

SCHEDULE 4 - KLC CERTIFICATION

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1 Certification

The KLC is of the opinion that the requirements of s203BE(5)(a) and (b) of the NTA, namely that:

- (a) all reasonable efforts have been made to ensure that all persons who hold or may hold native title in relation to the land and waters in the area covered by this agreement have been identified; and
- (b) all the persons so identified have authorised the making of the agreement, have been met.

2 Reasons for Certification

The KLC holds the opinion in paragraph 1 for the following reasons:

- (a) The KLC through its staff and contracted consultants has undertaken extensive research and community consultation in the preparation for the negotiations for the agreement, with a view to ensuring that all persons who hold or may hold native title in relation to the land and waters in the area covered by the agreement (“the native title parties”) have been identified;
- (b) In addition, contracted consultants to the KLC prepared documentation and material that comprehensively deals with the MG People’s connection and authorisation processes in relation to the ILUA Area.
- (c) The KLC through its staff and contracted consultants has attended a series of meetings with the native title parties and has confirmed that there is a single process of decision making that, under the traditional laws and customs of the native title parties, must be complied with in relation to authorising things such as making the agreement. That process is set out in detail in the Certification Report authored by the KLC dated [] (“the Certification Report”) which forms part of these reasons for certification, and is enclosed;
- (d) The Certification Report sets out details of, amongst other things:
 - the native title parties;
 - the relevant decision making process; and
 - meetings at which the relevant people effected the decision making process; and
- (e) The KLC organised meetings held at []. Notice of those meetings was distributed widely. The meetings were well attended, including by many people from each of the relevant dawang set out above. Details about those meetings, including who attended them, is included in the Certification Report. At those meetings, the native title parties authorised the making of the agreement in accordance with their traditional decision making process.

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Certified by Wayne Bergmann, Executive Director, Kimberley Land Council Aboriginal Corporation

Dated: 2005

Wayne Bergmann