

# **National Native Title Tribunal Regulations (Amendment) 1998 No. 221**

## **EXPLANATORY STATEMENT**

### **STATUTORY RULES 1998 NO. 221**

Issued by the Authority of the Attorney-General

*Native Title Act 1993*

National Native Title Tribunal Regulations (Amendment) 1998

Subsection 215(1) of the *Native Title Act* 1993 (the Act) provides that the governor-general may make regulations prescribing matters required or permitted by the Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to the Act

Paragraph 128(4)(b) of the Act provides that the President of the National Native Title Tribunal shall not enter into a contract exceeding \$250,000, or such higher amount as is prescribed, without the approval of the Attorney-General.

The purpose of the Regulations is to increase to \$1,000,000 the amount above which ministerial approval must be sought before contracts may be entered into by the President of the Tribunal.

The current contract limit of \$250,000 is a standard provision which has applied to the courts and tribunals since the grant of self-administration in 1990. Since that time, there has been a significant change in money values. Moreover, since its establishment on 1 January 1994, the National Native Title Tribunal has acquired considerable experience in managing its own affairs.

Details of the Regulations are as follows:

Regulation 1 provides that the Regulations commence on gazettal.

Regulation 2 provides that the National Native Title Tribunal Regulations are amended as set out in the Regulations.

Regulation 3 inserts into the National Native Title Tribunal Regulations new regulation 18, which prescribes a higher amount of \$1,000,000 for the purposes of paragraph 128A(4)(b) of the Act.