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ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) BILL 1976

Date Introduced: 1 December 1976

House: House of Representatives

Presented by: Minister for Aboriginal Affairs, Hon. R.I. Viner.

1. Purpose

The Bill seeks to grant traditional Aboriginal land in the Northern Territory to Aboriginal people.

2. Background

The Aboriginal Land Rights (Northern Territory) Bill was first introduced in the House of Representatives on 4 June 1976. Government amendments to this Bill were foreshadowed on 17 November 1976 and the reprinted Bill, incorporating the amendments, was introduced on 1 December 1976.

3. Provisions

The Bill provides for:

- the establishment of Land Trusts to hold title to land in the Northern Territory for the benefit of groups of Aboriginals entitled by Aboriginal tradition to the use or occupation of the land concerned.
- the establishment of at least two Land Councils to act on behalf of the traditional owners in the administration of land held by the Land Trusts; to assist in claims to traditional land; and to perform any functions that may be conferred by a law of the Northern Territory.
- mining exploration and development to be allowed on Aboriginal land only with the consent of the Minister and the Land Council for the area unless such exploration and development is required in the national interest.
- the negotiation of agreements including financial benefits and compensation in respect of mining interests.
- the settlement of disputes in respect of leases or other mining interests by arbitration.
- the preservation of existing rights in land which becomes Aboriginal land.
- the appointment of an Aboriginal Land Commissioner to ascertain who are traditional owners; to inquire into the likely extent of traditional land claims; and to report to and advise the Minister and the Minister for the Northern Territory.
- the establishment of an Aboriginal Benefit Trust Account into which shall be paid out of Consolidated Revenue amounts equal to the amounts of any royalties received by the Crown in respect of a mining interest in Aboriginal land; and from which specified amounts shall be paid to the Land Councils.

*Aboriginal Land Rights (Northern Territory) Bill 1976 (Bills Digest, no. 66, 1976-77)
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- the establishment of a Trust Account Advisory Committee to advise the Minister in connexion with the making of payments out of the Trust Account.
- the consent of the Land Council for the building of roads on Aboriginal land.
- a penalty for entering or remaining on a sacred site or on Aboriginal land except as permitted under the Act.
- the Legislative Assembly of the Northern Territory to make Ordinances providing for: the protection of sacred sites; regulating and authorizing the entry of persons on Aboriginal land; the protection and conservation of wild life; and regulating and controlling entry and fishing in waters of the sea within 2 kilometres of Aboriginal land.

The Schedules of the Bill describe the lands to become Aboriginal lands.

Education and Welfare Group
LEGISLATIVE RESEARCH SERVICE

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