



New South Wales

Aboriginal Land Rights Amendment (Miscellaneous) Regulation 2010

under the

Aboriginal Land Rights Act 1983

His Excellency the Lieutenant-Governor, with the advice of the Executive Council,
has made the following Regulation under the *Aboriginal Land Rights Act 1983*.

PAUL LYNCH, MP
Minister for Aboriginal Affairs

Explanatory note

The object of this Regulation is to make miscellaneous amendments to the *Aboriginal Land Rights Regulation 2002*.

The amendments reflect changes made to the *Aboriginal Land Rights Act 1983* to transfer responsibility for compiling and updating Local Aboriginal Land Council membership rolls from those Councils to the Registrar under that Act.

This Regulation is made under the *Aboriginal Land Rights Act 1983*, including sections 59, 106, 121 and 252 (the general regulation-making power).

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Clause 1 Aboriginal Land Rights Amendment (Miscellaneous) Regulation 2010

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Aboriginal Land Rights Act 1983

1 Name of Regulation

This Regulation is the *Aboriginal Land Rights Amendment (Miscellaneous) Regulation 2010*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Aboriginal Land Rights Regulation 2002

[1] Clause 43

Omit the clause. Insert instead:

43 Certification of roll

- (1) The chief executive officer of each Local Aboriginal Land Council must, not later than 7 clear days after the closing date specified in the relevant notice of election, send a current copy of the Council’s membership roll to the Registrar that is certified in a manner approved by the Registrar.
- (2) Within 7 clear days after the certified copies of the membership rolls for Local Aboriginal Land Councils have been sent to the Registrar, the Registrar must:
 - (a) ensure that the consolidated membership roll kept by the Registrar is current, and
 - (b) prepare an electoral roll for each Region that contains the names of each voting member of a Local Aboriginal Land Council in that Region, and
 - (c) certify each such electoral roll in the manner specified in subclause (3), and
 - (d) send those rolls to the returning officer.
- (3) The certification of an electoral roll for a Region by the Registrar must be in the following form:

Certification of Regional Electoral Roll

I,, Registrar, Aboriginal Land Rights Act 1983, certify that the attached roll containing pages commencing with the name number and ending with the name number is a true and accurate record of all of the voting members of the Local Aboriginal Land Councils within the Region as at

Date: Signed:

- (4) If the chief executive officer of a Local Aboriginal Land Council fails for any reason to provide the Registrar with a certified copy of the membership roll of the Local Aboriginal Land Council, the Chairperson of the Board of a Local Aboriginal Land Council

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may certify and send to the Registrar a copy of the membership roll for the Local Aboriginal Land Council.

- (5) If neither the chief executive officer or Chairperson of the Board of a Local Aboriginal Land Council provides the Registrar with a certified copy of the membership roll of the Local Aboriginal Land Council, the Registrar may compile a membership roll and certify a copy of that roll.

[2] **Clause 81 Notification of result of election**

Insert after clause 81 (b):

- (b1) notify the Registrar in writing of the candidate who has been elected, and

[3] **Clause 117**

Omit the clause. Insert instead:

117 Certain information on land register to be made available

For the purposes of section 106 (2) (g) of the Act, the New South Wales Aboriginal Land Council is to make available, on request by the members of a Local Aboriginal Land Council, all the information contained in the land register that relates to the Local Aboriginal Land Council.