Alice Springs from plan S 80/079.

Nyewente

- (16) The whole of the land described in Certificate of Title Volume 622 Folio 182 being Lot 5152 town of Alice Springs from plan S 77/050.

Yarrenyty-Arltere

- (17) The whole of the land described in Certificate of Title Volume 191 Folio 062 being Lot 5195 Town of Alice Springs from plan S 79/098.

Part 5—Low water marks

70 Low water marks

(1) If:

- (a) the description of an area of land in this Schedule assumes that a point of latitude and longitude referred to in a table lies on the low water mark; but
- (b) the point of latitude and longitude referred to in the table does not lie on the low water mark;

the point of latitude and longitude referred to in the table is taken to be the nearest point of latitude and longitude that lies on the low water mark.

(2) If:

- (a) the description of an area of land in this Schedule assumes that a point of latitude and longitude referred to in a table lies on the landward side of the low water mark; but
- (b) the point of latitude and longitude referred to in the table lies on the seaward side of the low water mark;

the point of latitude and longitude referred to in the table is taken to be the nearest point of latitude and longitude that lies on the low water mark.

Schedule 2—Business management areas

Note: See paragraph (c) of the definition of *business management area* in section 3.

1 Places in the Northern Territory

For the purposes of paragraph (c) of the definition of *business management area*, the following places in the Northern Territory are specified:

- (a) the place known as Angurugu;
- (b) the place known as Finke or Aputula;
- (c) the place known as Kalkarindji or Wave Hill;
- (d) the place known as Milyakburra;
- (e) the place known as Mutitjulu;
- (f) the place known as Nguiu;
- (g) the place known as Umbakumba.

Schedule 3—Funding agreements

Note: See subsection 65(3).

Termination or reduction in scope of Agreement

- (1) We may, at any time, by giving written notice, terminate or reduce the scope of this Agreement without prejudice to the rights or obligations of any party accruing before the date of termination or reduction. If this Agreement is terminated, or its scope reduced, We will only be liable for:
 - (a) subject to subclause (3), payments due under this Agreement before the date of termination; and
 - (b) subject to subclauses (4) to (6), reasonable costs that You incur and that are directly attributable to the termination or reduction.
- (2) On receiving a notice, You must:
 - (a) comply with the terms of the notice; and
 - (b) immediately do everything possible to mitigate all losses, costs and expenses arising from the termination or reduction in scope of this Agreement; and
 - (c) immediately return any funds to Us in accordance with paragraph (3)(b); and
 - (d) deal with any such funds and assets as We direct in writing.
- (3) If We terminate this Agreement:
 - (a) We will not be obliged to pay You any outstanding amounts of the funds except to the extent that those monies have been legally committed for expenditure and payable by You as a current liability (written evidence of which will be required) by the date the notice terminating this Agreement is deemed to be received; and
 - (b) We will be entitled to recover from You any part of the funds which:
 - (i) are not covered by paragraph (a); or
 - (ii) have not, in Our opinion, been spent by You in accordance with the terms and conditions of this Agreement;

and all such funds will, without prejudice to any other rights available to Us under this Agreement or at law or in equity, be regarded as a debt due to Us capable of being recovered as such in any court of competent jurisdiction.

- (4) If the scope of this Agreement is reduced, Our liability to pay any part of the funds will, in the absence of Agreement to the contrary, reduce proportionately to the reduction in the scope of this Agreement.
- (5) Our liability to pay any compensation under, or in relation to, this clause is subject to:
 - (a) Your strict compliance with this clause; and
 - (b) Your substantiation of any amount claimed under paragraph (3)(a).
- (6) We will not be liable to pay compensation for loss of prospective profits, or loss of any benefits, as a result of a termination or reduction in scope of this Agreement under this clause.
- (7) In this clause (and despite any other clause in this Agreement):

Us, We and *Our* means the Commonwealth.

You and *Your* means the funding recipient.

Schedule 4—Commonwealth management in business management areas: modification of Northern Territory laws

Note 1: See subsections 78(3) and 81(3).

Note 2: Sections 76 and 79 are relevant to the interpretation of Tables 1 and 2 in this Schedule.

Table 1—Modification of the Local Government Act of the Northern Territory

Item	Provision modified	Modification
1	Subsection 241(2)	Omit the subsection.
2	Subsection 264(1)	After paragraph (e), insert: ; or (f) to comply with a direction under Division 2 of Part 5 of the <i>Northern Territory National Emergency Response Act 2007</i> of the Commonwealth,
3	Subsection 264(1)	Omit “the Minister may recommend to the Administrator that all the members of the council be suspended”, substitute “the Minister may, by notice in the <i>Gazette</i> , suspend all the members of the council”.
4	Subsection 264(2)	Omit the subsection, substitute: (2) If the Minister suspends all the members of the council, he or she must appoint a person to be the manager of the council.
5	Subsections 264(3) and (4)	Omit “under subsection (2)(b)”.
6	Paragraph 264(4)(b)	Omit “and take appropriate action under Part 11”.
7	Subsection 264(7)	Omit all the words after “subsection (6),” (last occurring), substitute: by notice in the <i>Gazette</i> — (a) reinstate all the suspended council members; or (b) dismiss all the suspended council members and declare all offices of members vacant.

Schedule 4 Commonwealth management in business management areas: modification of Northern Territory laws

Table 1—Modification of the Local Government Act of the Northern Territory

Item	Provision modified	Modification
8	Subsections 264A(1) and (3)	Omit the subsections.
9	Section 264B	Omit the section.
10	Subsections 264C(1) and 265(1)	Omit “section 264A”, substitute “subsection 264(7)”.
11	Subsection 265(2)	Omit “Administrator”, substitute “Minister”.
12	Part 13	<p>At the end of the Part, add:</p> <p>265AA. Notice to be given to the Minister administering this Act</p> <p>(1) The Commonwealth Minister must give written notice to the Minister administering this Act of the following decisions by the Commonwealth Minister:</p> <ul style="list-style-type: none"> (a) a decision to suspend all the members of a council under subsection 264(1); (b) a decision to reinstate or dismiss all the suspended members of a council under subsection 264(7); (c) a decision to fix a date for the holding of a general election under subsection 264C(1); (d) a decision to repeal the constitution of a community government council under subsection 265(2). <p>(2) A decision mentioned in subsection (1) is not invalidated merely because of a failure to comply with that subsection.</p> <p>(3) In this section —</p> <p>“Commonwealth Minister” means the Minister administering Part 5 of the <i>Northern Territory National Emergency Response Act 2007</i> of the Commonwealth.</p> <p>265AB. Concurrent exercise of powers by the Minister administering this Act</p> <p>(1) This section applies if —</p> <ul style="list-style-type: none"> (a) a manager of a community government council has been appointed by the Commonwealth

Table 1—Modification of the Local Government Act of the Northern Territory

Item	Provision modified	Modification
		Minister; and (b) the manager has not ceased to hold office.
		(2) The Administrator or the Minister administering this Act must not, except in accordance with the written consent of the Commonwealth Minister, exercise powers under this Part in relation to the council.
		(3) Written consent given for the purposes of subsection (2) may provide that powers are to be exercised in accordance with specified modifications.
		(4) In this section — “Commonwealth Minister” means the Minister administering Part 5 of the <i>Northern Territory National Emergency Response Act 2007</i> of the Commonwealth.

Table 2—Modification of the Associations Act of the Northern Territory

Item	Provision modified	Modification
1	Paragraph 78(1)(d)	After “Commissioner”, insert “or the Minister administering Part 5 of the <i>Northern Territory National Emergency Response Act 2007</i> of the Commonwealth”
2	Subsection 78(1)	After paragraph (d), insert: (da) the association has wilfully contravened a direction under Division 2 of Part 5 of the <i>Northern Territory National Emergency Response Act 2007</i> of the Commonwealth, notice of which was given by the Minister administering Part 5 of that Act; or
3	Paragraph 78(1)(e)	Omit “following an investigation under this Act into the affairs of the association,”.
4	Subsection 80(5)	At the end of the subsection, add “, or a direction under Division 2 of Part 5 of the <i>Northern Territory National Emergency Response Act 2007</i> of the Commonwealth”
5	Division 2 of Part 9	At the end of the Division, add: 85A. Notice to be given to the Commissioner (1) The Commonwealth Minister must give written notice to the Commissioner of the following decisions by the Commonwealth Minister:

Table 2—Modification of the Associations Act of the Northern Territory

Item	Provision modified	Modification
		<ul style="list-style-type: none"> (a) a decision to appoint a statutory manager of an incorporated association under subsection 78(1); (b) a decision to revoke the appointment of a statutory manager of an incorporated association under subsection 80(2); (c) a decision to give a notice to an incorporated association under subsection 83(1); (d) a decision to do anything mentioned in subsection 83(2) in relation to an incorporated association (or its members).
		(2) A decision mentioned in subsection (1) is not invalidated merely because of a failure to comply with that subsection.
		(3) In this section — “Commonwealth Minister” means the Minister administering Part 5 of the <i>Northern Territory National Emergency Response Act 2007</i> of the Commonwealth.
		85B. Concurrent exercise of powers by the Commissioner
		(1) This section applies if: <ul style="list-style-type: none"> (a) a statutory manager for an incorporated association has been appointed by the Commonwealth Minister; and (b) the manager has not ceased to hold office.
		(2) The Commissioner must not, except in accordance with the written consent of the Commonwealth Minister, exercise powers under this Division in relation to the association.
		(3) Written consent given for the purposes of subsection (2) may provide that powers are to be exercised in accordance with specified modifications.
		(4) In this section: “Commonwealth Minister” means the Minister administering Part 5 of the <i>Northern Territory National Emergency Response Act 2007</i> of the Commonwealth.

Table of Acts**Notes to the *Northern Territory National Emergency Response Act 2007*****Note 1**

The *Northern Territory National Emergency Response Act 2007* as shown in this compilation comprises Act No. 129, 2007 amended as indicated in the Tables below.

For all relevant information pertaining to application, saving or transitional provisions *see* Table A.

Table of Acts

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Northern Territory National Emergency Response Act 2007</i>	129, 2007	17 Aug 2007	Ss. 32 and 33: 17 Feb 2008 Remainder: 18 Aug 2007	
<i>Families, Community Services and Indigenous Affairs and Other Legislation Amendment (Northern Territory National Emergency Response and Other Measures) Act 2007</i>	128, 2007	17 Aug 2007	Ss. 3–5: Royal Assent Schedule 5 (item 7): (a)	S. 3 Ss. 4 and 5 (rep. by 93, 2010, Sch. 1 [item 1])
as amended by <i>Social Security and Other Legislation Amendment (Welfare Reform and Reinstatement of Racial Discrimination Act) Act 2010</i>	93, 2010	29 June 2010	Schedule 1 (items 1, 4): [see Table A]	Sch. 1 (item 4)
<i>Northern Territory National Emergency Response Amendment (Alcohol) Act 2007</i>	141, 2007	14 Sept 2007	Schedule 1: 15 Sept 2007 Remainder: Royal Assent	—
<i>Indigenous Affairs Legislation Amendment Act 2008</i>	67, 2008	1 July 2008	2 July 2008	—

Table of Acts

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Social Security and Other Legislation Amendment (Welfare Reform and Reinstatement of Racial Discrimination Act) Act 2010</i>	93, 2010	29 June 2010	Schedule 1 (items 2, 4): [see Note 3 and Table A] Schedule 3, Schedule 5 (items 1, 2, 5–7) and Schedule 6 (items 1–49, 51–58, 64–67): 1 July 2010 Schedule 5 (items 3, 4): [see Note 3] Schedule 6 (item 50): 27 July 2010	Sch. 1 (item 4), Sch. 5 (item 7) and Sch. 6 (items 64–67)
<i>Trade Practices Amendment (Australian Consumer Law) Act (No. 2) 2010</i>	103, 2010	13 July 2010	Schedule 6 (items 1, 76): [see Note 4]	—

Act Notes

(a) Subsection 2(1) (items 5 and 10) of the *Families, Community Services and Indigenous Affairs and Other Legislation Amendment (Northern Territory National Emergency Response and Other Measures) Act 2007* provides as follows:

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
5. Schedule 4, items 11 to 17	A single day to be fixed by Proclamation. However, if any of the provision(s) do not commence within the period of 6 months beginning on the day on which this Act receives the Royal Assent, they commence on the first day after the end of that period.	17 February 2008
10. Schedule 5, item 7	The later of: (a) immediately after item 12 of Schedule 4 to this Act commences; and (b) immediately after the commencement of section 35 of the <i>Northern Territory National Emergency Response Act 2007</i> . However, the provision(s) do not commence at all if the event mentioned in paragraph (b) does not occur.	17 February 2008 (paragraph (a) applies)

Table of Amendments**Table of Amendments**

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
Part 1	
S. 3.....	am. No. 93, 2010
Part 2	
Division 1	
S. 6A	ad. No. 93, 2010
Division 2	
S. 11	am. No. 93, 2010
S. 12.....	am. No. 141, 2007; No. 93, 2010
S. 18.....	rs. No. 93, 2010
S. 19.....	am. No. 141, 2007; No. 93, 2010
S. 19A	ad. No. 93, 2010
Div. 3 of Part 2	rep. No. 141, 2007
Div. 3A of Part 2.....	ad. No. 141, 2007 rep. No. 93, 2010
Ss. 20–22	rs. No. 141, 2007 rep. No. 93, 2010
Division 6	
Div. 6 of Part 2	ad. No. 141, 2007
Ss. 25A, 25B	ad. No. 141, 2007
Part 4	
Division 1A	
Div. 1A of Part 4.....	ad. No. 93, 2010
S. 30A	ad. No. 93, 2010
Division 1	
Subdivision A	
S. 35.....	am. No. 128, 2007; No. 67, 2008; No. 93, 2010
S. 36A	ad. No. 93, 2010
S. 37A	ad. No. 93, 2010
Subdivision B	
S. 38.....	am. No. 67, 2008
Division 2	
Subdivision C	
S. 47.....	am. No. 67, 2008
Division 3	
S. 52.....	am. No. 67, 2008
Note to s. 52(1)	ad. No. 67, 2008
Ss. 53, 54	am. No. 67, 2008
Ss. 58, 59	am. No. 67, 2008

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
Division 4	
S. 61	am. No. 67, 2008
Heading to s. 62	am. No. 67, 2008
Subheads. to s. 62(1), (2)	ad. No. 67, 2008
Ss. 62, 63	am. No. 67, 2008
Part 7	
Division 1A	
Div. 1A of Part 7	ad. No. 93, 2010
S. 91A	ad. No. 93, 2010
Division 1	
S. 91B	ad. No. 93, 2010
Ss. 92, 93	am. No. 93, 2010
Ss. 93A–93C	ad. No. 93, 2010
Division 2	
S. 94	am. No. 93, 2010
S. 95	rs. No. 93, 2010
Division 2A	
Div. 2A of Part 7	ad. No. 93, 2010
S. 95A	ad. No. 93, 2010
Division 3	
Subdivision A	
Heading to s. 96	am. No. 93, 2010
Ss. 96–98	am. No. 93, 2010
S. 99	rs. No. 93, 2010
Ss. 100, 101	am. No. 93, 2010
Subdivision B	
Ss. 102–105	am. No. 93, 2010
Subdivision C	
S. 106	am. No. 93, 2010
Note to s. 106(1)	ad. No. 93, 2010
S. 107	am. No. 93, 2010
S. 108	rs. No. 93, 2010
S. 108A	ad. No. 93, 2010
Subdiv. D of Div. 3 of	rep. No. 93, 2010
Part 7	
S. 109	rep. No. 93, 2010
Division 4	
Div. 4 of Part 7	rs. No. 93, 2010
Ss. 110, 111	rs. No. 93, 2010
Division 4A	
Div. 4A of Part 7	ad. No. 93, 2010
Ss. 112, 113	rs. No. 93, 2010

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
Ss. 114, 115	rep. No. 93, 2010
Division 5	
S. 119	am. No. 93, 2010
Division 6	
Subdivision A	
S. 122	am. No. 93, 2010
Subdivision B	
Ss. 123A, 123B	ad. No. 93, 2010
S. 125	am. No. 93, 2010
Subdivision C	
S. 126	rep. No. 93, 2010
S. 127A	ad. No. 93, 2010

Note 2

Note 2

Subsection 119(3)—Schedule 6 (item 50) of the *Social Security and Other Legislation Amendment (Welfare Reform and Reinstatement of Racial Discrimination Act) Act 2010* (No. 93, 2010) provides as follows:

Schedule 6

50 Subsections 119(2) and (3)

Omit “The operator of the community store, the occupier of premises of the store,”; substitute “The owner of the community store, the manager of the store, the occupier of premises of the store”.

The proposed amendment was misdescribed and is not incorporated in this compilation.

Note 3

Social Security and Other Legislation Amendment (Welfare Reform and Reinstatement of Racial Discrimination Act) Act 2010 (No. 93, 2010)

The following amendment commences at the end of 31 December 2010:

Schedule 1

2 Sections 132 and 133

Repeal the sections.

The following amendments commence on 29 December 2010 unless proclaimed earlier:

Schedule 5

3 At the end of subsection 35(5)

Add:

Note: The Commonwealth must have regard to the matters specified in the guidelines in force under subsection 35A(2) in exercising a power under this subsection.

4 After section 35

Insert:

Note 4

35A Guidelines for exercise of powers under subsection 35(5)

- (1) In exercising a power under subsection 35(5), the Commonwealth must have regard to the matters specified in the guidelines in force under subsection (2) of this section.
- (2) The Minister must, by legislative instrument, make guidelines specifying matters for the purposes of subsection (1).
- (3) Subsection (1) does not prevent the Commonwealth from having regard to other matters in exercising a power under subsection 35(5).

As at 27 July 2010 the amendments are not incorporated in this compilation.

Note 4

Trade Practices Amendment (Australian Consumer Law) Act (No. 2) 2010
(No. 103, 2010)

The following amendment commences on the start of 1 January 2011:

Schedule 6

1 Amendment of Acts

The specified provisions of the Acts listed in this Part are amended by omitting “*Trade Practices Act 1974*” and substituting “*Competition and Consumer Act 2010*”.

Northern Territory National Emergency Response Act 2007

76 Subsection 122(2)

As at 27 July 2010 the amendment is not incorporated in this compilation.

Table A

Table A

Application, saving or transitional provisions

Families, Community Services and Indigenous Affairs and Other Legislation Amendment (Northern Territory National Emergency Response and Other Measures) Act 2007 (No. 128, 2007)

3 Northern Territory (Self-Government) Act

Section 49 of the *Northern Territory (Self-Government) Act 1978* does not apply in relation to the provisions of this Act.

[NOTE] 4 Racial Discrimination Act

- (1) Subject to subsection (3), the provisions of this Act, and any acts done under or for the purposes of those provisions, are, for the purposes of the *Racial Discrimination Act 1975*, special measures.
- (2) Subject to subsection (3), the provisions of this Act, and any acts done under or for the purposes of those provisions, are excluded from the operation of Part II of the *Racial Discrimination Act 1975*.
- (3) Subsections (1) and (2) do not apply to amendments or repeals made by Division 2 or 3 of Part 1 of Schedule 2 (law enforcement) to this Act.
- (4) In this section, a reference to:
 - (a) any acts done includes a reference to any failure to do an act; and
 - (b) provisions of this Act includes a reference to provisions of other Acts that are inserted, amended or repealed by the provisions of this Act.

[NOTE] 5 Some Northern Territory laws excluded

- (1) Subject to subsections (3) and (4), the provisions of this Act are intended to apply to the exclusion of a law of the Northern Territory that deals with discrimination so far as it would otherwise apply.

Table A

- (2) Subject to subsections (3) and (4), any acts done under or for the purposes of the provisions of this Act have effect despite any law of the Northern Territory that deals with discrimination.

Northern Territory laws that are not excluded

- (3) Subsections (1) and (2) do not apply to a law of the Northern Territory so far as the Minister determines, by legislative instrument, that the law is a law to which subsections (1) and (2) do not apply.

Provisions of this Act that are not excluded

- (4) Subsections (1) and (2) do not apply to amendments or repeals made by Division 2 or 3 of Part 1 of Schedule 2 (law enforcement) to this Act.

Interpretation

- (5) In this section, a reference to:
- (a) any acts done includes a reference to any failure to do an act; and
 - (b) provisions of this Act includes a reference to provisions of other Acts that are inserted, amended or repealed by the provisions of this Act.

[NOTE]: *Social Security and Other Legislation Amendment (Welfare Reform and Reinstatement of Racial Discrimination Act) Act 2010* (No. 93, 2010)

The following amendment commences at the end of 31 December 2010 and amends the *Families, Community Services and Indigenous Affairs and Other Legislation Amendment (Northern Territory National Emergency Response and Other Measures) Act 2007* (No. 128, 2007) as follows:

Schedule 1

1 Sections 4 and 5

Repeal the sections.

Table A

As at 27 July 2010 the amendment is not incorporated in this compilation.

—————
*Social Security and Other Legislation Amendment (Welfare Reform and
Reinstatement of Racial Discrimination Act) Act 2010*
(No. 93, 2010)

Schedule 5

7 Application

- (1) Subsection 35(2A) of the *Northern Territory National Emergency Response Act 2007*, as inserted by this Schedule, applies in relation to the use of land on or after the commencement of this item (whether the leases were granted under section 31 of that Act before, on or after that commencement).
- (2) Section 35A of the *Northern Territory National Emergency Response Act 2007*, as inserted by this Schedule, applies in relation to the exercise of powers on or after the commencement of that section (whether the leases were granted under section 31 of that Act before, on or after that commencement).
- (3) Section 36A of the *Northern Territory National Emergency Response Act 2007*, as inserted by this Schedule, applies in relation to the administering of leases on or after the commencement of this item (whether the leases were granted under section 31 of that Act before, on or after that commencement).
- (4) Section 37A of the *Northern Territory National Emergency Response Act 2007*, as inserted by this Schedule, applies in relation to requests made on or after the commencement of this item (whether the leases were granted under section 31 of that Act before, on or after that commencement).

Schedule 6

64 Application of Part

This Part applies to a community store licence (the *preserved licence*) that is in effect on commencement.

Table A

65 Preserved licences continue under the new law

- (1) The preserved licence is taken, on and from commencement, to have been granted under section 97 of the new law.
- (2) If, before commencement:
 - (a) an application was made for a variation of the preserved licence under section 107 of the old law; or
 - (b) notice of a proposed variation or revocation of the preserved licence was given under section 108 of the old law;

the old law continues to apply after commencement, in relation to that variation or revocation, as if the amendments and repeals made by Part 1 of this Schedule had not happened.
- (3) If the preserved licence does not cease to be in effect during the period of 12 months beginning on commencement (whether because of subitem 66(5) or otherwise under the new law), the preserved licence ceases to be in effect at the end of that period.

66 Preserved licences held by a person other than the owner

- (1) This item applies if the preserved licence is held by a person who is not the owner of the community store.
- (2) The owner of the community store, or a person acting on the owner's behalf, may apply for a community store licence under subsection 96(1) of the new law.
- (3) The Secretary may consider under section 95A of the new law whether a community store licence is required to be held by the owner of the community store.
- (4) The Secretary may, on the Secretary's own initiative, grant a licence to the owner of the community store under subsection 97(2) of the new law.
- (5) If a community store licence (the *new licence*) is granted under section 97 of the new law to the owner of the community store, the preserved licence ceases to be in effect when the new licence takes effect.

67 Definitions

In this Part:

Table A

commencement means the commencement of this item.

new law means the *Northern Territory National Emergency Response Act 2007* as in force immediately after the commencement of this item.

old law means the *Northern Territory National Emergency Response Act 2007* as in force immediately before the commencement of this item.

The following provision commences at the end of 31 December 2010:

Schedule 1

4 Effect of repeal of sections of Acts by this Schedule

To avoid doubt:

- (a) the repeal of sections of an Act by this Schedule does not have retrospective effect; and
- (b) section 8 of the *Acts Interpretation Act 1901* applies to the repeal (unaffected by any contrary intention).