



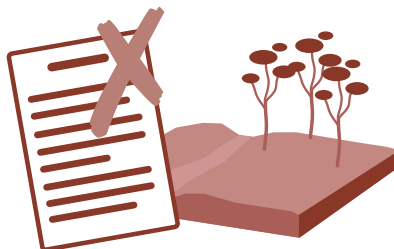
What will change for Part III reserves?

What the *Aboriginal Affairs Planning Authority Act 1972* currently says about Part III reserved lands

Divestment

Only the ALT or the Authority can manage a Part III reserve

For a Part III reserve to be divested, the Part III status must be removed



Decision making

The Minister for Aboriginal Affairs is the final decision maker

The Minister must consult with the Aboriginal Lands Trust

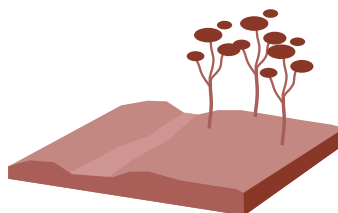
The ALT must ensure that the land is used in accordance with the wishes of Aboriginal people from the area



Dealing on Part III reserved lands

Part III reserves cannot be mortgaged, leased or subleased without the consent of the Authority

Part III status can only be removed with the approval of Parliament



What is proposed to change?

Part III reserves will be able to be divested to Aboriginal corporations while retaining the Part III status and protections.


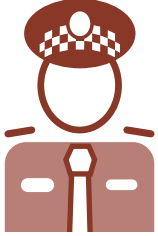
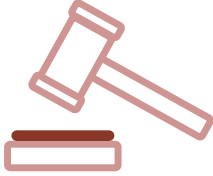
Where Part III reserves are divested, the Minister for Aboriginal Affairs no longer consults with the ALT and the Aboriginal corporation is a decision maker.

Where Part III reserves are divested, the divestee, under certain circumstances, will have the power to grant leases and licences without needing permission from the Authority.

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What is proposed to change?


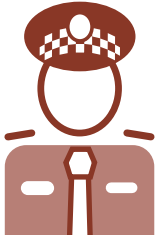

<p>Ministerial approval</p> <p>The Minister for Aboriginal Affairs grants permits to enter after consulting with the ALT and the relevant Aboriginal community</p>		<p>Where Part III reserves are divested, the Minister for Aboriginal Affairs can give the divestee the power to grant permits over divested Part III reserves.</p>
<p>Enforcement</p> <p>A prosecution of a simple offence must be brought within 12 months</p>		<p>A prosecution of a simple offence must be brought within six years.</p>
<p>Penalties</p> <p>If you don't have a permit, the penalties are:</p> <p>First offence: \$1,000 fine and 9 months' imprisonment</p> <p>Second offence: \$5,000 fine and 12 months' imprisonment</p>		<p>Penalties will be updated.</p>



What will not change for Part III reserves?

What the *Aboriginal Affairs Planning Authority Act 1972* currently says about Part III reserved lands




What is proposed to change?

<p>Permits</p> <ul style="list-style-type: none"> • A person who enters a Part III reserve without a permit commits an offence • Non-Aboriginal people must have a permit to enter Part III reserves • This includes tourists and visitors 		<p>No change.</p> <p>A permit is still required for non-Aboriginal people.</p>
<p>Offences</p> <p>A non-Aboriginal person who enters or stays within a Part III reserve without a permit commits an offence</p>		<p>No change.</p> <p>It will continue to be an offence for a non-Aboriginal person to enter or stay within a Part III reserve without a permit.</p>
<p>Permit exemptions</p> <p>You don't need a permit if you are:</p> <ul style="list-style-type: none"> • an Aboriginal person • a government officer • a politician 		<p>No change.</p> <p>A permit will not be required if you are an Aboriginal person, a government officer or a politician.</p>

What will not change for Part III reserves?

What the *Aboriginal Affairs Planning Authority Act 1972* currently says about Part III reserved lands

What is proposed to change?

<p>How communities use Part III</p> <ul style="list-style-type: none"> • To control access • To protect their privacy • To negotiate with miners and tourist operators • To protect Aboriginal cultural heritage • To look after the environment 		<p>No change.</p> <p>A permit and consent to mine is still required.</p>
<p>Mining</p> <p>Mining companies must have a permit and a consent to mine to access, explore and mine on their mining tenements</p>		<p>No change.</p> <p>A permit and consent to mine is still required.</p>
<p>Native title</p> <p>Native title rights and interests are suppressed by Part III reserves</p> <p>This means that the rights of native title holders sit beneath the rights of the Authority and the ALT</p>		<p>No change.</p> <p>Native title rights and interests continue to be suppressed by Part III reserves.</p>