

LAND TRIBUNAL

2019 | 2020

REPORT ON THE OPERATIONS OF THE LAND TRIBUNAL

Established under the *Aboriginal Land Act*
1991



LAND TRIBUNAL
Chambers of Acting Chairperson FY Kingham

30 October 2020

Brisbane Magistrates Court
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The Honourable Yvette D'Ath
Attorney-General & Minister for Justice
Leader of the House
GPO Box 149
Brisbane QLD 4001

Dear Attorney

Re: Land Tribunal Annual Report 2019-2020

As required by s 245(1) of the *Aboriginal Land Act 1991*, I present my report on the operations of the Land Tribunal.

Yours sincerely

Acting Chairperson FY Kingham

CHAIRPERSON'S REPORT

I was appointed Chairperson of the Land Tribunal on a part-time basis effective from 21 December 2019 to 20 December 2020. This report covers the period 1 July 2019 to 30 June 2020.

Background: The *Aboriginal Land Act 1991* established the Land Tribunal on 21 December 1991 to receive and hear claims made by groups of Aboriginal people to areas of claimable land. The Act contained a sunset clause, which provided no new claims could be lodged after 22 December 2006. The Land Tribunal determined the last claims which had been referred for hearing, the Boodjumulla (Lawn Hill) National Park claims, on 24 August 2016.

The Land Tribunal's costs for this financial year in question were \$0.00.

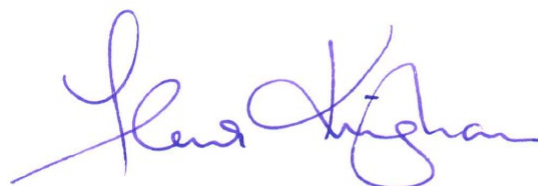
The Land Tribunal dealt with one request for access to records of a number of claims made to the Land Tribunal and that is in progress.

The future: The Land Tribunal has no active claims, although I am awaiting advice from the Department of Natural Resources, Mines and Energy about whether there are further claims that are yet to be referred for hearing.

In the last annual report, I noted the government was reviewing the *Aboriginal Cultural Heritage Act 2003* and the *Torres Strait Island Cultural Heritage Act 2003*. If those Acts are to be amended, and if those amendments affect the jurisdiction and role of the Land Court, it may be convenient to bring forward any amendments regarding the Land Tribunal at that time.

I recommend, as I did in last year's annual report, that you consider options for:

- dealing with any outstanding claims not yet referred to the Land Tribunal;
- disestablishing the Land Tribunal;
- custody and control of its records; and
- a clear process for interested persons to apply to access them.



A/CHAIRPERSON FY KINGHAM