

Serial 84

Northern Territory Aboriginal Sacred Sites Amendment Bill 2006

Mr Mills

**A BILL
for
AN ACT**

to amend the *Northern Territory Aboriginal Sacred Sites Act*



NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2006

AN ACT

to amend the *Northern Territory Aboriginal Sacred Sites Act*

[Assented to [] 2006]

[Second reading [] 2006]

The Legislative Assembly of the Northern Territory enacts as follows:

1. Short title

This Act may be cited as the *Northern Territory Aboriginal Sacred Sites Amendment Act 2006*.

2. Act amended

This Act amends the *Northern Territory Aboriginal Sacred Sites Act*.

3. New section 48AB

After section 48A

insert

48AB. Compensation for adverse effects on business activities

(1) This section applies if a person's business activities are prohibited or restricted under section 33 merely because a marine site is registered as a sacred site.

(2) However, this section does not apply if the prohibition or restriction results in an acquisition of property.

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(3) The person is entitled to be paid by the Territory just compensation because of the prohibition or restriction.

(4) For subsection (2), a court of competent jurisdiction may decide the amount of compensation and make the orders it considers appropriate.

(5) In this section:

"business activities" means activities conducted for a business or enterprise;

Example of business activities

The operations of the holder of a commercial fishing licence under the Fisheries Act.

"marine site" means a sacred site comprising land covered by water.
