ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) 
AMENDMENT BILL (No. 3) 2000

EXPLANATORY MEMORANDUM

(Circulated by the authority of the Minister for Aboriginal and Torres Strait Islander Affairs, Senator the Honourable John Herron)
OUTLINE

This bill makes provision for the following amendment to the Aboriginal Land Rights (Northern Territory) Act 1976 (the principal Act):

- Allow land over which a public right of way has ceased to exist to be granted to an Aboriginal Land Trust that holds contiguous Aboriginal land under Schedule 1 of the principal Act.

FINANCIAL IMPACT STATEMENT

The amendment is not expected to have any financial impact.
NOTES ON CLAUSES

Clause 1 - Short title

This clause provides that the Act may be cited as the Aboriginal Land Rights (Northern Territory) Amendment Act (No. 3) 2000.

Clause 2 - Commencement

This clause provides that the Act will commence on the day on which it receives the Royal Assent.

Clause 3 - Establishes Schedule of Amendments as follows:

Item 1. - Item 1 would amend subsection 11(1AF) of the Aboriginal Land Rights (Northern Territory) Act 1976 (the principal Act) by deleting the reference to roads over which the public has a right of way. This is consequential upon Item 2.

Item 2. – Item 2 would insert a new section 11B into the principal Act which would allow the Minister to recommend that the Governor-General grant an estate in fee simple to an Aboriginal Land Trust if a public right of way has ceased to exist over Schedule 1 land which is contiguous to land held by that Land Trust. This corrects an anomaly in the principal Act whereby only non Schedule 1 land can be granted to a Land Trust that holds contiguous land when a previously existing right of way has ceased to exist.

Items 3 and 4. - Items 3 and 4 are consequential upon Item 2.

Item 5. – Item 5 would insert a new subsection 12(3B) which would exclude non Schedule 1 land from this amendment. This is consequential upon Item 2.