

Aboriginal and Torres Strait Islander Heritage Protection Regulations (Amendment) 1998 No. 2

EXPLANATORY STATEMENT

STATUTORY RULES 1998 No. 2

Issued by the Authority of the Minister for Aboriginal and Torres Strait Islander Affairs

Aboriginal and Torres Strait Islander Heritage Protection Act 1984

Aboriginal and Torres Strait Islander Heritage Protection Regulations

The Aboriginal and Torres Strait Islander Heritage Protection Regulations

(the Regulations) are amended by the Aboriginal and Torres Strait Islander Heritage Protection Regulations (Amendment) (the Amendment) under section 32 of the Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (the Act). Section 32 of that Act empowers the Governor-General to make regulations prescribing matters:

- * required or permitted by the Act to be prescribed; or
- * necessary or convenient to be prescribed for carrying out or giving effect to the Act.

Subsection 21A(1) of the Act defines a 'local Aboriginal community' as an organisation that is specified in the Schedule to the Act.

Subsection 21A(2) provides that the regulations may amend the Schedule by adding or omitting the name of an organisation that is incorporated in or carries on business in Victoria.

Item 2.1 of the Amendment adds a new regulation 5D to the Regulations.

Regulation 5D amends the Schedule by omitting the names of three organisations from the Schedule and adding to the Schedule the names of:

- * the Coranderrk Koori Co-operative Limited which is incorporated and carries on business in Victoria; and
- * the Mildura Aboriginal Corporation and the Njernda Aboriginal Corporation which carry on business in Victoria.

The Mildura Aboriginal Corporation and Njernda Aboriginal Corporation have taken over responsibility for areas previously assigned to local Aboriginal community organisations which are no longer in operation.

Coranderrk Koori Co-operative Ltd is the changed name of the organisation formerly incorporated as the Healesville and District Aboriginal Co-operative Ltd.

Subsection 21A(1) of the Act defines 'community area', in relation to a local Aboriginal community as an area declared by the regulations to be the area of that community.

Item 3.1 of the Amendment replaces Schedule 4 in the Regulations with Schedule 4 in the Amendment.

Schedule 4 in the Amendment redefines the boundaries of the community areas for the whole of Victoria.

The redefinition of boundaries is to correct errors in the original boundary descriptions and to improve the clarity of the descriptions, for example by adding road and locality names shown on maps which were unavailable when the boundaries were first drawn up.

The Regulations commenced on Gazettal.