

Aboriginal Land Rights (Northern Territory) (Land Description) Regulations 1991 No. 38

EXPLANATORY STATEMENT

Statutory Rules 1991 No. 38

Aboriginal Land Rights (Northern Territory) (Land Description) Regulations

Issued by the Authority of the Minister of State for Aboriginal Affairs.

These Regulations were made under section 78 of the Aboriginal Land Rights (Northern Territory) Act 1976 (the Act) which provides that the Governor-General may make regulations for the purposes of the Act.

Subsection 4(1) of the Act provides for grants of land to Aboriginal Land Trusts, to hold Crown land as described in Schedule 1 to the Act. Schedule 1 consists of Parts 1 to 3.

Section 77C of the Act permits the description of an area of land in Part 2 or 3 of Schedule 1 to be modified by the regulations. The power to modify in respect of a given description ceases when the land is vested in a Land Trust. Section 77C was included in the Act to allow for minor correction of descriptions of the land (prior to the vesting of that land in an Aboriginal Land Trust) where survey or other evidence enables the boundaries of the land included in Part 2 or 3 of Schedule 1 to be described with a greater degree of precision.

Part 2 of Schedule 1 to the Act includes descriptions of areas of land in the Northern Territory known as the Dry River Stock Reserve Locality, the Mt Peachy (Maryvale) Locality, the Ooratippra Locality, the Soudan Locality and the Undoolya Bore Locality. These areas of land have not yet been vested in Land Trusts. The areas concerned were originally described in Schedule 1 to the Act as accurately as possible, as follows:

Dry River Stock Reserve: by means of a metes and bounds description.

Mt Peachy (Maryvale): by means of a metes and bounds description for two parcels of land and by means of a technical description for another.

Ooratippra Locality: by means of a reference to a Survey Plan lodged with the Northern Territory Surveyor-General, Darwin, for one parcel of land, and by means of a metes and bounds description for another.

Soudan Locality: by means of a metes and bounds description.

Undoolya Bore Locality: by means of a metes and bounds description.

All of the areas of land have now been surveyed and the Regulations provided for the substitution in Schedule 1 to the Act of new descriptions referring to survey plans.

The Regulations will take effect from the date of notification in the Gazette.