



Aboriginal Land Rights (Northern Territory) Amendment (Jabiru) Act 2020

No. 87, 2020

An Act to amend the law relating to the town of Jabiru, and for related purposes

Note: An electronic version of this Act is available on the Federal Register of Legislation (<https://www.legislation.gov.au/>)

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No. 87, 2020

An Act to amend the law relating to the town of Jabiru, and for related purposes

[Assented to 17 September 2020]

The Parliament of Australia enacts:

1 Short title

This Act is the *Aboriginal Land Rights (Northern Territory) Amendment (Jabiru) Act 2020*.

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2020

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this Act	The day after this Act receives the Royal Assent.	18 September 2020

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments

Aboriginal Land Rights (Northern Territory) Act 1976

1 Subsection 3(1)

Repeal the following definitions:

- (a) definition of *category A Jabiru land*;
- (b) definition of *category B Jabiru land*;
- (c) definition of *category C Jabiru land*.

2 Section 3AD

Repeal the section.

3 Paragraph 12(1AD)(b)

Repeal the paragraph, substitute:

- (b) the Minister is satisfied that subsection (1AH) applies;

4 Subsections 12(1AE), (1AF) and (1AG)

Repeal the subsections.

5 Paragraph 12(1AH)(a)

Omit “with the Commonwealth”.

6 Subsections 19(3E) to (3U)

Repeal the subsections.

7 Subsections 19(8A) and (8B)

Omit “, (3F), (3H)”.

8 Subsection 19A(1B)

Omit “to the Commonwealth”.

9 Subsection 19A(1C)

Repeal the subsection, substitute:

- (1C) The Minister must not give a consent under subsection (1) to the grant of a lease mentioned in subsection (1B) unless the Minister administering the *Environment Protection and Biodiversity Conservation Act 1999* is satisfied that the terms and conditions of the lease are consistent with the protection of the world heritage values, and other natural and cultural values, of Kakadu National Park (within the meaning of that Act).

10 Paragraph 19A(11B)(b)

After “that time”, insert “, subject to subsection (11GA)”.

11 Subsection 19A(11F)

Omit “Commonwealth”, substitute “approved entity to which the lease was granted”.

12 After subsection 19A(11G)

Insert:

- (11GA) Despite subsections (11B), (11F) and (11G), a right, title or interest that relates to the relevant land mentioned in subsection (11B) and was granted under a lease (a *Director-JTDA lease*) of the Jabiru town land by the Director to the Jabiru Town Development Authority ceases to have effect at the earlier of the following times (or either of them if they are the same):

- (a) the time the Director-JTDA lease that ceases to exist because of subsection 12(2AB) would have expired if it had not ceased to exist under subsection 12(2AB);
- (b) the time the right, title or interest would have expired had the Director-JTDA lease not ceased to exist under subsection 12(2AB).

- (11GB) Subsection (11GA) does not prevent the right, title or interest from ceasing to have effect according to its terms (as affected by subsections (11F) and (11G)) before the time worked out under subsection (11GA).

Example: The right, title or interest may be surrendered or terminated in accordance with those terms before that time.

***Environment Protection and Biodiversity Conservation Act
1999***

13 Paragraph 388(2)(e)

Repeal the paragraph, substitute:

- (e) an approved entity (within the meaning of the *Aboriginal Land Rights (Northern Territory) Act 1976*).
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[*Minister's second reading speech made in—
House of Representatives on 13 May 2020
Senate on 1 September 2020*]

(39/20)

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