Aboriginal Land Rights (Northern Territory) Amendment Bill (No. 2) 1994
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Aboriginal Land Rights (Northern Territory) Amendment Bill (No. 2) 1994

Date Introduced: 7 December 1995
House: Senate
Portfolio: Aboriginal and Torres Strait Islander Affairs
Commencement: Royal Assent

Purpose
To add one parcel of land to those granted to Aboriginal Land Councils in the Northern Territory. The area of land is situated in the South Mataranka region (south of Katherine) of the Northern Territory.

Background
The Aboriginal Land Rights (Northern Territory) Act 1976 (the Principal Act) provides a scheme for the grant of Northern Territory land to indigenous peoples. The central features of the Principal Act include:

Aboriginal Land Trusts: Title to land granted under the Principal Act is vested in the relevant Aboriginal Land Trust. These trusts hold land for the benefit of indigenous peoples entitled by indigenous tradition to the use or occupation of the land. Members of Land Trusts are appointed by the Minister.

Land Claims Process: The Principal Act provides a land claims process for unalienated Crown land in the Northern Territory. Basically, the Principal Act requires that indigenous people making a claim must show that they are entitled by indigenous tradition to the use or occupation of the land concerned.

Minerals Exploration and Mining Rights: The Principal Act requires that anyone wishing to explore for minerals or acquire mining interests over land
granted to indigenous owners must negotiate with the appropriate Land Council and may not directly approach the traditional indigenous owners.

The Bill proposes to include one additional parcel of land, an area of 3232 km², in Schedule 1 of the Principal Act which describes land covered by the Principal Act. The land in question is situated in the South Mataranka region (south of Katherine) of the Northern Territory. The land is an area of cultural significance and contains sacred sites. The land was purchased by indigenous people in 1991 for use as a cattle station. The Land Claim was lodged in May 1992. The inclusion follows agreement between the Northern Territory Government, the Northern Land Council and the claimants. No hearing by the Aboriginal Land Commissioner into the claim was necessary as all parties were in agreement.

As a result of the agreement, the Northern Territory Government requested the Commonwealth to grant the claim area to the traditional owners by scheduling the area under the Principal Act.

Main Provisions

Clause 3 adds the Hodgson Downs locality area, as defined by lines of distance, to Part 4 of Schedule 1 of the Principal Act.

Ian Ireland (06 2772438)
Bills Digest Service
Parliamentary Research Service

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