

LAND TRIBUNAL OF QUEENSLAND

2018 | 2019

ANNUAL REPORT

Established under the *Aboriginal Land Act 1991*

For the year ended 30 June 2019



LAND COURT OF QUEENSLAND

Chambers of President FY Kingham

31 October 2019

Brisbane Magistrates Court
363 George Street Brisbane
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The Honourable Yvette D'Ath MP
Attorney-General and Minister for Justice
Leader of the House
GPO Box 149
Brisbane Qld 4001

Dear Attorney,

Re: Land Tribunal Annual Report 2018-19

As required by s 245(1) of the *Aboriginal Land Act 1991*, I provide you with my Annual Report on operations of the Land Tribunal for the year ended 30 June 2019

Yours sincerely

President FY Kingham

PRESIDENT'S REPORT

I was appointed Chairperson of the Land Tribunal on a part-time basis effective from 21 December 2017 to 20 December 2018 that was later extended to December 2019. This report covers the period 1 July 2018 to 30 June 2019.

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. Ms MacDonald provided the report and recommendations to the Minister: the grant of land claimed jointly in fee simple to two of the claimant groups and the dismissal of the claims made by two other claimant groups.

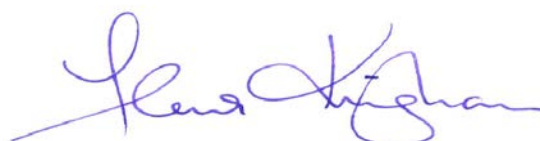
The tribunal's costs for the financial year in question were \$0.00

The future: The Land Tribunal has no active claims.

Recently, I was advised there may be some claims that have not been referred to the Land Tribunal. The Land Court, of which I am the President, has jurisdiction and may be an appropriate forum to deal with any outstanding matters within the Land Tribunal's jurisdiction. The government is currently 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 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.



PRESIDENT FY KINGHAM