



Fact sheet 4: Comparisons - What Are Part III Reserved Lands and What is Proposed to Change?

WHAT THE ABORIGINAL AFFAIRS PLANNING AUTHORITY ACT 1972 CURRENTLY SAYS ABOUT PART III RESERVED LANDS

WHAT IS PROPOSED TO CHANGE?

<p>DIVESTMENT</p> <p>Only the Aboriginal Lands Trust or the Aboriginal Affairs Planning Authority can manage Part III reserved lands</p> <p>For Part III reserved lands to be divested, the Part III status must be removed</p>	<p>Part III reserved lands will be able to be vested in and managed by Aboriginal people or entities (divestee) while leaving the Part III status and protections in place</p>
<p>PERMITS</p> <p>Non-Aboriginal people must have a permit to enter Part III reserved lands</p>	<p>No change</p>
<p>MINISTERIAL APPROVAL</p> <p>The Minister for Aboriginal Affairs grants permits to enter after consulting with the Aboriginal Lands Trust and the relevant Aboriginal community</p>	<p>No change except, where Part III reserved lands are divested, the divestee can issue its own permits</p>
<p>DECISION MAKING</p> <p>The Minister must consult with the Aboriginal Lands Trust</p> <p>The Aboriginal Lands Trust must ensure that the land is used in accordance with the wishes of Aboriginal people from the area</p>	<p>No change except, where Part III reserved lands are divested, the Minister for Aboriginal Affairs no longer consults with the Aboriginal Lands Trust and the divestee has management of the land</p>
<p>OFFENCES</p> <p>A non-Aboriginal person who enters or stays within a Part III reserved lands without a permit commits an offence</p>	<p>No change</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>

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<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>DEALING ON PART III RESERVED LANDS</p> <ul style="list-style-type: none"> Part III reserved lands cannot be mortgaged, leased or subleased without the consent of the Aboriginal Affairs Planning Authority Part III status can only be removed with the approval of Parliament 	<p>No change except, where Part III reserved lands are divested and in certain situations, the divestee will have the power to grant leases and licences without asking the Aboriginal Affairs Planning Authority's permission</p>
<p>MINING</p> <ul style="list-style-type: none"> Mining companies must have a permit and a consent to mine to access, explore and mine on their mining tenements 	<p>No change</p>
<p>NATIVE TITLE</p> <ul style="list-style-type: none"> Native title rights and interests are suppressed by Part III reserved lands to the extent of any inconsistency This means that the rights of native title holders sit beneath the rights of the Aboriginal Affairs Planning Authority and the Aboriginal Lands Trust 	<p>No change</p>