

Serial 19
Land Title Amendment Bill 2021
Ms Uibo

A Bill for an Act to amend the *Land Title Act 2000*

NORTHERN TERRITORY OF AUSTRALIA

LAND TITLE AMENDMENT ACT 2021

Act No. [] of 2021

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NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2021

An Act to amend the *Land Title Act 2000*

[Assented to [] 2021]
[Introduced [] 2021]

The Legislative Assembly of the Northern Territory enacts as follows:

1 Short title

This Act may be cited as the *Land Title Amendment Act 2021*.

2 Commencement

This Act commences on the day after the day on which the Administrator's assent to this Act is declared.

3 Act amended

This Act amends the *Land Title Act 2000*.

4 Section 3 amended (Object of Act)

Section 3(1)(e)

omit

interests and other

insert

and other interests and information

5 Section 4 amended (Definitions)

Section 4, definition ***record of administrative interests and information***

omit, insert

record of administrative and other interests and information means the record of administrative and other interests and information referred to in section 38.

6 Section 6 amended (Registrar-General must keep land register)

Section 6(2)(c)

omit

Registrar

insert

Registrar-General

7 Section 14 amended (Lodgement etc. of documents)

Section 14

omit

Registrar General

insert

Registrar-General

8 Section 38 amended (Record of administrative interests)

(1) Section 38, heading

omit

interests

insert

and other interests and information

-
- (2) Section 38(1)
- omit*
- keep
- insert*
- provide access to
- (3) After section 38(1)
- insert*
- (1A) Without limiting subsection (1), the Registrar-General may provide access to information regarding a determination of native title in relation to land.
- (4) Section 38(2) and (5)
- omit*
- subsection (1)
- insert*
- subsections (1) and (1A)
- (5) Section 38(3)
- omit*
- information referred to in subsection (1)
- insert*
- access to information referred to in subsections (1) and (1A)
- (6) After section 38(5)
- insert*
- (6) In this section:
- determination of native title***, see section 225 of the *Native Title Act 1993* (Cth).

9 Section 48 amended (Alienated Crown land to be registered)

(1) After section 48(2)

insert

(2A) If a grant of a fee simple interest is made in accordance with a registered indigenous land use agreement that provides for the application of the non-extinguishment principle to the grant:

(a) the person lodging the deed of grant under subsection (1) must also:

(i) lodge in the Land Titles Office a notice in the approved form providing information in relation to the registered indigenous land use agreement; and

(ii) deposit in the Land Titles Office a copy of an extract of the details entered on the Register of Indigenous Land Use Agreements for the registered indigenous land use agreement; and

(b) the Registrar-General must also record in the land register:

(i) a notice that the grant is made in accordance with a registered indigenous land use agreement; and

(ii) information sufficient to identify the registered indigenous land use agreement in accordance with which the grant is made.

(2) After section 48(10)

insert

(11) In this section:

indigenous land use agreement, see section 253 of the *Native Title Act 1993* (Cth).

non-extinguishment principle, see section 238 of the *Native Title Act 1993* (Cth).

Register of Indigenous Land Use Agreements, see section 253 of the *Native Title Act 1993* (Cth).

registered indigenous land use agreement means an indigenous land use agreement registered in the Register of Indigenous Land Use Agreements.

10 Section 90 amended (Removing statutory charge)

Section 90(7)

omit

Registrar

insert

Registrar-General

11 Section 163 amended (Requiring plan of survey to be lodged)

Section 163(1)

omit

Registrar

insert

Registrar-General

12 Section 165 amended (Disposing of instrument in certain circumstances)

Section 165(3)

omit

Registrar

insert

Registrar-General

13 Repeal of Act

This Act is repealed on the day after it commences.