

THE NORTHERN TERRITORY OF AUSTRALIA

No. 112 of 1978

AN ORDINANCE

To amend the Territory Parks and Wildlife
Conservation Ordinance

[Assented to 9 November 1978]

BE it ordained by the Legislative Assembly for the Northern Territory
of Australia as follows:

1. This Ordinance may be cited as the Territory
Parks and Wildlife Conservation Ordinance (No. 2)
1978.

Short
title

2. The Territory Parks and Wildlife Conservation
Ordinance is in this Ordinance referred to as the
Principal Ordinance.

Principal
Ordinance

3. This Ordinance shall come into operation on the
date on which the Aboriginal Land Ordinance 1978
comes into operation.

Commence-
ment

4. Section 9(1) of the Principal Ordinance is
amended by inserting after the definition of
"Aboriginal" the following definitions:

Interpre-
tation

"'Aboriginal land' has the same meaning
as in the Aboriginal Land Rights
(Northern Territory) Act 1976;

'Aboriginal Land Council' means the
Aboriginal Land Council established
under section 21 of the Aboriginal
Land Rights (Northern Territory) Act
1976 for the area that contains the
particular area of Aboriginal land;"

5. Section 73 of the Principal Ordinance is
repealed and the following section substituted:

"73.(1) The Commission may enter into
negotiations and finalize agreements with an
Aboriginal Land Council relating to schemes for the
protection and conservation of wildlife in and the
protection of the natural features of Aboriginal
land.

Aboriginal
land

Territory Parks & Wildlife Conservation

"(2) Where, at the expiration of 2 years from the date of execution of a deed of grant of an estate in fee simple by the Governor-General under section 12 of the Aboriginal Land Rights (Northern Territory) Act 1976, no agreement under sub-section (1) has been entered into between the Commission and an Aboriginal Land Council, a then existing declaration of a sanctuary or a protected area over the land contained in the deed of grant or a part of that land is, by operation of this sub-section, revoked."

6. Section 122 of the Principal Ordinance is repealed and the following section substituted:

Traditional
use of land
and water by
Aboriginals

"122.(1) Subject to sub-section (2), nothing in this Ordinance prevents Aboriginals who have traditionally used an area of land or water from continuing to use the area of land or water for hunting, for food gathering (otherwise than for purposes of sale) and for ceremonial and religious purposes.

"(2) The operation of sub-section (1) is subject to regulations made for the purposes of conserving wildlife in any area and expressly affecting the traditional use of the area by Aboriginals."
