

Potential effect of existing broad land tenure on the existence of native title

(based on High Court decisions since 2002)

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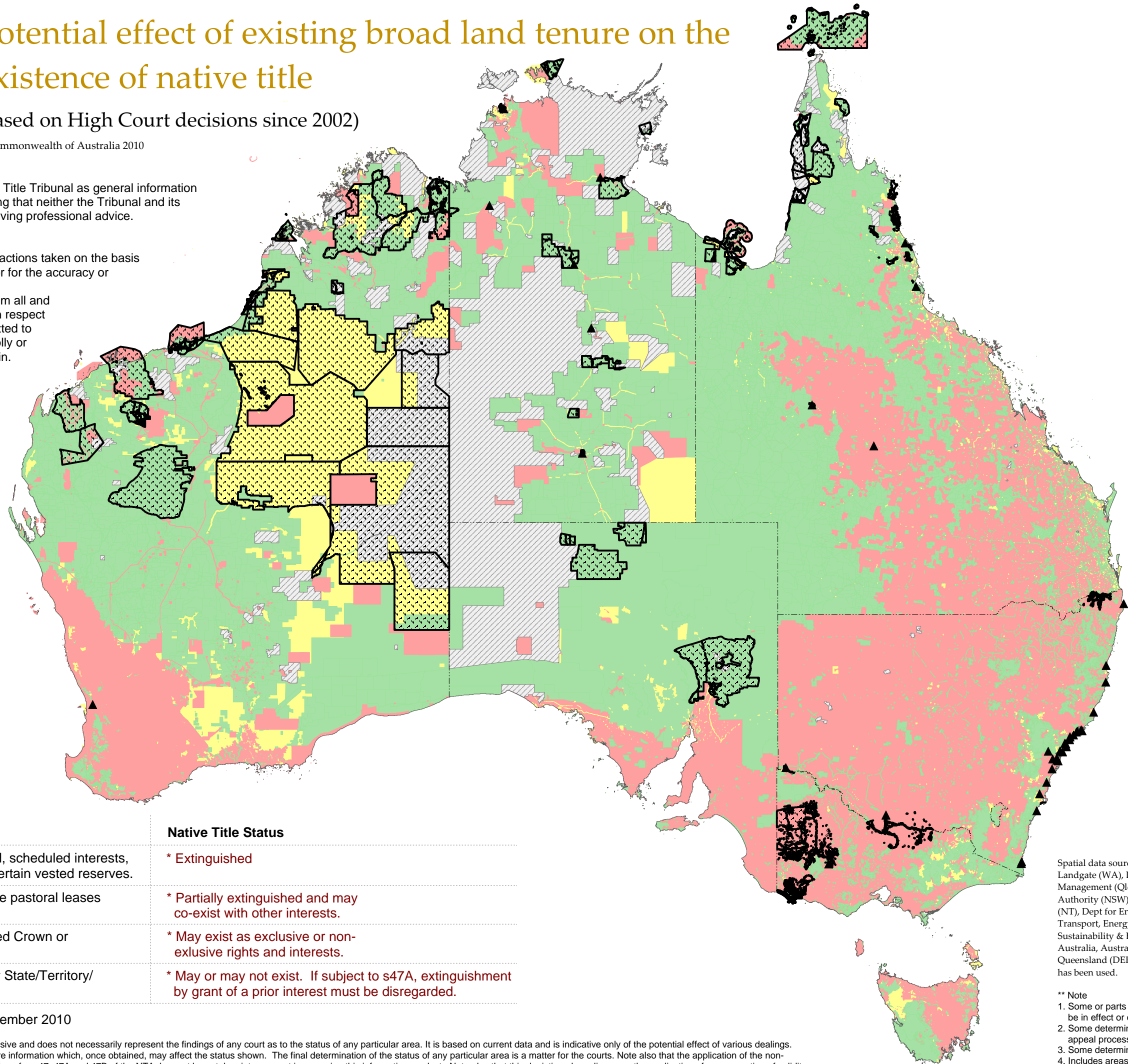
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They should also obtain professional advice appropriate to their particular circumstances.

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Broad Tenure Class

	Consists mainly of freehold land, scheduled interests, exclusive pastoral leases and certain vested reserves.
	Consists mainly of non-exclusive pastoral leases and some reserves.
	Consists of vacant or unallocated Crown or State land.
	Indigenous lands granted under State/Territory/Federal statutes.

Native Title Status

	* Extinguished
	* Partially extinguished and may co-exist with other interests.
	* May exist as exclusive or non-exclusive rights and interests.
	* May or may not exist. If subject to s47A, extinguishment by grant of a prior interest must be disregarded.

 ** Determinations as at 30 September 2010

* Note that the status ascribed here is not necessarily conclusive and does not necessarily represent the findings of any court as to the status of any particular area. It is based on current data and is indicative only of the potential effect of various dealings. In particular, it does not generally include any historical tenure information which, once obtained, may affect the status shown. The final determination of the status of any particular area is a matter for the courts. Note also that the application of the non-extinguishment principal, including as a result of the application of ss. 47, 47A and 47B of the NTA, has not been taken into account in preparing this information product. Note also that this depiction also relies upon the application of a presumption of validity.

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** Note

1. Some or parts of some determinations may not yet be in effect or on the National Native Title Register.
2. Some determinations are subject to appeal or in the appeal process.
3. Some determinations are conditional.
4. Includes areas not within the determination where native title found not to exist - s193(3).