



Appendix 3

Types of corporations holding land interests

Land corporation/association/trust	Legislation	Aim
Jurisdiction: Commonwealth		
Indigenous corporation, 'Prescribed Body Corporate (PBC)' as agent or trustee for common law native title holders	<i>Native Title Act 1993 and Native Title (Prescribed Bodies Corporate) Regulations 1999</i>	To recognise and protect native title, set up a process to determine claims for native title. Applies throughout Australia.
Aboriginal Land Trusts - consisting of Aboriginal people resident in the regional Land Council area	<i>Aboriginal Land Rights (Northern Territory) Act 1976</i>	Granting of title for traditional Aboriginal owners in the Northern Territory only.
Wreck Bay Aboriginal Community Council: ss4, 6(a)	<i>Aboriginal Land Grant (Jervis Bay Territory) Act 1986</i>	To grant land to the Wreck Bay Aboriginal community at Jervis Bay in the ACT.
Kerrup-Jmara Elders Aboriginal Corporation at Lake Condah. Kirrae Whurrong Aboriginal Corporation at Framlingham Forest	<i>Aboriginal Land (Lake Condah and Framlingham Forest) Act 1987</i>	To provide for vesting of land for certain Aboriginal communities in Victoria by the Commonwealth at the request of the Victorian Government.



Land corporation/association/trust	Legislation	Aim
Jurisdiction: New South Wales		
Local Aboriginal Land Councils (LALC) or the New South Wales Aboriginal Land Council (NSWALC) can acquire, hold and deal with land	<i>Aboriginal Land Rights Act 1983</i>	To acknowledge the importance of land to Aborigines and its spiritual, social, cultural and economic significance and provide a process to return land.
NSWALC or LALC as per <i>Aboriginal Land Rights Act 1983</i> (NSW) – see above	<i>National Parks and Wildlife Act 1974</i>	Provides for the ownership of approved areas that are national parks, nature reserves, a historic site, or state conservation area, regional park, karst conservation reserve or Aboriginal areas that are of ‘cultural significance’ to Aboriginal people: s71D, 71Y. The particular areas are in Schedule 14 of the Act.
Jurisdiction: Northern Territory The landmark Indigenous land rights legislation in Australia, the <i>Aboriginal Land Rights (Northern Territory) Act 1976</i> (Cth) applies to the Northern Territory, but is listed in the Commonwealth jurisdiction (above) because it is a federal Act.		
Aboriginal Association representing the community	<i>Pastoral Land Act 1992</i>	To provide land title for Aboriginal communities (a living area) on pastoral lease land based on historical association and present need: s92(1).
Jurisdiction: South Australia		
State-wide Aboriginal Land Trust – Aboriginal persons appointed by government including Minister’s representative	<i>Aboriginal Lands Trust Act 1966</i>	To grant land (previously set aside as Aboriginal reserves) directly to the control of an Aboriginal body.



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Anangu Pitjantjatjara (AP) – a body corporate comprising all the traditional owners in the area	<i>Pitjantjatjara Land Rights Act 1981</i>	To provide ownership directly to the Traditional Owners.
Maralinga Tjarutja (MT) – a body corporate comprising all the traditional owners in the area	<i>Maralinga Tjarutja Land Rights Act 1984</i>	To provide ownership directly to the traditional owners.
Jurisdiction: Queensland		
Trustees appointed by the Minister: ss28, 65 and Part 3 Aboriginal Land Regulation 1991 (Qld)	<i>Aboriginal Land Act 1991</i>	To provide for the claim and grant of, land to Aboriginal people and foster self-development, self-reliance and cultural integrity.
As above. Similar provisions to <i>Aboriginal Land Act 1991</i> (Qld) apply	<i>Torres Strait Islander Land Act 1991</i>	As above. Similar provisions to <i>Aboriginal Land Act 1991</i> (Qld) apply.
Community Councils and later trustees of Aboriginal land under <i>Aboriginal Land Act</i> .	<i>Aborigines and Torres Strait Islanders (Land Holding) Act 1985</i>	To provide secure title (individual leases) to Indigenous community members on communal land.
Community Councils as trustee	<i>Land Act 1994</i>	Create public reserves including for Indigenous people (Schedule 1 Community Purposes).
Jurisdiction: Victoria		
Aboriginal Trust consisting of residents only	<i>Aboriginal Lands Act 1970</i>	To make permanent the land grant and vest the land in the local resident community. Applies to Lake Tyers and Framlingham Aboriginal communities only.
Aborigines Advancement League Inc	<i>Aboriginal Lands (Aborigines' Advancement League) (Watt Street) Northcote) Act 1982</i>	Vest the Crown grant of land in the trustees of the Advancement League.



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Aborigines Advancement League Inc.	<i>Aboriginal Land (Northcote Land) Act 1989</i>	Permanently vest block of land for Aboriginal community purposes.
Wurundjeri Tribe Land and Compensation Cultural Heritage Council Inc. Goolum Goolum Aboriginal Co-operative Ltd. Gippsland & East Gippsland Aboriginal Co-operative Ltd.	<i>Aboriginal Lands Act 1991</i>	Grant of specific blocks of land for cultural and burial purposes.
Murray Valley Aboriginal Co-operative Ltd	<i>Aboriginal Land (Manatunga Land) Act 1992</i>	Grant of land at Robinvale and to extinguish existing leases and other encumbrances: s1.
Jurisdiction: Tasmania		
Aboriginal Land Council – state-wide elected Aboriginal body corporate	<i>Aboriginal Lands Act 1995</i>	To promote reconciliation . . . by granting certain parcels of land of historic or cultural significance.
Jurisdiction: Western Australia		
Crown through Aboriginal Land Trust (ALT) appointed by Minister or Aboriginal Affairs Planning Authority	<i>Aboriginal Affairs Planning Authority Act 1972</i>	For the economic, social and cultural advancement of persons of Aboriginal descent in Western Australia.
Aboriginal person or approved Aboriginal Corporation: s83 Aboriginal reserves generally vested in ALT see <i>Aboriginal Affairs Planning Authority Act 1972</i> above; or resident Aboriginal Corporation.	<i>Land Administration Act 1997</i>	To provide Crown land for benefit of Aboriginal persons.