ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) AMENDMENT
BILL (No. 3) 1978

Date Introduced: 31 May 1978
House: House of Representatives
Presented by: The Hon. A.A. Staley,
Minister for Post and Telecommunications
representing the
Minister for Aboriginal Affairs

Short Digest of Bill

Purpose

To amend the Aboriginal Land Rights (Northern Territory) Act 1976 to ensure that it will continue to apply when the Northern Territory achieves self-government on 1 July 1978.

Background

The Aboriginal Land Rights Act provides for Aboriginal claims to unalienated Crown land in the Northern Territory. When the Northern Territory achieves self-government it will control the unalienated Crown land within its borders. This Bill amends the Land Rights Act to ensure that Aboriginal claims will still be able to be made and determined and that mining royalties will continue to be paid to the Aboriginals Benefit Trust Account.

Main Provisions

A new section 3A is inserted to provide that the Act applies to Crown land vested in the Northern Territory and that the Commonwealth is not liable to pay compensation to the Northern Territory if a grant of such Crown land is made to a Land Trust.

Section 17 of the Principal Act is repealed and a new section inserted to provide that payments to a Land Council by the Crown for use or occupation of, or in respect of an interest (including a mining interest) in, the land shall be paid, in the case of the Commonwealth, out of Consolidated Revenue, or in the case of the Northern Territory out of moneys lawfully available for the purpose.

Section 63 is amended to provide for the payment into the Trust Account of amounts equal to the amounts of any royalties received by the Commonwealth or the Northern Territory in respect of a mining interest in Aboriginal land.
Other amendments are procedural resulting from the change in status of the Northern Territory. Provision is also made for the transitional period.

1 June 1978

Education and Welfare Group

LEGISLATIVE RESEARCH SERVICE