



## NORTHERN TERRITORY OF AUSTRALIA

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No. 4 of 1998

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### AN ACT

to amend the *Territory Parks and  
Wildlife Conservation Act*

[Assented to 25 March 1998]

**B**E it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Territory Parks and Wildlife Conservation Amendment Act 1998*.

2. PARKS AND RESERVES ESTABLISHED BY ADMINISTRATOR

Section 12 of the *Territory Parks and Wildlife Conservation Act* is amended —

(a) by omitting subsection (1)(a) and substituting the following:

"(a) by notice in the *Gazette*, declare an area of land to be a park or reserve, whether or not a person, other than the Territory, holds a right, title or interest, including —

(i) a right, title or interest (including a lease) held by the Corporation; and

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- (ii) any native title rights and interests within the meaning of the *Native Title Act 1993* of the Commonwealth,

in respect of the land or a part of the land (including any subsoil);

- (aa) by the same notice in the *Gazette*, declare that, notwithstanding subsection (7), a right, title or interest held by the Territory in respect of the land, or a part of the land, (including any subsoil) within the park or reserve does not, on the declaration of the park or reserve, vest in the Corporation; and";

- (b) by inserting after subsection (1) the following:

"(1A) Notwithstanding the declaration under subsection (1) of an area of land to be a park or reserve, nothing in this Act is to be taken to affect or derogate from a right, title or interest, including any native title rights and interests within the meaning of the *Native Title Act 1993* of the Commonwealth, held by a person other than the Territory or the Corporation in respect of the land or a part of the land (including any subsoil)."; and

- (c) by omitting from subsection (7) "Upon" and substituting "Except where a declaration is made under subsection (1)(aa) in relation to land, on".