

Serial 96
Aboriginal Land Amendment (Intertidal Waters) Bill 2010
Mr Westra van Holthe

A Bill for an Act to amend the *Aboriginal Land Act*

NORTHERN TERRITORY OF AUSTRALIA

ABORIGINAL LAND AMENDMENT (INTERTIDAL WATERS) ACT 2010

Act No. [] of 2010

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NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2010

An Act to amend the *Aboriginal Land Act*

[Assented to [] 2010]
[Second reading [] 2010]

The Legislative Assembly of the Northern Territory enacts as follows:

1 Short title

This Act may be cited as the *Aboriginal Land Amendment (Intertidal Waters) Act 2010*.

2 Act amended

This Act amends the *Aboriginal Land Act*.

3 New section 7A

After section 7

insert

7A General exemptions for intertidal waters

- (1) An appropriate authority may grant a general exemption in relation to waters situated between the high water mark and the low water mark on Aboriginal land (the ***relevant intertidal waters***).
- (2) A general exemption:
 - (a) must identify the relevant intertidal waters to which it relates;
and

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- (b) may be granted in favour of the public generally or a class of persons defined in the instrument of exemption; and
 - (c) may be subject to conditions stated in the instrument of exemption.
- (3) A general exemption takes effect on publication of the instrument of exemption by *Gazette* notice.
- (4) A person who contravenes a condition of a general exemption is guilty of an offence.

Maximum penalty: 10 penalty units.

- (5) In this section:

appropriate authority, in relation to intertidal waters over Aboriginal land, means either of the following:

- (a) the Land Council for the area in which the Aboriginal land is situated;
- (b) the traditional Aboriginal owners for the Aboriginal land under the waters.

general exemption means an exemption under this section from the requirement to hold a permit under this Part to enter and remain on Aboriginal land.