

EXPLANATORY STATEMENT

Select Legislative Instrument 2007 No. 362

Issued by the authority of the Minister for Families, Housing, Community Services
and Indigenous Affairs

Aboriginal Land Rights (Northern Territory) Act 1976

Aboriginal Land Rights (Northern Territory) Amendment Regulations 2007 (No. 2)

Section 78 of *Aboriginal Land Rights (Northern Territory) Act 1976* (the Act) provides that the Governor-General may make regulations, not inconsistent with the Act, prescribing all 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.

Subregulation 5(2) of the *Aboriginal Land Rights (Northern Territory) Regulations 2007* (the Principal Regulations) prescribes as a township an area of land in relation to the Tiwi Aboriginal Land Trust. This has the effect of allowing the Land Trust to grant a lease of the township of Nguiu under section 19A of the Act. Subregulation 5(2) provides that the area of land is described as “Northern Territory Portion 6798 on Bathurst Island in the Northern Territory”; this description is incorrect.

The purpose of the Regulations is to make a minor correction to subregulation 5(2) of the Principal Regulations by omitting “Portion 6798” and replacing it with “Portion 6798(A)” which is the correct description of this area of land. An “(A)” was included at the end of the Northern Territory Portion number for wholly administrative reasons. On 30 August 2007, the Tiwi Aboriginal Land Trust granted a lease of the township of Nguiu under section 19A of the Act. The Regulations do not affect the lease because the area of land prescribed by subregulation 5(2) has not changed. The amendment simply aligns the reference in the Principal Regulations with that recorded by the Northern Territory, and removes any confusion that may exist due to the omission of the “(A)” in the Principal Regulations.

The Regulations are a legislative instrument for the purposes of the *Legislative Instruments Act 2003*.

The Regulations commence on the day after they are registered on the Federal Register of Legislative Instruments.

No consultation in relation to the Regulations has been made because this is a technical amendment to correct an incorrect reference.