



Queensland

*Aboriginal Communities (Justice and Land Matters) Act 1984*

# **Aboriginal Communities (Justice and Land Matters) Regulation 1998**

**Reprinted as in force on 1 January 2005  
(includes commenced amendments up to 2004 SL No. 318)**

**Reprint No. 3C revised edition**

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# Information about this reprint

This regulation is reprinted as at 1 January 2005. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 have also been made to use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

## **Dates shown on reprints**

**Reprints dated at last amendment** All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

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Revised edition indicates further material has affected existing material. For example—

- a correction
- a retrospective provision
- other relevant information.



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## **Aboriginal Communities (Justice and Land Matters) Regulation 1998**

[as amended by all amendments that commenced on or before 1 January 2005]

### **Part 1 Preliminary**

#### **1 Short title**

This regulation may be cited as the *Aboriginal Communities (Justice and Land Matters) Regulation 1998*.

#### **2 Definitions**

The dictionary in schedule 2 defines particular words used in this regulation.

### **Part 10A Community justice groups**

#### **64B Establishment of community justice groups—Act, s 86(1)**

- (1) Each community justice group named in a relevant schedule is established for the community area stated for the justice group.
- (2) Each relevant schedule prescribes matters about the community justice group named in the schedule.

### **64C Criminal history checks**

- (1) For section 89(1)<sup>1</sup> of the Act, the chief executive may ask the commissioner of the police service to give the chief executive a written report about a person's criminal history.<sup>2</sup>
- (2) The commissioner must comply with the request.
- (3) Subsection (1) applies to the criminal history in the commissioner's possession or to which the commissioner has access.

## **Part 12 Transitional provisions**

### **67 Transitional provision for Community Services (Aborigines) Amendment Regulation (No. 3) 2002**

For nominating members of a community justice group, a nomination under schedule 1B, section 5(1) includes a nomination made by a main indigenous social grouping before the commencement of this section.

### **68 Transitional provision for Community Services (Aborigines) Amendment Regulation (No. 1) 2003**

For nominating members of a community justice group for schedules 1C and 1D, a nomination under section 4 of either schedule includes a nomination made by a nominating entity under the schedule before the commencement of this section.

### **69 Transitional provision for Community Services (Aborigines) Amendment Regulation (No. 2) 2003**

- (1) For nominating members of a community justice group for schedules 1E, 1F, 1G and 1I, a nomination under section 5 of any of the schedules includes a nomination made by a

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1 Section 89 (Criminal history checks) of the Act

2 Section 89(3) of the Act defines *criminal history* for the section.

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nominating entity under the schedule before the commencement of this section.

- (2) For nominating members of a community justice group for schedule 1H, a nomination under section 5 of the schedule includes a nomination made by a main indigenous social grouping under the schedule before the commencement of this section.

**71 Transitional provision for Community Services  
(Aborigines) Amendment Regulation (No. 3) 2003**

For nominating members of a community justice group for schedules 1K to 1O, a nomination under section 5 of any of the schedules includes a nomination made by a nominating entity under the schedule before the commencement of this section.

**Part 13 Provision for reprinting  
regulation**

**72 Numbering and renumbering of regulation**

In the next reprint of this regulation produced under the *Reprints Act 1992*, the provisions of this regulation must be numbered and renumbered as permitted by the *Reprints Act 1992*, section 43.

## **Schedule 1B      Aurukun Community Justice Group**

section 64B

### **Part 1                      Preliminary**

#### **1                      Definitions for sch 1B**

In this schedule—

*main indigenous social grouping* means each of the following groups of indigenous persons—

- Archer, Watson and Top Kendall Rivers
- Cape Keerweer
- Kendall and Holroyd Rivers
- Knox River
- Love River
- Ti Tree-Oonyawa
- Upper Kirke River
- Wik Way.

*special meeting* see section 10(2).

### **Part 2                      Name of community justice group**

#### **2                      Name—Act, s 86(2)**

The name of the community justice group for the Shire of Aurukun is Aurukun Community Justice Group.

Schedule 1B (continued)

## **Part 3                      Membership**

### **3                      Number of members**

The justice group comprises at least 8 but not more than 40 members.

### **4                      Eligibility**

A person is eligible to be a member of the justice group if the person is a member of a main indigenous social grouping.

### **5                      Nomination, and withdrawal of nomination, of members**

- (1) Each main indigenous social grouping must nominate at least 1 person, and may nominate not more than 5 persons, who are members of the grouping to be members of the justice group.
- (2) A main indigenous social grouping may, at any time, withdraw a nomination made by it.
- (3) A main indigenous social grouping must advise the Minister of each nomination, or withdrawal of a nomination, made by it.
- (4) A nomination, or withdrawal of a nomination, takes effect on the later of the following—
  - (a) the day the Minister notifies the nomination, or withdrawal of the nomination, by gazette notice under section 6(1) or (2);
  - (b) the day stated in the gazette notice.

### **6                      Notification by Minister**

- (1) The Minister must, if satisfied a person nominated under section 5(1) is eligible for membership of the justice group, give notice of the nomination by gazette notice.

### Schedule 1B (continued)

- (2) Also, the Minister must, by gazette notice, give notice of a withdrawal of a nomination about which the Minister is advised.
- (3) The gazette notice must include the following information—
  - (a) the name of the person who is nominated or whose nomination is withdrawn;
  - (b) the main indigenous social grouping the person represents.
- (4) The Minister may, from time to time by gazette notice, give notice of the members of the justice group and the main indigenous social grouping each member represents.

## **7 Vacation of office**

- (1) The office of a member of the justice group becomes vacant if—
  - (a) the member—
    - (i) dies; or
    - (ii) resigns office by notice given to the coordinator for the justice group; or
  - (b) the member's nomination is withdrawn under section 5.
- (2) A notice mentioned in subsection (1)(a)(ii) may be given orally or in writing.

## **8 Coordinator to advise Minister of vacancy**

The coordinator for the justice group must, as soon as practicable after a member's office becomes vacant under section 7(1)(a), advise the Minister of the vacancy.

## **9 Term of membership**

A member of the justice group holds office for the term—

### Schedule 1B (continued)

- (a) starting on the day the member's nomination takes effect under section 5(4); and
- (b) ending on the day the member's office becomes vacant under section 7(1).

## Part 4                      **Business and meetings**

### 10      **Conduct of business**

- (1) Subject to this part, the justice group may conduct its business, including its meetings, in the way it considers appropriate, including, for example, by following Aboriginal tradition.
- (2) The justice group may only make decisions about business relating to its functions under section 87(1)(a), (c), (d) or (e)<sup>3</sup> of the Act at a meeting at which the coordinator for the justice group is present (a *special meeting*).

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3      Section 87(1)(a), (c), (d) or (e) of the Act—

#### **87 Functions and powers**

- (1) The functions of the community justice group for a community area are to—
  - (a) regulate the possession and consumption of alcohol in the area under part 6, division 2; and
  - (b) . . . ; and
  - (c) make recommendations to the community liquor licence board established under the *Indigenous Communities Liquor Licences Act 2002*, part 2, division 1, for the area about the operation of the canteen in the area; and
  - (d) make recommendations to the Minister administering the *Liquor Act 1992*, part 6A, about declarations under that part; and
  - (e) carry out other functions given to it under this or another Act.

Schedule 1B (continued)

**11 Times and places of special meetings**

- (1) Special meetings must be held at the times and places the justice group decides.
- (2) However, the coordinator for the justice group may call a special meeting at any time, and must call a special meeting if asked by a majority of members of the justice group.

**12 Quorum for special meeting**

A quorum for a special meeting is 5 members of the justice group, each of whom must be a representative of a different main indigenous social grouping.

**13 Number of members at special meeting**

At a special meeting, not more than 2 members of each main indigenous social grouping, who are members of the justice group, may be present.

**14 Presiding at special meeting**

At a special meeting, the member of the justice group chosen by the members present is to preside.

**15 Voting at special meeting**

- (1) Only 1 member (the *voting member*) of each main indigenous social grouping may vote on a question to be decided at a special meeting.
- (2) If more than 1 member of a main indigenous social grouping is present at a special meeting, the members of the justice group who represent the grouping—
  - (a) may decide the grouping's voting member for a question; and
  - (b) if more than 1 question is to be decided, may decide that a different member is the grouping's voting member for different questions.

**Schedule 1B (continued)**

- (3) A question at a special meeting is to be decided by a majority of the votes of the voting members for the question and, if the votes are equal, the question is decided in the negative.

## Schedule 1C      Doomadgee Community Justice Group

section 64B

### Part 1                      Preliminary

#### 1                      Definitions for sch 1C

In this schedule—

***council*** means the Doomadgee Shire Council.

***main indigenous social grouping*** means each of the following groups of indigenous persons—

- Gadawa
- Gangalida
- Lardill
- Mingginda
- Waanyi.

***nominating entity*** means any of the following—

- (a) a main indigenous social grouping;
- (b) Doomadgee CDEP Aboriginal Corporation  
ABN 91 096 896 192;
- (c) the council;
- (d) Warragudja Aboriginal Corporation  
ABN 38 365 831 274;
- (e) Warrgoobulginda Aboriginal Corporation  
ABN 17 807 264 224;
- (f) the chief executive of the department in which the  
*Education (General Provisions) Act 1989* is  
administered;

### Schedule 1C (continued)

- (g) the chief executive of the department in which the *Health Services Act 1991* is administered.

*special meeting* see section 9(2).

## **Part 2                      Name of community justice group**

### **2            Name—Act, s 86(2)**

The name of the community justice group for the community government area of the Doomadgee Shire Council is Ngooderi Mabuntha Community Justice Group.

## **Part 3                      Membership**

### **3            Number of members**

The justice group comprises at least 5 but not more than 17 members.

### **4            Nomination, and withdrawal of nomination, of members**

- (1) Each main indigenous social grouping must nominate at least 1 person, and may nominate 2 persons, who are members of the grouping to be members of the justice group.
- (2) Also, each of the following entities may nominate 1 person to be a member of the justice group—
  - (a) Doomadgee CDEP Aboriginal Corporation  
ABN 91 096 896 192;
  - (b) the council;

Schedule 1C (continued)

- (c) Warragudja Aboriginal Corporation  
ABN 38 365 831 274;
  - (d) Warrgoobulginda Aboriginal Corporation  
ABN 17 807 264 224;
  - (e) the chief executive of the department in which the *Education (General Provisions) Act 1989* is administered.
- (3) The chief executive of the department in which the *Health Services Act 1991* is administered may nominate 2 persons who are employees of the department to be members of the justice group.
- (4) A nominating entity may, at any time, withdraw a nomination made by it.
- (5) A nominating entity must advise the Minister of each nomination, or withdrawal of a nomination, made by it.
- (6) A nomination, or withdrawal of a nomination, takes effect on the later of the following—
- (a) the day the Minister notifies the nomination, or withdrawal of the nomination, by gazette notice under section 5(1) or (2);
  - (b) the day stated in the gazette notice.

**5 Notification by Minister**

- (1) The Minister must, if satisfied a person nominated under section 4 is eligible for membership of the justice group, give notice of the nomination by gazette notice.
- (2) Also, the Minister must, by gazette notice, give notice of a withdrawal of a nomination about which the Minister is advised.
- (3) The gazette notice must include the following information—
  - (a) the name of the person who is nominated or whose nomination is withdrawn;

### Schedule 1C (continued)

- (b) the nominating entity that nominated the person or withdrew the person's nomination.
- (4) The Minister may, from time to time by gazette notice, give notice of the members of the justice group and the nominating entity that nominated each member.

## **6 Vacation of office**

- (1) The office of a member of the justice group becomes vacant if—
  - (a) the member—
    - (i) dies; or
    - (ii) resigns office by notice given to the coordinator for the justice group; or
    - (iii) is absent from 3 consecutive meetings of the justice group without the justice group's permission and without reasonable excuse; or
  - (b) the member's nomination is withdrawn under section 4.
- (2) A notice mentioned in subsection (1)(a)(ii) may be given orally or in writing.

## **7 Coordinator to advise Minister of vacancy**

The coordinator for the justice group must, as soon as practicable after a member's office becomes vacant under section 6(1)(a), advise the Minister of the vacancy.

## **8 Term of membership**

- (1) Subject to subsection (2), a member of the justice group holds office for the term—
  - (a) starting on the day the member's nomination takes effect under section 4(6); and
  - (b) ending on the earlier of the following—

### Schedule 1C (continued)

- (i) 3 years after the day the member's nomination takes effect;
  - (ii) the day the member's office becomes vacant under section 6(1).
- (2) If the office of a member (the *former member*) becomes vacant under section 6(1), a person nominated to fill the vacancy holds office until the day the former member's term would have ended if the former member's office had not become vacant.

## Part 4 Business and meetings

### 9 Conduct of business

- (1) Subject to this part, the justice group may conduct its business, including its meetings, in the way it considers appropriate, including, for example, by following Aboriginal tradition.
- (2) The justice group may only make decisions about business relating to its functions under section 87(1)(a), (c), (d) or (e)<sup>4</sup>

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<sup>4</sup> Section 87(1)(a), (c), (d) or (e) of the Act—

#### **87 Functions and powers**

- (1) The functions of the community justice group for a community area are to—
  - (a) regulate the possession and consumption of alcohol in the area under part 6, division 2; and
  - (b) . . . ; and
  - (c) make recommendations to the community liquor licence board established under the *Indigenous Communities Liquor Licences Act 2002*, part 2, division 1, for the area about the operation of the canteen in the area; and
  - (d) make recommendations to the Minister administering the *Liquor Act 1992*, part 6A, about declarations under that part; and
  - (e) carry out other functions given to it under this or another Act.

### Schedule 1C (continued)

of the Act at a meeting at which the coordinator for the justice group is present (a *special meeting*).

#### **10 Times and places of special meetings**

- (1) Special meetings must be held at the times and places the justice group decides.
- (2) However, the coordinator for the justice group may call a special meeting at any time, and must call a special meeting if asked by a majority of members of the justice group.

#### **11 Quorum for special meeting**

A quorum for a special meeting of the justice group is a majority of its members, at least 3 of whom must each represent a different main indigenous social grouping.

#### **12 Presiding at special meeting**

At a special meeting, the member of the justice group chosen by the members present is to preside.

#### **13 Voting at special meeting**

A question at a special meeting is to be decided by a majority of the votes of the voting members for the question and, if the votes are equal, the question is decided in the negative.

## Schedule 1D      Napranum Community Justice Group

section 64B

### Part 1                      Preliminary

#### 1            Definitions for sch 1D

In this schedule—

*council* means the Napranum Shire Council.

*main indigenous social grouping* means each of the following groups of indigenous persons—

- Alingith
- Anagoon
- Andoom
- Aurdrang
- Luang
- Peppan
- Thanquith
- Thionton
- Wathayan
- the Torres Strait Islander grouping.

*nominating entity* means either of the following—

- (a) a main indigenous social grouping;
- (b) the council.

*special meeting* see section 9(2).

*Torres Strait Islander grouping* means the indigenous social grouping comprised of Torres Strait Islanders who have a historical association with the community government area of the Napranum Shire Council.

Schedule 1D (continued)

**Part 2**                      **Name of community justice group**

**2**            **Name—Act, s 86(2)**

The name of the community justice group for the community government area of the Napranum Shire Council is the Twal Council of Elders Napranum Community Justice Group.

**Part 3**                      **Membership**

**3**            **Number of members**

The justice group comprises at least 10 but not more than 39 members.

**4**            **Nomination, and withdrawal of nomination, of members**

- (1) Each main indigenous social grouping other than the Torres Strait Islander grouping must nominate at least 1 person, and may nominate up to 4 persons, who are members of the grouping to be members of the justice group.
- (2) The Torres Strait Islander grouping must nominate 1 person, who is a member of the grouping, to be a member of the justice group.
- (3) The council may nominate 1 or 2 councillors of the council to be members of the justice group.
- (4) A nominating entity may, at any time, withdraw a nomination made by it.
- (5) A nominating entity must advise the Minister of each nomination, or withdrawal of a nomination, made by it.
- (6) A nomination, or withdrawal of a nomination, takes effect on the later of the following—

### Schedule 1D (continued)

- (a) the day the Minister notifies the nomination, or withdrawal of the nomination, by gazette notice under section 5(1) or (2);
- (b) the day stated in the gazette notice.

## **5 Notification by Minister**

- (1) The Minister must, if satisfied a person nominated under section 4 is eligible for membership of the justice group, give notice of the nomination by gazette notice.
- (2) Also, the Minister must, by gazette notice, give notice of a withdrawal of a nomination about which the Minister is advised.
- (3) The gazette notice must include the following information—
  - (a) the name of the person who is nominated or whose nomination is withdrawn;
  - (b) the nominating entity that nominated the person or withdrew the person's nomination.
- (4) The Minister may, from time to time by gazette notice, give notice of the members of the justice group and the nominating entity that nominated each member.

## **6 Vacation of office**

- (1) The office of a member of the justice group becomes vacant if—
  - (a) the member—
    - (i) dies; or
    - (ii) resigns office by notice given to the coordinator for the justice group; or
  - (b) the member's nomination is withdrawn under section 4.
- (2) A notice mentioned in subsection (1)(a)(ii) may be given orally or in writing.

Schedule 1D (continued)

**7 Coordinator to advise Minister of vacancy**

The coordinator for the justice group must, as soon as practicable after a member's office becomes vacant under section 6(1)(a), advise the Minister of the vacancy.

**8 Term of membership**

A member of the justice group holds office for the term—

- (a) starting on the day the member's nomination takes effect under section 4(6); and
- (b) ending on the day the member's office becomes vacant under section 6(1).

**Part 4 Business and meetings**

**9 Conduct of business**

- (1) Subject to this part, the justice group may conduct its business, including its meetings, in the way it considers appropriate, including, for example, by following Aboriginal tradition.

### Schedule 1D (continued)

- (2) The justice group may only make decisions about business relating to its functions under section 87(1)(a), (c), (d) or (e)<sup>5</sup> of the Act at a meeting at which the coordinator for the justice group is present (a *special meeting*).

## 10 Times and places of special meetings

- (1) Special meetings must be held at the times and places the justice group decides.
- (2) However, the coordinator for the justice group may call a special meeting at any time, and must call a special meeting if asked by a majority of members of the justice group.

## 11 Quorum for special meeting

A quorum for a special meeting of the justice group is a majority of its members, at least 5 of whom must each represent a different main indigenous social grouping.

## 12 Presiding at special meeting

At a special meeting, the member of the justice group chosen by the members present is to preside.

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<sup>5</sup> Section 87(1)(a), (c), (d) or (e) of the Act—

### **87 Functions and powers**

- (1) The functions of the community justice group for a community area are to—
- (a) regulate the possession and consumption of alcohol in the area under part 6, division 2; and
  - (b) . . . ; and
  - (c) make recommendations to the community liquor licence board established under the *Indigenous Communities Liquor Licences Act 2002*, part 2, division 1, for the area about the operation of the canteen in the area; and
  - (d) make recommendations to the Minister administering the *Liquor Act 1992*, part 6A, about declarations under that part; and
  - (e) carry out other functions given to it under this or another Act.

Schedule 1D (continued)

**13 Voting at special meeting**

- (1) Only 1 member (the *voting member*) nominated by each nominating entity that is represented at a special meeting may vote on a question to be decided at the meeting.
- (2) If more than 1 member of a main indigenous social grouping or more than 1 member who is a councillor of the council, is present at a special meeting, the members of the justice group who represent the grouping or the council—
  - (a) may decide the grouping's or council's voting member for a question; and
  - (b) if more than 1 question is to be decided, may decide that a different member is the grouping's or council's voting member for different questions.
- (3) A question at a special meeting is to be decided by a majority of the votes of the voting members for the question and, if the votes are equal, the question is decided in the negative.

## **Schedule 1E      Injinoo Community Justice Group**

section 64B

### **Part 1                      Preliminary**

#### **1                      Definitions for sch 1E**

In this schedule—

*council* means the Injinoo Shire Council.

*main indigenous social grouping* means each of the following groups of indigenous persons—

- Angkamuthi
- Atambaya
- Gudang
- Yadhaykenu
- historical residents of the community government area of the Injinoo Shire Council.

*nominating entity* means—

- (a) a main indigenous social grouping; or
- (b) the council.

*special meeting* see section 10(2).

Schedule 1E (continued)

**Part 2**                      **Name of community justice group**

**2**            **Name—Act, s 86(2)**

The name of the community justice group for the community government area of the Injinoo Shire Council is Ikama Ikya Community Justice Group.

**Part 3**                      **Membership**

**3**            **Number of members**

The justice group comprises at least 5 but not more than 46 members.

**4**            **Eligibility**

A person is eligible to be a member of the justice group if the person is a member of a main indigenous social grouping and lives in the community government area of the Injinoo Shire Council.

**5**            **Nomination, and withdrawal of nomination, of members**

- (1) Each main indigenous social grouping must nominate 1 person, and may nominate up to 9 persons, who are members of the grouping to be members of the justice group.
- (2) The council may nominate 1 person to be a member of the justice group.
- (3) A nominating entity may, at any time, withdraw a nomination made by it.
- (4) A nominating entity must advise the Minister of each nomination, or withdrawal of a nomination, made by it.

### Schedule 1E (continued)

- (5) A nomination, or withdrawal of a nomination, takes effect on the later of the following—
- (a) the day the Minister notifies the nomination, or withdrawal of the nomination, by gazette notice under section 6(1) or (2);
  - (b) the day stated in the gazette notice.

## **6 Notification by Minister**

- (1) The Minister must, if satisfied a person nominated under section 5(1) or (2) is eligible for membership of the justice group, give notice of the nomination by gazette notice.
- (2) Also, the Minister must, by gazette notice, give notice of a withdrawal of a nomination about which the Minister is advised under section 5.
- (3) The gazette notice must include the following information—
  - (a) the name of the person who is nominated or whose nomination is withdrawn;
  - (b) the nominating entity that nominated the person or withdrew the person's nomination.
- (4) The Minister may, from time to time by gazette notice, give notice of the members of the justice group and the nominating entity that nominated each member.

## **7 Vacation of office**

- (1) The office of a member of the justice group becomes vacant if—
  - (a) the member—
    - (i) dies; or
    - (ii) resigns office by notice given to the coordinator for the justice group; or
    - (iii) ceases to be eligible to be a member of the justice group; or

### Schedule 1E (continued)

- (iv) is absent from 5 consecutive special meetings of the justice group without the justice group's permission and without reasonable excuse; or
  - (b) the member's nomination is withdrawn under section 5.
- (2) A notice mentioned in subsection (1)(a)(ii) may be given orally or in writing.

## **8 Coordinator to advise Minister of vacancy**

The coordinator for the justice group must, as soon as practicable after a member's office becomes vacant under section 7(1)(a), advise the Minister of the vacancy.

## **9 Term of membership**

A member of the justice group holds office for the term—

- (a) starting on the day the member's nomination takes effect under section 5(5); and
- (b) ending on the day the member's office becomes vacant under section 7(1).

# **Part 4 Business and meetings**

## **10 Conduct of business**

- (1) Subject to this part, the justice group may conduct its business, including its meetings, in the way it considers appropriate, including, for example, by following Aboriginal tradition or Island custom.

### Schedule 1E (continued)

- (2) The justice group may only make decisions about business relating to its functions under section 87(1)(a), (c), (d) or (e)<sup>6</sup> of the Act at a meeting at which the coordinator for the justice group is present (a *special meeting*).

#### 11 Times and places of special meetings

- (1) Special meetings must be held at the times and places the justice group decides.
- (2) However, the coordinator for the justice group may call a special meeting at any time, and must call a special meeting if asked by a majority of members of the justice group.

#### 12 Quorum for special meeting

A quorum for a special meeting of the justice group is a majority of its members.

#### 13 Presiding at special meeting

At a special meeting, the member of the justice group chosen by the members present is to preside.

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6 Section 87(1)(a), (c), (d) or (e) of the Act—

##### **87 Functions and powers**

- (1) The functions of the community justice group for a community area are to—
- (a) regulate the possession and consumption of alcohol in the area under part 6, division 2; and
  - (b) . . . ; and
  - (c) make recommendations to the community liquor licence board established under the *Indigenous Communities Liquor Licences Act 2002*, part 2, division 1, for the area about the operation of the canteen in the area; and
  - (d) make recommendations to the Minister administering the *Liquor Act 1992*, part 6A, about declarations under that part; and
  - (e) carry out other functions given to it under this or another Act.

Schedule 1E (continued)

**14 Voting at special meeting**

A question at a special meeting is to be decided by a majority of the votes of the members voting on the question, and if the votes are equal, the question is decided in the negative.

## **Schedule 1F      Kowanyama Community Justice Group**

section 64B

### **Part 1                      Preliminary**

#### **1                      Definitions for sch 1F**

In this schedule—

*council* means the Kowanyama Shire Council.

*main indigenous social grouping* means each of the following groups of indigenous persons—

- Kikomnjena
- Kokoberra
- Kunjen.

*nominating entity* means—

- (a) a main indigenous social grouping; or
- (b) the council.

*special meeting* see section 10(2).

### **Part 2                      Name of community justice group**

#### **2                      Name—Act, s 86(2)**

The name of the community justice group for the community government area of the Kowanyama Shire Council is Kowanyama Community Justice Group.

Schedule 1F (continued)

## **Part 3                      Membership**

### **3                      Number of members**

The justice group comprises at least 15 but not more than 19 members.

### **4                      Eligibility**

A person is eligible to be a member of the justice group if the person is a member of a main indigenous social grouping.

### **5                      Nomination, and withdrawal of nomination, of members**

- (1) Each main indigenous social grouping must nominate 5 persons, and may nominate 6 persons, who are members of the grouping to be members of the justice group.
- (2) The council may nominate 1 person to be a member of the justice group.
- (3) A nominating entity may, at any time, withdraw a nomination made by it.
- (4) A nominating entity must advise the Minister of each nomination, or withdrawal of a nomination, made by it.
- (5) A nomination, or withdrawal of a nomination, takes effect on the later of the following—
  - (a) the day the Minister notifies the nomination, or withdrawal of the nomination, by gazette notice under section 6(1) or (2);
  - (b) the day stated in the gazette notice.

### **6                      Notification by Minister**

- (1) The Minister must, if satisfied a person nominated under section 5(1) or (2) is eligible for membership of the justice group, give notice of the nomination by gazette notice.

### Schedule 1F (continued)

- (2) Also, the Minister must, by gazette notice, give notice of a withdrawal of a nomination about which the Minister is advised under section 5.
- (3) The gazette notice must include the following information—
  - (a) the name of the person who is nominated or whose nomination is withdrawn;
  - (b) the nominating entity that nominated the person or withdrew the person's nomination.
- (4) The Minister may, from time to time by gazette notice, give notice of the members of the justice group and the nominating entity that nominated each member.

## **7 Vacation of office**

- (1) The office of a member of the justice group becomes vacant if—
  - (a) the member—
    - (i) dies; or
    - (ii) resigns office by notice given to the coordinator for the justice group; or
  - (b) the member's nomination is withdrawn under section 5.
- (2) A notice mentioned in subsection (1)(a)(ii) may be given orally or in writing.

## **8 Coordinator to advise Minister of vacancy**

The coordinator for the justice group must, as soon as practicable after a member's office becomes vacant under section 7(1)(a), advise the Minister of the vacancy.

## **9 Term of membership**

A member of the justice group holds office for the term—

### Schedule 1F (continued)

- (a) starting on the day the member's nomination takes effect under section 5(5); and
- (b) ending on the day the member's office becomes vacant under section 7(1).

## Part 4                      **Business and meetings**

### 10      **Conduct of business**

- (1) Subject to this part, the justice group may conduct its business, including its meetings, in the way it considers appropriate, including, for example, by following Aboriginal tradition.
- (2) The justice group may only make decisions about business relating to its functions under section 87(1)(a), (c), (d) or (e)<sup>7</sup> of the Act at a meeting at which the coordinator for the justice group is present (a *special meeting*).

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<sup>7</sup> Section 87(1)(a), (c), (d) or (e) of the Act—

#### **87 Functions and powers**

- (1) The functions of the community justice group for a community area are to—
  - (a) regulate the possession and consumption of alcohol in the area under part 6, division 2; and
  - (b) . . . ; and
  - (c) make recommendations to the community liquor licence board established under the *Indigenous Communities Liquor Licences Act 2002*, part 2, division 1, for the area about the operation of the canteen in the area; and
  - (d) make recommendations to the Minister administering the *Liquor Act 1992*, part 6A, about declarations under that part; and
  - (e) carry out other functions given to it under this or another Act.

Schedule 1F (continued)

**11 Times and places of special meetings**

- (1) Special meetings must be held at the times and places the justice group decides.
- (2) However, the coordinator for the justice group may call a special meeting at any time, and must call a special meeting if asked by a majority of members of the justice group.

**12 Quorum for special meeting**

A quorum for a special meeting of the justice group is 8.

**13 Presiding at special meeting**

At a special meeting, the member of the justice group chosen by the members present is to preside.

**14 Voting at special meeting**

A question at a special meeting is to be decided by a majority of the votes of the members voting on the question, and if the votes are equal, the question is decided in the negative.

## Schedule 1G    Lockhart River Community Justice Group

section 64B

### Part 1                      Preliminary

#### 1            Definitions for sch 1G

In this schedule—

*council* means the Lockhart River Shire Council.

*main indigenous social grouping* means each of the following groups of indigenous persons—

- Ankum
- Kaanju
- Kanthanampu
- Kuuku Ya'u
- Ngaympal
- Umpila
- Upan
- Uutaalnganu
- Wathathi
- Yaawun.

*nominating entity* means—

- (a) a main indigenous social grouping; or
- (b) the group of employees of the council who work at the Pytham Women's Shelter; or
- (c) the council.

*special meeting* see section 10(2).

Schedule 1G (continued)

**Part 2**                      **Name of community justice group**

**2**            **Name—Act, s 86(2)**

The name of the community justice group for the community government area of the Lockhart River Shire Council is Wulpumu Justice Group.

**Part 3**                      **Membership**

**3**            **Number of members**

The justice group comprises at least 20 but not more than 34 members.

**4**            **Eligibility**

A person is eligible to be a member of the justice group if the person—

- (a) is a member of a main indigenous social grouping; and
- (b) lives in the community government area of the Lockhart River Shire Council; and
- (c) has lived in the area for at least 1 month before the person is nominated as a member; and
- (d) does not have a conviction, other than a spent conviction, for—
  - (i) an indictable offence; or
  - (ii) another offence, other than an offence involving the non-payment of a fine, for which the penalty imposed was, or included, a period of imprisonment.

Schedule 1G (continued)

**5 Nomination, and withdrawal of nomination, of members**

- (1) Each main indigenous social grouping must nominate at least 2 persons, and may nominate 3 persons, who are members of the grouping to be members of the justice group.
- (2) The group of employees of the council who work at the Pytham Women's Shelter may nominate up to 3 females to be members of the justice group.
- (3) The council may nominate 1 person who is a councillor of the council to be a member of the justice group.
- (4) A nominating entity may, at any time, withdraw a nomination made by it.
- (5) A nominating entity must advise the Minister of each nomination, or withdrawal of a nomination, made by it.
- (6) A nomination, or withdrawal of a nomination, takes effect on the later of the following—
  - (a) the day the Minister notifies the nomination, or withdrawal of the nomination, by gazette notice under section 6(1) or (2);
  - (b) the day stated in the gazette notice.

**6 Notification by Minister**

- (1) The Minister must, if satisfied a person nominated under section 5(1), (2) or (3) is eligible for membership of the justice group, give notice of the nomination by gazette notice.
- (2) Also, the Minister must, by gazette notice, give notice of a withdrawal of a nomination about which the Minister is advised under section 5.
- (3) The gazette notice must include the following information—
  - (a) the name of the person who is nominated or whose nomination is withdrawn;
  - (b) the nominating entity that nominated the person or withdrew the person's nomination.

### Schedule 1G (continued)

- (4) The Minister may, from time to time by gazette notice, give notice of the members of the justice group and the nominating entity that nominated each member.

## **7 Vacation of office**

- (1) The office of a member of the justice group becomes vacant if—
- (a) the member—
    - (i) dies; or
    - (ii) resigns office by notice given to the coordinator for the justice group; or
    - (iii) ceases to be eligible to be a member; or
    - (iv) is absent from 3 consecutive special meetings of the justice group without the justice group's permission and without reasonable excuse; or
  - (b) the member's nomination is withdrawn under section 5.
- (2) A notice mentioned in subsection (1)(a)(ii) may be given orally or in writing.

## **8 Coordinator to advise Minister of vacancy**

The coordinator for the justice group must, as soon as practicable after a member's office becomes vacant under section 7(1)(a), advise the Minister of the vacancy.

## **9 Term of membership**

A member of the justice group holds office for the term—

- (a) starting on the day the member's nomination takes effect under section 5(6); and
- (b) ending on the day the member's office becomes vacant under section 7(1).

Schedule 1G (continued)

## Part 4                      **Business and meetings**

### 10      **Conduct of business**

- (1) Subject to this part, the justice group may conduct its business, including its meetings, in the way it considers appropriate, including, for example, by following Aboriginal tradition.
- (2) The justice group may only make decisions about business relating to its functions under section 87(1)(a), (c), (d) or (e)<sup>8</sup> of the Act at a meeting at which the coordinator for the justice group is present (a *special meeting*).

### 11      **Times and places of special meetings**

- (1) Special meetings must be held at the times and places the justice group decides.
- (2) However, the coordinator for the justice group may call a special meeting at any time, and must call a special meeting if asked by at least 6 members of the justice group, each of whom represents a different main indigenous social grouping.

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8      Section 87(1)(a), (c), (d) or (e) of the Act—

#### **87 Functions and powers**

- (1) The functions of the community justice group for a community area are to—
  - (a) regulate the possession and consumption of alcohol in the area under part 6, division 2; and
  - (b) . . . ; and
  - (c) make recommendations to the community liquor licence board established under the *Indigenous Communities Liquor Licences Act 2002*, part 2, division 2, for the area about the operation of the canteen in the area; and
  - (d) make recommendations to the Minister administering the *Liquor Act 1992*, part 6A, about declarations under that part; and
  - (e) carry out other functions given to it under this or another Act.

Schedule 1G (continued)

**12 Quorum for special meeting**

A quorum for a special meeting of the justice group is 7 members, each of whom must represent a different nominating entity.

**13 Presiding at special meeting**

At a special meeting, the member of the justice group chosen by the members present is to preside.

**14 Voting at special meeting**

- (1) Only 1 member (the *voting member*) nominated by each nominating entity that is represented at a special meeting may vote on a question to be decided at the meeting.
- (2) If more than 1 representative of a nominating entity is present at a special meeting, the members of the justice group who represent the entity—
  - (a) may decide the entity's voting member for a question; and
  - (b) if more than 1 question is to be decided, may decide that a different member is the entity's voting member for different questions.
- (3) A question at a special meeting is to be decided by a majority of the votes of the voting members for the question, and if the votes are equal, the question is decided in the negative.

## **Schedule 1H      Pormpuraaw Community Justice Group**

section 64B

### **Part 1                      Preliminary**

#### **1                      Definitions for sch 1H**

In this schedule—

*main indigenous social grouping* means each of the following groups of indigenous persons—

- Mungkan
- Thayorre.

*special meeting* see section 10(2).

### **Part 2                      Name of community justice group**

#### **2                      Name—Act, s 86(2)**

The name of the community justice group for the community government area of the Pormpuraaw Shire Council is Pormpuraaw Justice Group.

Schedule 1H (continued)

## **Part 3                      Membership**

### **3            Number of members**

The justice group comprises at least 6 but not more than 12 members.

### **4            Eligibility**

A person is eligible to be a member of the justice group if the person—

- (a) is a member of a main indigenous social grouping; and
- (b) lives in the community government area of the Pormpuraaw Shire Council; and
- (c) has lived in the area for at least 1 month before the person is nominated as a member.

### **5            Nomination, and withdrawal of nomination, of members**

- (1) Each main indigenous social grouping must nominate at least 3 persons, and may nominate up to 6 persons, who are members of the grouping to be members of the justice group.
- (2) A main indigenous social grouping may, at any time, withdraw a nomination made by it.
- (3) A main indigenous social grouping must advise the Minister of each nomination, or withdrawal of a nomination, made by it.
- (4) A nomination, or withdrawal of a nomination, takes effect on the later of the following—
  - (a) the day the Minister notifies the nomination, or withdrawal of the nomination, by gazette notice under section 6(1) or (2);
  - (b) the day stated in the gazette notice.

## Schedule 1H (continued)

### **6 Notification by Minister**

- (1) The Minister must, if satisfied a person nominated under section 5(1) is eligible for membership of the justice group, give notice of the nomination by gazette notice.
- (2) Also, the Minister must, by gazette notice, give notice of a withdrawal of a nomination about which the Minister is advised under section 5.
- (3) The gazette notice must include the following information—
  - (a) the name of the person who is nominated or whose nomination is withdrawn;
  - (b) the main indigenous social grouping that nominated the person, or withdrew the person's nomination.
- (4) The Minister may, from time to time by gazette notice, give notice of the members of the justice group and the main indigenous social grouping that nominated each member.

### **7 Vacation of office**

- (1) The office of a member of the justice group becomes vacant if—
  - (a) the member—
    - (i) dies; or
    - (ii) resigns office by notice given to the coordinator for the justice group; or
    - (iii) ceases to be eligible to be a member; or
  - (b) the member's nomination is withdrawn under section 5.
- (2) A notice mentioned in subsection (1)(a)(ii) may be given orally or in writing.

### **8 Coordinator to advise Minister of vacancy**

The coordinator for the justice group must, as soon as practicable after a member's office becomes vacant under section 7(1)(a), advise the Minister of the vacancy.

### Schedule 1H (continued)

#### **9 Term of membership**

A member of the justice group holds office for the term—

- (a) starting on the day the member's nomination takes effect under section 5(4); and
- (b) ending on the day the member's office becomes vacant under section 7(1).

## **Part 4 Business and meetings**

#### **10 Conduct of business**

- (1) Subject to this part, the justice group may conduct its business, including its meetings, in the way it considers appropriate, including, for example, by following Aboriginal tradition.
- (2) The justice group may only make decisions about business relating to its functions under section 87(1)(a), (c), (d) or (e)<sup>9</sup>

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<sup>9</sup> Section 87(1)(a), (c), (d) or (e) of the Act—

#### **87 Functions and powers**

- (1) The functions of the community justice group for a community area are to—
  - (a) regulate the possession and consumption of alcohol in the area under part 6, division 2; and
  - (b) . . . ; and
  - (c) make recommendations to the community liquor licence board established under the *Indigenous Communities Liquor Licences Act 2002*, part 2, division 1, for the area about the operation of the canteen in the area; and
  - (d) make recommendations to the Minister administering the *Liquor Act 1992*, part 6A, about declarations under that part; and
  - (e) carry out other functions given to it under this or another Act.

### Schedule 1H (continued)

of the Act at a meeting at which the coordinator for the justice group is present (a *special meeting*).

#### **11 Times and places of special meetings**

- (1) Special meetings must be held at the times and places the justice group decides.
- (2) However, the coordinator for the justice group may call a special meeting at any time, and must call a special meeting if asked by a majority of members of the justice group.

#### **12 Quorum for special meeting**

A quorum for a special meeting of the justice group is a majority of its members.

#### **13 Presiding at special meeting**

At a special meeting, the member of the justice group chosen by the members present is to preside.

#### **14 Voting at special meeting**

A question at a special meeting is to be decided by a majority of the votes of the members voting on the question, and if the votes are equal, the question is decided in the negative.

## **Schedule 11      Umagico Community Justice Group**

section 64B

### **Part 1              Preliminary**

#### **1              Definitions for sch 11**

In this schedule—

*council* means the Umagico Shire Council.

*main indigenous social grouping* means each of the following groups of indigenous persons who live in the community government area of the Umagico Shire Council—

- Aboriginal people
- Torres Strait Islanders.

*nominating entity* means—

- (a) a main indigenous social grouping; or
- (b) the council.

*special meeting* see section 10(2).

### **Part 2              Name of community justice group**

#### **2              Name—Act, s 86(2)**

The name of the community justice group for the community government area of the Umagico Shire Council is the Umagico Community Justice Group.

Schedule 11 (continued)

## **Part 3                      Membership**

### **3                      Number of members**

The justice group comprises at least 4 but not more than 21 members.

### **4                      Eligibility**

A person is eligible to be a member of the justice group if the person lives in the community government area of the Umagico Shire Council.

### **5                      Nomination, and withdrawal of nomination, of members**

- (1) Each main indigenous social grouping must nominate at least 2 persons who are members of the grouping to be members of the justice group, and may nominate up to 8 other persons to be members of the justice group.
- (2) The council may nominate 1 person to be a member of the justice group.
- (3) A nominating entity may, at any time, withdraw a nomination made by it.
- (4) A nominating entity must advise the Minister of each nomination, or withdrawal of a nomination, made by it.
- (5) A nomination, or withdrawal of a nomination, takes effect on the later of the following—
  - (a) the day the Minister notifies the nomination, or withdrawal of the nomination, by gazette notice under section 6(1) or (2);
  - (b) the day stated in the gazette notice.

## Schedule 11 (continued)

### **6 Notification by Minister**

- (1) The Minister must, if satisfied a person nominated under section 5(1) or (2) is eligible for membership of the justice group, give notice of the nomination by gazette notice.
- (2) Also, the Minister must, by gazette notice, give notice of a withdrawal of a nomination about which the Minister is advised under section 5.
- (3) The gazette notice must include the following information—
  - (a) the name of the person who is nominated or whose nomination is withdrawn;
  - (b) the nominating entity that nominated the person, or withdrew the person's nomination.
- (4) The Minister may, from time to time by gazette notice, give notice of the members of the justice group and the nominating entity that nominated each member.

### **7 Vacation of office**

- (1) The office of a member of the justice group becomes vacant if—
  - (a) the member—
    - (i) dies; or
    - (ii) resigns office by notice given to the coordinator for the justice group; or
    - (iii) ceases to be eligible to be a member of the justice group; or
    - (iv) is absent from 5 consecutive special meetings of the justice group without the justice group's permission and without reasonable excuse; or
  - (b) the member's nomination is withdrawn under section 5.
- (2) A notice mentioned in subsection (1)(a)(ii) may be given orally or in writing.

Schedule 11 (continued)

**8 Coordinator to advise Minister of vacancy**

The coordinator for the justice group must, as soon as practicable after a member's office becomes vacant under section 7(1)(a), advise the Minister of the vacancy.

**9 Term of membership**

A member of the justice group holds office for the term—

- (a) starting on the day the member's nomination takes effect under section 5(5); and
- (b) ending on the day the member's office becomes vacant under section 7(1).

**Part 4 Business and meetings**

**10 Conduct of business**

- (1) Subject to this part, the justice group may conduct its business, including its meetings, in the way it considers appropriate, including, for example, by following Aboriginal tradition or Island custom.

### Schedule 11 (continued)

- (2) The justice group may only make decisions about business relating to its functions under section 87(1)(a), (c), (d) or (e)<sup>10</sup> of the Act at a meeting at which the coordinator for the justice group is present (a *special meeting*).

#### 11 Times and places of special meetings

- (1) Special meetings must be held at the times and places the justice group decides.
- (2) However, the coordinator for the justice group may call a special meeting at any time, and must call a special meeting if asked by a majority of members of the justice group.

#### 12 Quorum for special meeting

A quorum for a special meeting of the justice group is a majority of its members.

#### 13 Presiding at special meeting

At a special meeting, the member of the justice group chosen by the members present is to preside.

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10 Section 87(1)(a), (c), (d) or (e) of the Act—

##### **87 Functions and powers**

- (1) The functions of the community justice group for a community area are to—
- (a) regulate the possession and consumption of alcohol in the area under part 6, division 2; and
  - (b) . . . ; and
  - (c) make recommendations to the community liquor licence board established under the *Indigenous Communities Liquor Licences Act 2002*, part 2, division 1, for the area about the operation of the canteen in the area; and
  - (d) make recommendations to the Minister administering the *Liquor Act 1992*, part 6A, about declarations under that part; and
  - (e) carry out other functions given to it under this or another Act.

Schedule 11 (continued)

**14 Voting at special meeting**

A question at a special meeting is to be decided by a majority of the votes of the members voting on the question, and if the votes are equal, the question is decided in the negative.

## **Schedule 1J      Woorabinda Community Justice Group**

section 64B

### **Part 1                      Preliminary**

#### **1                      Definitions for sch 1J**

In this schedule—

*council* means the Woorabinda Shire Council.

*main indigenous social grouping* means the group of Aboriginal people who live in the community government area of the Woorabinda Shire Council.

*selection committee* see section 3.

*special meeting* see section 14(2).

### **Part 2                      Name of community justice group**

#### **2                      Name—Act, s 86(2)**

The name of the community justice group for the community government area of the Woorabinda Shire Council is Woorabinda Community Justice Group.

Schedule 1J (continued)

## Part 3 Selection committee

### 3 Establishment

The Woorabinda Community Justice Group Selection Committee (the *selection committee*) is established.

### 4 Membership

- (1) The selection committee consists of the following members—
  - (a) 2 persons who are elders of the main indigenous social grouping;
  - (b) 1 person who is—
    - (i) a member of the main indigenous social grouping; and
    - (ii) an employee of a health institution in the community government area of the Woorabinda Shire Council;
  - (c) 1 person who is—
    - (i) a member of the main indigenous social grouping; and
    - (ii) an employee of an educational institution in the community government area of the Woorabinda Shire Council.
- (2) The members mentioned in subsection (1)(a) are to be appointed by the elders of the main indigenous social grouping.
- (3) The member mentioned in subsection (1)(b) is to be appointed by the chief executive of the department in which the *Health Services Act 1991* is administered.
- (4) The member mentioned in subsection (1)(c) is to be appointed by the chief executive of the department in which the *Education (General Provisions) Act 1989* is administered.

## Schedule 1J (continued)

### **5 Functions**

- (1) The functions of the selection committee are—
  - (a) to nominate, under section 9(1), persons to be members of the justice group; and
  - (b) to perform other functions given to the selection committee under this schedule.
- (2) For performing its functions, the selection committee is constituted by the number of members of the committee for the time being holding office.

### **6 Conduct of business by selection committee**

The selection committee may conduct its business, including its meetings, in the way it considers appropriate, including, for example, by following Aboriginal tradition.

## **Part 4 Membership**

### **7 Number of members**

The justice group comprises at least 8 but not more than 20 members.

### **8 Eligibility**

A person is eligible to be a member of the justice group if the person—

- (a) is a member of the main indigenous social grouping; and
- (b) does not have a conviction, other than a spent conviction, for—
  - (i) an indictable offence; or

### Schedule 1J (continued)

- (ii) another offence, other than an offence involving the non-payment of a fine, for which the penalty imposed was, or included, a period of imprisonment.

## **9 Nomination, and withdrawal of nomination, of members**

- (1) The selection committee must nominate at least 8, and may nominate up to 20, members of the main indigenous social grouping to be members of the justice group.
- (2) The selection committee may, at any time, withdraw a nomination made by it.
- (3) The selection committee must advise the Minister of each nomination, or withdrawal of a nomination, made by it.
- (4) A nomination, or withdrawal of a nomination, takes effect on the later of the following—
  - (a) the day the Minister notifies the nomination, or withdrawal of the nomination, by gazette notice under section 10(1) or (2);
  - (b) the day stated in the gazette notice.

## **10 Notification by Minister**

- (1) The Minister must, if satisfied a person nominated under section 9(1) is eligible for membership of the justice group, give notice of the nomination by gazette notice.
- (2) Also, the Minister must, by gazette notice, give notice of a withdrawal of a nomination about which the Minister is advised under section 9.
- (3) The gazette notice must include the name of the person who is nominated or whose nomination is withdrawn.
- (4) The Minister may, from time to time by gazette notice, give notice of the members of the justice group.

Schedule 1J (continued)

**11 Vacation of office**

- (1) The office of a member of the justice group becomes vacant if—
- (a) the member—
    - (i) dies; or
    - (ii) resigns office by notice given to the coordinator for the justice group; or
    - (iii) ceases to be eligible to be a member; or
  - (b) the member's nomination is withdrawn under section 9.
- (2) A notice mentioned in subsection (1)(a)(ii) may be given orally or in writing.

**12 Coordinator to advise Minister of vacancy**

The coordinator for the justice group must, as soon as practicable after a member's office becomes vacant under section 11(1)(a), advise the Minister of the vacancy.

**13 Term of membership**

A member of the justice group holds office for the term—

- (a) starting on the day the member's nomination takes effect under section 9(4); and
- (b) ending on the day the member's office becomes vacant under section 11(1).

Schedule 1J (continued)

## Part 5 Business and meetings

### 14 Conduct of business

- (1) Subject to this part, the justice group may conduct its business, including its meetings, in the way it considers appropriate, including, for example, by following Aboriginal tradition.
- (2) The justice group may only make decisions about business relating to its functions under section 87(1)(a), (c), (d) or (e)<sup>11</sup> of the Act at a meeting at which the coordinator for the justice group is present (a *special meeting*).

### 15 Times and places of special meetings

- (1) Special meetings must be held at the times and places the justice group decides.
- (2) However, the coordinator for the justice group may call a special meeting at any time, and must call a special meeting if asked by a majority of members of the justice group.

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11 Section 87(1)(a), (c), (d) or (e) of the Act—

#### 87 Functions and powers

- (1) The functions of the community justice group for a community area are to—
  - (a) regulate the possession and consumption of alcohol in the area under part 6, division 2; and
  - (b) . . . ; and
  - (c) make recommendations to the community liquor licence board established under the *Indigenous Communities Liquor Licences Act 2002*, part 2, division 1, for the area about the operation of the canteen in the area; and
  - (d) make recommendations to the Minister administering the *Liquor Act 1992*, part 6A, about declarations under that part; and
  - (e) carry out other functions given to it under this or another Act.

Schedule 1J (continued)

**16 Quorum for special meeting**

A quorum for a special meeting of the justice group is 5.

**17 Presiding at special meeting**

At a special meeting, the member of the justice group chosen by the members present is to preside.

**18 Voting at special meeting**

A question at a special meeting is to be decided by a majority of the votes of the members voting on the question, and if the votes are equal, the question is decided in the negative.

## Schedule 1K      Cherbourg Community Justice Group

section 64B

### Part 1                      Preliminary

#### 1                      Definitions for sch 1K

In this schedule—

*council* means the Cherbourg Shire Council.

*main indigenous social grouping* means each of the following groups of indigenous persons—

- traditional owners of the community government area of the Cherbourg Shire Council
- other indigenous residents of the community government area of the Cherbourg Shire Council or the Kingaroy, Murgon, Nanango or Wondai local government area.

*nominating entity* see section 5(1).

*special meeting* see section 10(2).

### Part 2                      Name of community justice group

#### 2                      Name—Act, s 86(2)

The name of the community justice group for the community government area of the Cherbourg Shire Council is Barambah Community Justice Group.

Schedule 1K (continued)

## Part 3                      Membership

### 3            Number of members

The justice group comprises 13 members.

### 4            Eligibility

- (1) A person is eligible to be a member of the justice group if the person—
  - (a) is a member of a main indigenous social grouping; and
  - (b) lives in the community government area of the Cherbourg Shire Council or the Kingaroy, Murgon, Nanango or Wondai local government area (the *relevant area*); and
  - (c) has lived in the relevant area for at least 5 years immediately before the person is nominated to be a member of the justice group.
- (2) For subsection (1)(c), it is irrelevant whether the person has, for the 5 years, lived in 1 or more of the areas mentioned in subsection (1)(b).

### 5            Nomination, and withdrawal of nomination, of members

- (1) Each entity mentioned in column 1 of the following table (a *nominating entity*) must nominate the person or persons mentioned in column 2 opposite the entity to be members of the justice group—

Schedule 1K (continued)

**Table**

<b>Column 1</b>	<b>Column 2</b>
1 The main indigenous social grouping that is the traditional owners of the community government area of the Cherbourg Shire Council	1 female person and 1 male person
2 The main indigenous social grouping that is the other indigenous residents of the community government area of the Cherbourg Shire Council or the Kingaroy, Murgon, Nanango or Wondai local government area	2 female persons and 2 male persons
3 Cherbourg Elders Group	1 female person 1 male person
4 Cherbourg Shire Council	1 elected member of the Council
5 Cherbourg Elders Family Support Program Inc ABN 89 169 476 479	1 female person
6 Jundah Aboriginal Corporation ABN 67 108 840 684	1 female person
7 Cherbourg Primary P&C Association ABN 52 467 302 311	1 person
8 The chief executive of the department in which the <i>Health Services Act 1991</i> is administered	1 person
(2) A nominating entity may, at any time, withdraw a nomination made by it.	
(3) A nominating entity must advise the Minister of each nomination, or withdrawal of a nomination, made by it.	
(4) A nomination, or withdrawal of a nomination, takes effect on the later of the following—	

### Schedule 1K (continued)

- (a) the day the Minister notifies the nomination, or withdrawal of the nomination, by gazette notice under section 6(1) or (2);
- (b) the day stated in the gazette notice.

## **6 Notification by Minister**

- (1) The Minister must, if satisfied a person nominated under section 5(1) is eligible for membership of the justice group, give notice of the nomination by gazette notice.
- (2) Also, the Minister must, by gazette notice, give notice of a withdrawal of a nomination about which the Minister is advised under section 5.
- (3) The gazette notice must include the following information—
  - (a) the name of the person who is nominated or whose nomination is withdrawn;
  - (b) the nominating entity that nominated the person or withdrew the person's nomination.
- (4) The Minister may, from time to time by gazette notice, give notice of the members of the justice group and the nominating entity that nominated each member.

## **7 Vacation of office**

- (1) The office of a member of the justice group becomes vacant if—
  - (a) the member—
    - (i) dies; or
    - (ii) resigns office by notice given to the coordinator for the justice group; or
    - (iii) ceases to be eligible to be a member of the justice group; or

### Schedule 1K (continued)

- (iv) is absent from 3 consecutive meetings of the justice group without the justice group's permission and without reasonable excuse; or
  - (b) the member's nomination is withdrawn under section 5.
- (2) A notice mentioned in subsection (1)(a)(ii) may be given orally or in writing.

#### **8 Coordinator to advise Minister of vacancy**

The coordinator for the justice group must, as soon as practicable after a member's office becomes vacant under section 7(1)(a), advise the Minister of the vacancy.

#### **9 Term of membership**

- (1) Subject to subsection (2), a member of the justice group holds office for 4 years starting on the day the member's nomination takes effect under section 5(4).
- (2) If the office of a member (the *former member*) becomes vacant under section 7(1), a person nominated to fill the resulting vacancy holds office until the day the former member's term would have ended if the former member's office had not become vacant.

## **Part 4 Business and meetings**

#### **10 Conduct of business**

- (1) Subject to this part, the justice group may conduct its business, including its meetings, in the way it considers appropriate, including, for example, by following Aboriginal tradition or Island custom.

### Schedule 1K (continued)

- (2) The justice group may only make decisions about business relating to its functions under section 87(1)(a), (c), (d) or (e)<sup>12</sup> of the Act at a meeting at which the coordinator for the justice group is present (a *special meeting*).

#### 11 Times and places of special meetings

- (1) Special meetings must be held at the times and places the justice group decides.
- (2) However, the coordinator for the justice group may call a special meeting at any time, and must call a special meeting if asked by a majority of members of the justice group.

#### 12 Quorum for special meeting

A quorum for a special meeting of the justice group is 5, at least 1 of whom must be a person who represents a main indigenous social grouping.

#### 13 Presiding at special meeting

At a special meeting, the member of the justice group chosen by the members present is to preside.

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12 Section 87(1)(a), (c), (d) or (e) of the Act—

##### **87 Functions and powers**

- (1) The functions of the community justice group for a community area are to—
- (a) regulate the possession and consumption of alcohol in the area under part 6, division 2; and
  - (b) . . . ; and
  - (c) make recommendations to the community liquor licence board established under the *Indigenous Communities Liquor Licences Act 2002*, part 2, division 1, for the area about the operation of the canteen in the area; and
  - (d) make recommendations to the Minister administering the *Liquor Act 1992*, part 6A, about declarations under that part; and
  - (e) carry out other functions given to it under this or another Act.

Schedule 1K (continued)

**14 Voting at special meeting**

A question at a special meeting is to be decided by a majority of the votes of the members present and, if the votes are equal, the member presiding has a casting vote.

## Schedule 1L      Mapoon Community Justice Group

section 64B

### Part 1                      Preliminary

#### 1                      Definitions for sch 1L

In this schedule—

*council* means the Mapoon Shire Council.

*main indigenous social grouping* means each of the following groups of indigenous persons—

- Taepathiggi
- Thanakwith
- Tjungundji
- Warrangku
- Yupungathi
- historical residents of the community government area of the Mapoon Shire Council.

*nominating entity* means the following entities—

- (a) a main indigenous social grouping;
- (b) the council;
- (c) the Mapoon Women's group;
- (d) the Mapoon Men's group;
- (e) Western Cape College ABN 30 531 079 796;
- (f) Mapoon Primary Health Care Centre  
ABN 66 329 169 412.

*special meeting* see section 10(2).

Schedule 1L (continued)

**Part 2**                      **Name of community justice group**

**2**            **Name—Act, s 86(2)**

The name of the community justice group for the community government area of the Mapoon Shire Council is Mapoon Community Justice Group.

**Part 3**                      **Membership**

**3**            **Number of members**

The justice group comprises at least 10 but not more than 37 members.

**4**            **Eligibility**

A person is eligible to be a member of the justice group if the person is a member of a main indigenous social grouping and lives in the community government area of the Mapoon Shire Council.

**5**            **Nomination, and withdrawal of nomination, of members**

- (1) Each main indigenous social grouping must nominate at least 1 person, and may nominate up to 4 persons, who are members of the grouping to be members of the justice group.
- (2) Each of the following nominating entities must nominate at least 1 person, and may nominate up to 4 persons, to be members of the justice group—
  - (a) the Mapoon Women's group;
  - (b) the Mapoon Men's group.

### Schedule 1L (continued)

- (3) The council—
  - (a) must nominate 2 persons who work for the home and community care program in the community government area of the Mapoon Shire Council to be members of the justice group; and
  - (b) may nominate 1 other person to be a member of the justice group.
- (4) Each of the following nominating entities may nominate 1 person to be a member of the justice group—
  - (a) Western Cape College ABN 30 531 079 796;
  - (b) Mapoon Primary Health Care Centre  
ABN 66 329 169 412.
- (5) A nominating entity may, at any time, withdraw a nomination made by it.
- (6) A nominating entity must advise the Minister of each nomination, or withdrawal of a nomination, made by it.
- (7) A nomination, or withdrawal of a nomination, takes effect on the later of the following—
  - (a) the day the Minister notifies the nomination, or withdrawal of the nomination, by gazette notice under section 6(1) or (2);
  - (b) the day stated in the gazette notice.

## **6 Notification by Minister**

- (1) The Minister must, if satisfied a person nominated under section 5(1) to (4) is eligible for membership of the justice group, give notice of the nomination by gazette notice.
- (2) Also, the Minister must, by gazette notice, give notice of a withdrawal of a nomination about which the Minister is advised under section 5.
- (3) The gazette notice must include the following information—

### Schedule 1L (continued)

- (a) the name of the person who is nominated or whose nomination is withdrawn;
  - (b) the nominating entity that nominated the person, or withdrew the person's nomination.
- (4) The Minister may, from time to time by gazette notice, give notice of the members of the justice group and the nominating entity that nominated each member.

## **7 Vacation of office**

- (1) The office of a member of the justice group becomes vacant if—
- (a) the member—
    - (i) dies; or
    - (ii) resigns office by notice given to the coordinator for the justice group; or
    - (iii) ceases to be eligible to be a member of the justice group; or
    - (iv) is absent from 5 consecutive special meetings of the justice group without the justice group's permission and without reasonable excuse; or
  - (b) the member's nomination is withdrawn under section 5.
- (2) A notice mentioned in subsection (1)(a)(ii) may be given orally or in writing.

## **8 Coordinator to advise Minister of vacancy**

The coordinator for the justice group must, as soon as practicable after a member's office becomes vacant under section 7(1)(a), advise the Minister of the vacancy.

## **9 Term of membership**

A member of the justice group holds office for the term—

### Schedule 1L (continued)

- (a) starting on the day the member's nomination takes effect under section 5(7); and
- (b) ending on the day the member's office becomes vacant under section 7(1).

## **Part 4 Business and meetings**

### **10 Conduct of business**

- (1) Subject to this part, the justice group may conduct its business, including its meetings, in the way it considers appropriate, including, for example, by following Aboriginal tradition or Island custom.
- (2) The justice group may only make decisions about business relating to its functions under section 87(1)(a), (c), (d) or (e)<sup>13</sup>

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13 Section 87(1)(a), (c), (d) or (e) of the Act—

#### **87 Functions and powers**

- (1) The functions of the community justice group for a community area are to—
  - (a) regulate the possession and consumption of alcohol in the area under part 6, division 2; and
  - (b) . . . ; and
  - (c) make recommendations to the community liquor licence board established under the *Indigenous Communities Liquor Licences Act 2002*, part 2, division 1, for the area about the operation of the canteen in the area; and
  - (d) make recommendations to the Minister administering the *Liquor Act 1992*, part 6A, about declarations under that part; and
  - (e) carry out other functions given to it under this or another Act.

### Schedule 1L (continued)

of the Act at a meeting at which the coordinator for the justice group is present (a *special meeting*).

#### **11 Times and places of special meetings**

- (1) Special meetings must be held at the times and places the justice group decides.
- (2) However, the coordinator for the justice group may call a special meeting at any time, and must call a special meeting if asked by a majority of members of the justice group.

#### **12 Quorum for special meeting**

A quorum for a special meeting of the justice group is 10.

#### **13 Presiding at special meeting**

At a special meeting, the member of the justice group chosen by the members present is to preside.

#### **14 Voting at special meeting**

- (1) For each main indigenous social grouping, not more than 2 members who represent the grouping (the *voting members*) may vote on a question to be decided at a special meeting.
- (2) For the following nominating entities, not more than 2 members who represent the entity (also the *voting members*) may vote on a question to be decided at a special meeting—
  - (a) the Mapoon Women's group;
  - (b) the Mapoon Men's group.
- (3) The members of the justice group who represent the council (also the *voting members*) may vote on a question to be decided at a special meeting.
- (4) If more than 2 members of a main indigenous social grouping, or more than 2 members of the justice group who represent

Schedule 1L (continued)

the Mapoon Women's group or the Mapoon Men's group are present at a special meeting, the members of the justice group who represent the grouping or group—

- (a) may decide the grouping's or group's voting members for a question; and
  - (b) if more than 1 question is to be decided, may decide that different members are the grouping's or group's voting members for different questions.
- (5) A question at a special meeting is to be decided by a majority of the votes of the voting members for the question, and if the votes are equal, the member presiding has a casting vote.

## **Schedule 1M      New Mapoon Community Justice Group**

section 64B

### **Part 1                      Preliminary**

#### **1            Definitions for sch 1M**

In this schedule—

*council* means the New Mapoon Shire Council.

*main indigenous social grouping* means each of the following groups of indigenous persons—

- Aboriginal people
- Torres Strait Islanders
- traditional owners of the community government area of the New Mapoon Shire Council.

*nominating entity* means—

- (a) a main indigenous social grouping; or
- (b) the council.

*special meeting* see section 10(2).

### **Part 2                      Name of community justice group**

#### **2            Name—Act, s 86(2)**

The name of the community justice group for the community government area of the New Mapoon Shire Council is Mandthingu Community Justice Group.

Schedule 1M (continued)

## **Part 3                      Membership**

### **3            Number of members**

The justice group comprises at least 3 but not more than 20 members.

### **4            Eligibility**

A person is eligible to be a member of the justice group if the person is a member of a main indigenous social grouping and lives in the community government area of the New Mapoon Shire Council.

### **5            Nomination, and withdrawal of nomination, of members**

- (1) Each main indigenous social grouping must nominate at least 1 person who is a member of the grouping to be a member of the justice group.
- (2) The council may nominate 1 person to be a member of the justice group.
- (3) A nominating entity may, at any time, withdraw a nomination made by it.
- (4) A nominating entity must advise the Minister of each nomination, or withdrawal of a nomination, made by it.
- (5) A nomination, or withdrawal of a nomination, takes effect on the later of the following—
  - (a) the day the Minister notifies the nomination, or withdrawal of the nomination, by gazette notice under section 6(1) or (2);
  - (b) the day stated in the gazette notice.

### Schedule 1M (continued)

#### **6 Notification by Minister**

- (1) The Minister must, if satisfied a person nominated under section 5(1) or (2) is eligible for membership of the justice group, give notice of the nomination by gazette notice.
- (2) Also, the Minister must, by gazette notice, give notice of a withdrawal of a nomination about which the Minister is advised under section 5.
- (3) The gazette notice must include the following information—
  - (a) the name of the person who is nominated or whose nomination is withdrawn;
  - (b) the nominating entity that nominated the person or withdrew the person's nomination.
- (4) The Minister may, from time to time by gazette notice, give notice of the members of the justice group and the nominating entity that nominated each member.

#### **7 Vacation of office**

- (1) The office of a member of the justice group becomes vacant if—
  - (a) the member—
    - (i) dies; or
    - (ii) resigns office by notice given to the coordinator for the justice group; or
    - (iii) ceases to be eligible to be a member of the justice group; or
  - (b) the member's nomination is withdrawn under section 5.
- (2) A notice mentioned in subsection (1)(a)(ii) may be given orally or in writing.

### Schedule 1M (continued)

#### **8 Coordinator to advise Minister of vacancy**

The coordinator for the justice group must, as soon as practicable after a member's office becomes vacant under section 7(1)(a), advise the Minister of the vacancy.

#### **9 Term of membership**

A member of the justice group holds office for the term—

- (a) starting on the day the member's nomination takes effect under section 5(5); and
- (b) ending on the day the member's office becomes vacant under section 7(1).

## **Part 4 Business and meetings**

#### **10 Conduct of business**

- (1) Subject to this part, the justice group may conduct its business, including its meetings, in the way it considers appropriate, including, for example, by following Aboriginal tradition or Island custom.

### Schedule 1M (continued)

- (2) The justice group may only make decisions about business relating to its functions under section 87(1)(a), (c), (d) or (e)<sup>14</sup> of the Act at a meeting at which the coordinator for the justice group is present (a *special meeting*).

#### 11 Times and places of special meetings

- (1) Special meetings must be held at the times and places the justice group decides.
- (2) However, the coordinator for the justice group may call a special meeting at any time, and must call a special meeting if asked by a majority of members of the justice group.

#### 12 Quorum for special meeting

A quorum for a special meeting of the justice group is a majority of its members.

#### 13 Presiding at special meeting

At a special meeting, the member of the justice group chosen by the members present is to preside.

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14 Section 87(1)(a), (c), (d) or (e) of the Act—

##### **87 Functions and powers**

- (1) The functions of the community justice group for a community area are to—
- (a) regulate the possession and consumption of alcohol in the area under part 6, division 2; and
  - (b) . . . ; and
  - (c) make recommendations to the community liquor licence board established under the *Indigenous Communities Liquor Licences Act 2002*, part 2, division 1, for the area about the operation of the canteen in the area; and
  - (d) make recommendations to the Minister administering the *Liquor Act 1992*, part 6A, about declarations under that part; and
  - (e) carry out other functions given to it under this or another Act.

Schedule 1M (continued)

**14 Voting at special meeting**

A question at a special meeting is to be decided by a majority of the votes of the members voting on the question, and if the votes are equal, the question is decided in the negative.

## Schedule 1N      Wujal Wujal Community Justice Group

section 64B

### Part 1                      Preliminary

#### 1                      Definitions for sch 1N

In this schedule—

*main indigenous social grouping* means each of the following groups of indigenous persons—

- Jalungi
- Kuku Nyungkul
- Kuku Yalanji
- traditional owners of the community government area of the Wujal Wujal Shire Council.

*nominating entity* means—

- (a) a main indigenous social grouping; or
- (b) each of the following groups of indigenous persons in the community government area of the Wujal Wujal Shire Council—
  - (i) the elders' group;
  - (ii) the health group;
  - (iii) the men's group;
  - (iv) the women's group.

*special meeting* see section 10(2).

Schedule 1N (continued)

**Part 2**                      **Name of community justice group**

**2**            **Name—Act, s 86(2)**

The name of the community justice group for the community government area of the Wujal Wujal Shire Council is Wujal Wujal Warranga Justice Group.

**Part 3**                      **Membership**

**3**            **Number of members**

The justice group comprises at least 16 but not more than 32 members.

**4**            **Eligibility**

A person is eligible to be a member of the justice group if the person is a member of a main indigenous social grouping.

**5**            **Nomination, and withdrawal of nomination, of members**

- (1) Each nominating entity must nominate 2 persons, and may nominate up to 4 persons, to be members of the justice group.
- (2) A nominating entity may, at any time, withdraw a nomination made by it.
- (3) A nominating entity must advise the Minister of each nomination, or withdrawal of a nomination, made by it.
- (4) A nomination, or withdrawal of a nomination, takes effect on the later of the following—

### Schedule 1N (continued)

- (a) the day the Minister notifies the nomination, or withdrawal of the nomination, by gazette notice under section 6(1) or (2);
- (b) the day stated in the gazette notice.

## **6 Notification by Minister**

- (1) The Minister must, if satisfied a person nominated under section 5(1) is eligible for membership of the justice group, give notice of the nomination by gazette notice.
- (2) Also, the Minister must, by gazette notice, give notice of a withdrawal of a nomination about which the Minister is advised under section 5.
- (3) The gazette notice must include the following information—
  - (a) the name of the person who is nominated or whose nomination is withdrawn;
  - (b) the nominating entity that nominated the person or withdrew the person's nomination.
- (4) The Minister may, from time to time by gazette notice, give notice of the members of the justice group and the nominating entity that nominated each member.

## **7 Vacation of office**

- (1) The office of a member of the justice group becomes vacant if—
  - (a) the member—
    - (i) dies; or
    - (ii) resigns office by notice given to the coordinator for the justice group; or
    - (iii) is absent from 5 consecutive special meetings without the justice group's permission and without reasonable excuse; or
  - (b) the member's nomination is withdrawn under section 5.

### Schedule 1N (continued)

- (2) A notice mentioned in subsection (1)(a)(ii) may be given orally or in writing.

#### **8 Coordinator to advise Minister of vacancy**

The coordinator for the justice group must, as soon as practicable after a member's office becomes vacant under section 7(1)(a), advise the Minister of the vacancy.

#### **9 Term of membership**

A member of the justice group holds office for the term—

- (a) starting on the day the member's nomination takes effect under section 5(4); and
- (b) ending on the day the member's office becomes vacant under section 7(1).

## **Part 4 Business and meetings**

#### **10 Conduct of business**

- (1) Subject to this part, the justice group may conduct its business, including its meetings, in the way it considers appropriate, including, for example, by following Aboriginal tradition.

### Schedule 1N (continued)

- (2) The justice group may only make decisions about business relating to its functions under section 87(1)(a), (c), (d) or (e)<sup>15</sup> of the Act at a meeting at which the coordinator for the justice group is present (a *special meeting*).

## 11 Times and places of special meetings

- (1) Special meetings must be held at the times and places the justice group decides.
- (2) However, the coordinator for the justice group may call a special meeting at any time, and must call a special meeting if asked by at least 5 members of the justice group who represent at least 5 different nominating entities.

## 12 Quorum for special meeting

A quorum for a special meeting is 6, at least 5 of whom must each represent a different nominating entity.

## 13 Presiding at special meeting

At a special meeting, the member of the justice group chosen by the members present is to preside.

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15 Section 87(1)(a), (c), (d) or (e) of the Act—

### **87 Functions and powers**

- (1) The functions of the community justice group for a community area are to—
- (a) regulate the possession and consumption of alcohol in the area under part 6, division 2; and
  - (b) . . . ; and
  - (c) make recommendations to the community liquor licence board established under the *Indigenous Communities Liquor Licences Act 2002*, part 2, division 1, for the area about the operation of the canteen in the area; and
  - (d) make recommendations to the Minister administering the *Liquor Act 1992*, part 6A, about declarations under that part; and
  - (e) carry out other functions given to it under this or another Act.

Schedule 1N (continued)

**14 Voting at special meeting**

- (1) Only 1 member (the *voting member*) nominated by each nominating entity that is represented at a special meeting may vote on a question to be decided at the meeting.
- (2) If more than 1 representative of a nominating entity is present at a special meeting, the members of the justice group who represent the entity—
  - (a) may decide the entity's voting member for a question; and
  - (b) if more than 1 question is to be decided, may decide that a different member is the entity's voting member for different questions.
- (3) A question at a special meeting is to be decided by a majority of the votes of the voting members for the question, and if the votes are equal, the question is decided in the negative.

## Schedule 10    Yarrabah Community Justice Group

section 64B

### Part 1                      Preliminary

#### 1            Definitions for sch 10

In this schedule—

***council*** means the Yarrabah Shire Council.

***main indigenous social grouping*** means each of the following groups of indigenous persons—

- Gungaandji
- Yindinji
- historical residents of the community government area of the Yarrabah Shire Council.

***nominating entity*** means the following entities—

- (a) a main indigenous social grouping;
- (b) the council;
- (c) Yarrabah Aboriginal Corporation for Women ABN 24 891 650 266;
- (d) Gurriny Yealamucka (Good Health) Services Aboriginal Corporation ABN 31 210 982 991;
- (e) Yarrabah Seahawks Rugby League Football and Sports Club Aboriginal Corporation ABN 53 412 591 075;
- (f) Yarrabah Police Citizens Youth Club;
- (g) the chief executive of the department in which the *Education (General Provisions) Act 1989* is administered;

### Schedule 1O (continued)

(h) the chief executive of the department in which the *Health Services Act 1991* is administered.

*special meeting* see section 10(2).

## **Part 2                      Name of community justice group**

### **2                      Name—Act, s 86(2)**

The name of the community justice group for the community government area of the Yarrabah Shire Council is Yarrabah Community Justice Group.

## **Part 3                      Membership**

### **3                      Number of members**

The justice group comprises at least 13 but not more than 68 members.

### **4                      Eligibility**

A person is eligible to be a member of the justice group if the person is a member of a main indigenous social grouping and lives in the community government area of the Yarrabah Shire Council.

### **5                      Nomination, and withdrawal of nomination, of members**

(1) Each main indigenous social grouping must nominate at least 4 persons, and may nominate up to 20 persons, who are members of the grouping to be members of the justice group.

### Schedule 1O (continued)

- (2) The council—
  - (a) may nominate 1 person to be members of the justice group as a representative of the council; and
  - (b) must nominate 1 person to be members of the justice group as a representative of the Yarrabah Youth Leisure Centre.
- (3) Each other nominating entity may nominate 1 person to be a member of the justice group.
- (4) A nominating entity may, at any time, withdraw a nomination made by it.
- (5) A nominating entity must advise the Minister of each nomination, or withdrawal of a nomination, made by it.
- (6) A nomination, or withdrawal of a nomination, takes effect on the later of the following—
  - (a) the day the Minister notifies the nomination, or withdrawal of the nomination, by gazette notice under section 6(1) or (2);
  - (b) the day stated in the gazette notice.

## **6 Notification by Minister**

- (1) The Minister must, if satisfied a person nominated under section 5(1), (2) or (3) is eligible for membership of the justice group, give notice of the nomination by gazette notice.
- (2) Also, the Minister must, by gazette notice, give notice of a withdrawal of a nomination about which the Minister is advised under section 5.
- (3) The gazette notice must include the following information—
  - (a) the name of the person who is nominated or whose nomination is withdrawn;
  - (b) the nominating entity that nominated the person, or withdrew the person's nomination.

### Schedule 1O (continued)

- (4) The Minister may, from time to time by gazette notice, give notice of the members of the justice group and the nominating entity that nominated each member.

## **7 Vacation of office**

- (1) The office of a member of the justice group becomes vacant if—
- (a) the member—
    - (i) dies; or
    - (ii) resigns office by notice given to the coordinator for the justice group; or
    - (iii) ceases to be eligible to be a member of the justice group; or
  - (b) the member's nomination is withdrawn under section 5.
- (2) A notice mentioned in subsection (1)(a)(ii) may be given orally or in writing.

## **8 Coordinator to advise Minister of vacancy**

The coordinator for the justice group must, as soon as practicable after a member's office becomes vacant under section 7(1)(a), advise the Minister of the vacancy.

## **9 Term of membership**

A member of the justice group holds office for the term—

- (a) starting on the day the member's nomination takes effect under section 5(6); and
- (b) ending on the day the member's office becomes vacant under section 7(1).

Schedule 1O (continued)

## Part 4 Business and meetings

### 10 Conduct of business

- (1) Subject to this part, the justice group may conduct its business, including its meetings, in the way it considers appropriate, including, for example, by following Aboriginal tradition.
- (2) The justice group may only make decisions about business relating to its functions under section 87(1)(a), (c), (d) or (e)<sup>16</sup> of the Act at a meeting at which the coordinator for the justice group is present (a *special meeting*).

### 11 Times and places of special meetings

- (1) Special meetings must be held at the times and places the justice group decides.
- (2) However, the coordinator for the justice group may call a special meeting at any time, and must call a special meeting if asked by a majority of members of the justice group.

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16 Section 87(1)(a), (c), (d) or (e) of the Act—

#### 87 Functions and powers

- (1) The functions of the community justice group for a community area are to—
  - (a) regulate the possession and consumption of alcohol in the area under part 6, division 2; and
  - (b) . . . ; and
  - (c) make recommendations to the community liquor licence board established under the *Indigenous Communities Liquor Licences Act 2002*, part 2, division 1, for the area about the operation of the canteen in the area; and
  - (d) make recommendations to the Minister administering the *Liquor Act 1992*, part 6A, about declarations under that part; and
  - (e) carry out other functions given to it under this or another Act.

Schedule 1O (continued)

**12 Quorum for special meeting**

- (1) A quorum for a special meeting of the justice group is 10.
- (2) A quorum must include—
  - (a) at least 1 representative of each main indigenous social grouping; and
  - (b) if the justice group includes a representative of—
    - (i) only 1 other nominating entity—that representative; or
    - (ii) 2 or more other nominating entities—representatives of at least 2 other nominating entities.

**13 Presiding at special meeting**

At a special meeting, the member of the justice group chosen by the members present is to preside.

**14 Voting at special meeting**

- (1) For each main indigenous social grouping, only 1 member who represent the grouping (the *voting member*) may vote on a question to be decided at a special meeting.
- (2) If more than 1 member of a main indigenous social grouping is present at a special meeting, the members of the justice group who represent the grouping—
  - (a) may decide the grouping's voting member for a question; and
  - (b) if more than 1 question is to be decided, may decide that a different member is the grouping's voting member for different questions.
- (3) A question at a special meeting of the justice group is to be decided by a majority of the votes of the members voting on the question, and if the votes are equal, the question is decided in the negative.

## **Schedule 2      Dictionary**

### section 2

***councillor***, of a community government, includes the community government's mayor.

***indictable offence*** includes an indictable offence dealt with summarily, whether or not the Criminal Code, section 659,<sup>17</sup> applies to the indictable offence.

***justice group***, for a relevant schedule, means the community justice group named in the schedule.

***relevant schedule*** means a schedule of this regulation other than this schedule.

***spent conviction*** means a conviction—

- (a) for which the rehabilitation period under the *Criminal Law (Rehabilitation of Offenders) Act 1986* has expired under that Act; and
- (b) that is not revived as prescribed by section 11 of that Act.

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<sup>17</sup> Criminal Code, section 659 (Effect of summary conviction for indictable offences)

## Endnotes

### 1 Index to endnotes

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 January 2005. Future amendments of the Aboriginal Communities (Justice and Land Matters) Regulation 1998 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered

## 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

## 5 List of legislation

### **Aboriginal Communities (Justice and Land Matters) Regulation 1998 SL No. 192 (prev Community Services (Aborigines) Regulation 1998)**

made by the Governor in Council on 23 June 1998

notfd gaz 26 June 1998 pp 1036–7

commenced on date of notification

exp 1 September 2008 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

### **Community Services Legislation Amendment Regulation (No. 1) 1998 SL No. 274 pts 1–2**

notfd gaz 9 October 1998 pp 489–91

commenced on date of notification

### **Community Services Legislation Amendment Regulation (No. 1) 2000 SL No. 5 pts 1–2**

notfd gaz 21 January 2000 pp 192–3

commenced on date of notification

### **Community Services (Aborigines) and Other Legislation Amendment Regulation (No. 1) 2000 SL No. 9 pts 1–2**

notfd gaz 21 January 2000 pp 192–3

ss 1–2 commenced on date of notification

remaining provisions commenced 22 January 2000 (see s 2 and 2000 SL No. 5)

### **Community Services Legislation Amendment Regulation (No. 2) 2000 SL No. 49 pts 1–2**

notfd gaz 24 March 2000 pp 1130–1

commenced on date of notification

### **Community Services (Aborigines) Amendment Regulation (No. 1) 2000 SL No. 192**

notfd gaz 7 July 2000 pp 857–8

commenced on date of notification

### **Community Services (Aborigines) Amendment Regulation (No. 2) 2000 SL No. 240**

notfd gaz 15 September 2000 pp 222–5

commenced on date of notification

### **Community Services (Aborigines) Amendment Regulation (No. 1) 2002 SL No. 51**

notfd gaz 22 March 2002 pp 1112–13

commenced on date of notification

*Aboriginal Communities (Justice and Land Matters)  
Regulation 1998*

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**Community Services Legislation Amendment Regulation (No. 1) 2002 SL No. 85  
pts 1–2**

notfd gaz 26 April 2002 pp 1540–3  
commenced on date of notification

**Community Services (Aborigines) Amendment Regulation (No. 2) 2002 SL No. 200**

notfd gaz 16 August 2002 pp 1420–1  
commenced on date of notification

**Community Services (Aborigines) Amendment Regulation (No. 3) 2002 SL No. 375**

notfd gaz 20 December 2002 pp 1359–63  
ss 1–2 commenced on date of notification  
remaining provisions commenced 30 December 2002 (see s 2)

**Community Services Legislation Amendment Regulation (No. 1) 2003 SL No. 74  
pts 1–2**

notfd gaz 24 April 2003 pp 1436–7  
commenced on date of notification

**Community Services (Aborigines) Amendment Regulation (No. 1) 2003 SL No. 97**

notfd gaz 30 May 2003 pp 371–6  
commenced on date of notification

**Community Services Legislation Amendment Regulation (No. 2) 2003 SL No. 198  
pts 1–2**

notfd gaz 29 August 2003 pp 1443–4  
commenced on date of notification

**Community Services (Aborigines) Amendment Regulation (No. 2) 2003 SL No. 301**

notfd gaz 28 November 2003 pp 1032–5  
commenced on date of notification

**Community Services (Aborigines) Amendment Regulation (No. 3) 2003 SL No. 365**

notfd gaz 19 December 2003 pp 1307–13  
commenced on date of notification

**Community Services Legislation Amendment Regulation (No. 3) 2003 SL No. 384  
pts 1–2**

notfd gaz 23 December 2003 pp 1325–6  
commenced on date of notification

**Community Services (Aborigines) Amendment Regulation (No. 4) 2003 SL No. 385**

notfd gaz 23 December 2003 pp 1325–6  
commenced on date of notification

**Community Services (Aborigines) Amendment Regulation (No. 1) 2004 SL No. 18**

notfd gaz 12 March 2004 pp 966–7  
commenced on date of notification

**Community Services (Aborigines) Amendment Regulation (No. 2) 2004 SL No. 35**

notfd gaz 8 April 2004 pp 1391–3  
commenced on date of notification

**Community Services (Aborigines) Amendment Regulation (No. 3) 2004 SL No. 82**

notfd gaz 18 June 2004 pp 506–7  
commenced on date of notification

**Community Services (Aborigines) Amendment Regulation (No. 4) 2004 SL No. 280**

notfd gaz 10 December 2004 pp 1195–8  
ss 1–2 commenced on date of notification  
remaining provisions commence 1 March 2005 (see s 2)

**Community Services Legislation Amendment and Repeal Regulation (No. 1) 2004 SL No. 318**

notfd gaz 17 December 2004 pp 1277–85  
ss 1–2 commenced on date of notification  
s 23 commences 1 March 2005 (see s 2(2))  
remaining provisions commenced 1 January 2005 (see s 2(1))

## 6 List of annotations

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s 1 sub 2004 SL No. 318 s 4

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s 2 sub 2004 SL No. 318 s 4

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s 3 om 2003 SL No. 384 s 3

**PART 2—ABORIGINAL COUNCILS**

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**Division 1—Membership**

div hdg om 2004 SL No. 318 s 5

**Membership of Aboriginal councils**

s 4 om 2004 SL No. 318 s 5

**Proposal to decide other number of councillors**

s 5 om 2004 SL No. 318 s 5

**Resolution of Aboriginal council**

s 6 amd 2000 SL No. 5 s 3  
om 2004 SL No. 318 s 5

**Petition by electors of area**

s 7 amd 2000 SL No. 5 s 3  
om 2004 SL No. 318 s 5

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s 8 amd 2000 SL No. 5 s 3  
om 2004 SL No. 318 s 5

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**Change in membership takes effect at next quadrennial election**

**prov hdg** amd 2000 SL No. 5 s 3  
**s 9** amd 2000 SL No. 5 s 3  
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**Division 2—Qualifications and disqualifications for membership of Aboriginal council**

**div hdg** om 2004 SL No. 318 s 5

**General qualifications**

**s 10** sub 2003 SL No. 384 s 4  
om 2004 SL No. 318 s 5

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**s 11** amd 2003 SL No. 97 s 3  
sub 2003 SL No. 384 s 4  
om 2004 SL No. 318 s 5

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**s 11A** ins 2003 SL No. 384 s 4  
om 2004 SL No. 318 s 5

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**s 11B** ins 2003 SL No. 384 s 4  
om 2004 SL No. 318 s 5

**Councillor ceases to be councillor on becoming candidate for the Legislative Assembly**

**s 11C** ins 2003 SL No. 384 s 4  
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**Termination of Aboriginal council employment on becoming councillor**

**s 11D** ins 2003 SL No. 384 s 4  
om 2004 SL No. 318 s 5

**Division 3—Term of office and vacancies in office**

**div hdg** om 2004 SL No. 318 s 5

**Term of office as appointed councillor**

**s 12** amd 2000 SL No. 5 s 3  
om 2004 SL No. 318 s 5

**When councillor's office becomes vacant**

**s 13** amd 2000 SL No. 5 s 3; 2003 SL No. 384 s 5  
om 2004 SL No. 318 s 5

**Filling of earlier vacancies by by-election**

**s 14** amd 2000 SL No. 5 s 3  
om 2004 SL No. 318 s 5

**Filling of later vacancies by appointment**

**s 15** om 2004 SL No. 318 s 5

**Division 4—Provisions for Mapoon Aboriginal Council area****div 4 (ss 15A–15D)** ins 2000 SL No. 9 s 4

om 2004 SL No. 318 s 5

**PART 3—CHAIRPERSON OF ABORIGINAL COUNCIL****pt hdg** om 2004 SL No. 318 s 5**Division 1—Appointment of chairperson and related matters****div hdg** om 2004 SL No. 318 s 5**Membership of Aboriginal councils****s 16** amd 2000 SL No. 5 s 3

om 2004 SL No. 318 s 5

**Duration of appointment of chairperson****s 17** amd 2000 SL No. 5 s 3

om 2004 SL No. 318 s 5

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om 2004 SL No. 318 s 5

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om 2004 SL No. 318 s 5

**Minister to make decision about resolution or petition****s 24** om 2004 SL No. 318 s 5**Direct election of chairperson takes effect at next election****s 25** amd 2000 SL No. 5 s 3

om 2004 SL No. 318 s 5

**PART 4—ELECTIONS FOR ABORIGINAL COUNCILS****pt hdg** om 2004 SL No. 318 s 5**Election of councillors****s 26** om 2004 SL No. 318 s 5**PART 5—ABORIGINAL COUNCIL MEETINGS****pt hdg** om 2004 SL No. 318 s 5

**Division 1—Post-election meetings**

**div hdg** om 2004 SL No. 318 s 5

**Post-election meetings**

**s 27** amd 2000 SL No. 5 s 3  
om 2004 SL No. 318 s 5

**Agenda of post-election meetings**

**s 28** om 2004 SL No. 318 s 5

**Clerk to preside at post-election meetings**

**s 29** om 2004 SL No. 318 s 5

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**div hdg** om 2004 SL No. 318 s 5

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**s 30** om 2004 SL No. 318 s 5

**Place of meetings**

**s 31** om 2004 SL No. 318 s 5

**Quorum at meetings**

**s 32** om 2004 SL No. 318 s 5

**Procedure at meetings**

**s 33** amd 2000 SL No. 49 s 3  
om 2004 SL No. 318 s 5

**Minutes must be kept**

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**s 35** om 2004 SL No. 318 s 5

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**s 36** om 2004 SL No. 318 s 5

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**s 37** om 2004 SL No. 318 s 5

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**s 38** om 2004 SL No. 318 s 5

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**s 39** om 2004 SL No. 318 s 5

**Meetings may be closed for limited reasons**

**s 40** om 2004 SL No. 318 s 5

**Public notice of meetings**

**s 41** om 2004 SL No. 318 s 5

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**s 42** amd 2003 SL No. 198 s 3  
om 2004 SL No. 318 s 5

**Inspection of minutes of meetings and their purchase**

s 43      om 2004 SL No. 318 s 5

**PART 6—FINANCIAL ADMINISTRATION**

pt hdg      om 2004 SL No. 318 s 5

**Division 1—Financial administration of Aboriginal councils**

div hdg      om 2004 SL No. 318 s 5

**Community funds**

s 44      amd 2002 SL No. 85 s 3

om 2004 SL No. 318 s 5

**General fund of Aboriginal council**

s 45      om 2004 SL No. 318 s 5

**Trust fund of Aboriginal council**

s 46      om 2004 SL No. 318 s 5

**Administration and financial procedures manual**

s 47      om 2004 SL No. 318 s 5

**Financial information to be presented to post-election meeting**

s 48      om 2004 SL No. 318 s 5

**Approved forms for annual financial statements**

s 49      amd 2003 SL No. 97 s 4

om 2004 SL No. 318 s 5

**Division 2—Register of councillor's pecuniary interests**

div hdg      om 2004 SL No. 318 s 5

**Register of pecuniary interest disclosures**

s 50      om 2004 SL No. 318 s 5

**PART 7—CLERK OF ABORIGINAL COUNCIL**

pt 7 (ss 51–53) om 2004 SL No. 318 s 5

**PART 8—ABORIGINAL COURTS**

pt 8 (ss 54–57) om 2004 SL No. 318 s 5

**PART 9—ABORIGINAL COORDINATING COUNCIL**

pt hdg      om 2004 SL No. 318 s 5

**Division 1—Chairperson and deputy chairperson of Aboriginal Coordinating Council**

div hdg      om 2004 SL No. 318 s 5

**Appointment of chairperson and deputy chairperson**

s 58      amd 2000 SL No. 5 s 3

om 2004 SL No. 318 s 5

**Vacating office of chairperson or deputy chairperson**

s 59      om 2004 SL No. 318 s 5

**Office of chairperson or deputy chairperson may be declared vacant**

s 60      om 2004 SL No. 318 s 5

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**Quorum for meetings of executive committee**

**s 61** om 2004 SL No. 318 s 5

**Division 2—Financial administration of Aboriginal Coordinating Council**

**div 2 (ss 62–64)** om 2004 SL No. 318 s 5

**PART 10—ABORIGINAL COUNCIL AREAS**

**pt hdg** ins 2000 SL No. 5 s 5  
om 2004 SL No. 318 s 5

**Declaration of council areas—Act, s 39**

**prov hdg** amd 2003 SL No. 97 s 5  
**s 64A** ins 2000 SL No. 5 s 5  
om 2004 SL No. 318 s 5

**PART 10A—COMMUNITY JUSTICE GROUPS**

**pt hdg** ins 2002 SL No. 375 s 4

**Establishment of community justice groups—Act, s 86(1)**

**s 64B** ins 2002 SL No. 375 s 4

**Criminal history checks**

**s 64C** ins 2003 SL No. 74 s 3

**PART 11—MISCELLANEOUS**

**pt hdg** prev pt 11 hdg exp 26 June 1998 (see prev s 68)  
pres pt 11 hdg (prev pt 10 hdg) renum 2000 SL No. 5 s 4  
om 2004 SL No. 318 s 5

**Division 1—Forms**

**div hdg** ins 2000 SL No. 240 s 3  
om 2004 SL No. 318 s 5

**Forms**

**s 65** om 2004 SL No. 318 s 5

**Division 2—Financial controllers**

**div hdg** ins 2000 SL No. 240 s 4  
om 2004 SL No. 318 s 5

**Appointment of financial controller—Lockhart River Aboriginal Council**

**prov hdg** amd 2000 SL No. 240 s 5  
**s 65A** ins 2000 SL No. 192 s 3  
sub 2002 SL No. 51 s 3; 2002 SL No. 200 s 3; 2003 SL No. 385 s 3; 2004  
SL No. 35 s 3; 2004 SL No. 82 s 3  
om 2004 SL No. 318 s 5

**Appointment of financial controller—Palm Island Aboriginal Council**

**s 65B** prev s 65B ins 2000 SL No. 240 s 6  
om 2002 SL No. 51 s 3  
pres s 65B ins 2004 SL No. 18 s 3  
om 2004 SL No. 318 s 5

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**PART 12—TRANSITIONAL PROVISIONS**

**pt hdg** ins 2000 SL No. 5 s 6  
amd 2002 SL No. 375 s 5

**Transitional provision for Community Services Legislation Amendment (No. 1)  
Regulation 2000**

**s 66** prev s 66 exp 26 June 1998 (see prev s 68)  
pres s 66 ins 2000 SL No. 5 s 6  
om 2004 SL No. 318 s 6

**Transitional provision for Community Services (Aborigines) Amendment Regulation  
(No. 3) 2002**

**s 67** prev s 67 exp 26 June 1998 (see prev s 68)  
pres s 67 ins 2002 SL No. 375 s 6

**Transitional provision for Community Services (Aborigines) Amendment Regulation  
(No. 1) 2003**

**s 68** prev s 68 exp 26 June 1998 (see prev s 68)  
pres s 68 ins 2003 SL No. 97 s 6

**Transitional provision for Community Services (Aborigines) Amendment Regulation  
(No. 2) 2003**

**s 69** ins 2003 SL No. 301 s 3

**Transitional provisions for Community Services Legislation Amendment Regulation  
(No. 3) 2003**

**s 70** ins 2003 SL No. 384 s 6  
om 2004 SL No. 318 s 6

**Transitional provision for Community Services (Aborigines) Amendment Regulation  
(No. 3) 2003**

**s 71** ins 2003 SL No. 365 s 3

**PART 13—PROVISION FOR REPRINTING REGULATION**

**pt 13 (s 72)** ins 2004 SL No. 318 s 7

**SCHEDULE 1—ELECTIONS**

**sch hdg** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**PART 1—GENERAL**

**pt 1 (ss 214– 219A)** om 1998 SL No. 274 s 3

**PART 2—RETURNING OFFICERS**

**pt 2 (ss 220–222)** om 1998 SL No. 274 s 3

**PART 3—VOTERS ROLL**

**pt 3 (ss 223–229)** om 1998 SL No. 274 s 3

**PART 4—VOTING**

**pt 4 (ss 230–231)** om 1998 SL No. 274 s 3

**PART 5—(omitted)**

**pt hdg** om 1998 SL No. 274 s 3

**PART 6—CONDUCT OF ELECTIONS****pt hdg** om 1998 SL No. 274 s 3**Division 1—Preliminary****div 1** (ss 236) om 1998 SL No. 274 s 3**Division 2—Electoral officers****div 2** (ss 238–243) om 1998 SL No. 274 s 3**Division 3—Candidates for election or appointment****div 3** (ss 244–246) om 1998 SL No. 274 s 3**Division 4—Nomination on candidates for election****div 4** (ss 249–262) om 1998 SL No. 274 s 3**Division 5—(omitted)****div hdg** om 1998 SL No. 274 s 3**Division 6—Polling booths****div hdg** om 1998 SL No. 274 s 3**Polling booths—general****s 265** om 1998 SL No. 274 s 3**PART 1—GENERAL****pt hdg** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8**Quadrennial elections****prov hdg** sub 2000 SL No. 5 s 7(1)  
**s 266** sub 1998 SL No. 274 s 3  
amd 2000 SL No. 5 s 7(2)  
om 2004 SL No. 318 s 8**Types of elections****s 267** sub 1998 SL No. 274 s 3  
amd 2000 SL No. 5 s 3  
om 2004 SL No. 318 s 8**Elections to be held on a Saturday****s 268** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8**Date of quadrennial elections****prov hdg** sub 2000 SL No. 5 s 8(1)  
**s 269** sub 1998 SL No. 274 s 3  
amd 2000 SL No. 5 s 8(2)  
om 2004 SL No. 318 s 8**Division 7—Ballot boxes, papers and other documents****div hdg** om 1998 SL No. 274 s 3

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**Date of by-elections**

- s 270** sub 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 5  
om 2004 SL No. 318 s 8

**Aboriginal councils responsible for expenditure for conducting elections**

- s 271** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**PART 2—RETURNING OFFICERS**

- pt hdg** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Clerk is returning officer**

- s 272** sub 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 4  
om 2004 SL No. 318 s 8

**Appointment of returning officer in place of the clerk**

- s 273** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Returning officer's duty for by-election**

- s 274** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**PART 3—VOTERS ROLL**

- pt hdg** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Returning officer must compile voters roll**

- s 275** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Division 8—Scrutineers**

- div hdg** om 1998 SL No. 274 s 3

**Qualification for enrolment on voters roll**

- s 276** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Cut-off day for voters roll**

- s 277** sub 1998 SL No. 274 s 3  
amd 2000 SL No. 5 s 9; 2002 SL No. 85 s 4  
om 2004 SL No. 318 s 8

**Use of electoral role when practicable**

- s 278** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Requirements of voters roll**

- s 279** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

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**Division 9—Voting generally**

**div hdg** om 1998 SL No. 274 s 3

**Voters roll to be open to inspection and purchase**

**s 280** sub 1998 SL No. 274 s 3

om 2004 SL No. 318 s 8

**Electoral registrars to help returning officers**

**s 281** sub 1998 SL No. 274 s 3

om 2004 SL No. 318 s 8

**PART 4—VOTING**

**pt hdg** ins 1998 SL No. 274 s 3

om 2004 SL No. 318 s 8

**Compulsory voting**

**s 282** sub 1998 SL No. 274 s 3

om 2004 SL No. 318 s 8

**System of voting**

**s 283** sub 1998 SL No. 274 s 3

om 2004 SL No. 318 s 8

**Arrangements for electors with disability**

**s 284** om 1998 SL No. 274 s 3

**Arrangements for electors at institutions**

**s 285** om 1998 SL No. 274 s 3

**Arrangements for electoral visitor voting**

**s 286** om 1998 SL No. 274 s 3

**Help for electors in voting**

**s 287** om 1998 SL No. 274 s 3

**Adjournment of poll**

**s 288** om 1998 SL No. 274 s 3

**Division 10—Declaration voting**

**div hdg** om 1998 SL No. 274 s 3

**PART 5—(OMITTED)**

**pt hdg** ins 1998 SL No. 274 s 3

om 2004 SL No. 318 s 8

**PART 6—CONDUCT OF ELECTIONS**

**pt hdg** ins 1998 SL No. 274 s 3

om 2004 SL No. 318 s 8

**Division 1—Preliminary**

**div hdg** ins 1998 SL No. 274 s 3

om 2004 SL No. 318 s 8

**Conduct of elections**

**s 289** sub 1998 SL No. 274 s 3

om 2004 SL No. 318 s 8

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**Division 2—Electoral officers**

**div hdg** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Returning officer**

**s 290** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Assistant returning officers**

**s 291** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Presiding officers**

**s 292** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Issuing officers**

**s 293** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Declaration by issuing officers**

**s 294** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Returning officer may act through other officers**

**s 295** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Assistant returning officer may act through certain authorised officers**

**s 296** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Supply and use of voters rolls**

**s 297** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Division 3—Candidates for election or appointment**

**div hdg** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Qualification for nomination**

**s 298** sub 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 6  
om 2004 SL No. 318 s 8

**Distribution of declaration envelopes when separate ballot papers or polls on same day**

**s 298A** om 1998 SL No. 274 s 3

**Division 11—Marking of ballot papers**

**div hdg** om 1998 SL No. 274 s 3

**Prohibition of dual candidature**

**s 299** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

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**Leave to Aboriginal council employee to contest election**

**s 300** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Division 12—Replacement ballot papers**

**div hdg** om 1998 SL No. 274 s 3

**Division 4—Nominations of candidates for election**

**div hdg** ins 1998 SL No. 274 s 3  
amd 2000 SL No. 5 s 10  
om 2004 SL No. 318 s 8

**Calling for nominations**

**s 301** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Division 13—Effect of ballot papers**

**div hdg** om 1998 SL No. 274 s 3

**Who may nominate**

**s 302** sub 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 4  
om 2004 SL No. 318 s 8

**How and when nomination is given**

**s 303** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Nomination fee to accompany nomination**

**s 304** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Special grounds for deciding a person is not properly nominated**

**s 305** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Certificate of returning officer**

**s 306** sub 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 4  
om 2004 SL No. 318 s 8

**Division 14—Counting of votes**

**div hdg** om 1998 SL No. 274 s 3

**Display of nominations**

**s 307** sub 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 7  
om 2004 SL No. 318 s 8

**Termination of candidature before noon on nomination day**

**s 308** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

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**Death of candidate**

**s 309** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Procedure if number of candidates not more than number required**

**s 310** sub 1998 SL No. 274 s 3  
amd 2000 SL No. 5 s 11  
om 2004 SL No. 318 s 8

**Procedure if number of candidates exceeds number required**

**s 311** sub 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 4  
om 2004 SL No. 318 s 8

**Supply of voters roll**

**s 312** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Procedure on death of candidate when poll to be conducted**

**s 313** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Disposal of nomination fees generally**

**s 314** sub 1998 SL No. 274 s 3  
amd 2000 SL No. 5 s 12  
om 2004 SL No. 318 s 8

**If successful candidate dies**

**s 315** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Extension of times**

**s 316** sub 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 4  
om 2004 SL No. 318 s 8

**Notice of final result of poll**

**s 317** om 1998 SL No. 274 s 3

**Resolution about electors who fail to vote**

**s 317A** om 1998 SL No. 274 s 3

**List of electors failing to vote**

**s 318** om 1998 SL No. 274 s 3

**Division 5—(omitted)**

**div hdg** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Division 6—Polling booth**

**div hdg** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Polling booths—general**

**s 319** sub 1998 SL No. 274 s 3

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amd 2002 SL No. 85 s 4  
om 2004 SL No. 318 s 8

**Payments for failure to vote**

**s 319A** om 1998 SL No. 274 s 3

**Provision of ordinary polling booths**

**s 320** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Declaration of mobile polling booths**

**s 321** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Duty of person in charge of institution**

**s 322** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Privacy of voting**

**s 323** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Notice to electors whose ballot papers are not accepted**

**s 323A** om 1998 SL No. 274 s 3

**Division 7—Ballot boxes, papers and other documents**

**div hdg** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Ballot boxes generally**

**s 324** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Division 16—Enforcement**

**div hdg** om 1998 SL No. 274 s 3

**Subdivision 1—Offences in general**

**sdiv hdg** om 1998 SL No. 274 s 3

**Requirements of ballot papers**

**s 325** sub 1998 SL No. 274 s 3  
amd 2002 SL No. 85 ss 4, 8  
om 2004 SL No. 318 s 8

**Separate ballot papers for separate polls**

**s 326** sub 1998 SL No. 274 s 3  
amd 2000 SL No. 5 s 13; 2002 SL No. 85 s 9  
om 2004 SL No. 318 s 8

**Order of listing of candidates' names**

**s 327** sub 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 4  
om 2004 SL No. 318 s 8

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**Distribution of ballot papers**

- s 328** sub 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 4  
om 2004 SL No. 318 s 8

**Correction of errors etc.**

- s 329** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Division 8—Scrutineers**

- div hdg** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Candidates' entitlement to scrutineers**

- s 330** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Appointment of scrutineers**

- s 331** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Proof of identification**

- s 332** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Powers of scrutineers**

- s 333** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Subdivision 2—Offences about electoral advertising and information**

- sdiv hdg** om 1998 SL No. 274 s 3

**Division 9—Voting generally**

- div hdg** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Who may vote**

- s 334** sub 1998 SL No. 274 s 3  
amd 2003 SL No. 198 s 4  
om 2004 SL No. 318 s 8

**When votes may be cast at an ordinary polling booth or mobile polling booth**

- s 335** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Procedure for voting at a polling booth**

- s 336** sub 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 4  
om 2004 SL No. 318 s 8

**Subdivision 3—Offences about voting**

- sdiv hdg** om 1998 SL No. 274 s 3

**Duties of issuing officer for returned papers**

- s 337** sub 1998 SL No. 274 s 3

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amd 2002 SL No. 85 s 4  
om 2004 SL No. 318 s 8

**Arrangements for electors with disability**

**s 338** sub 1998 SL No. 274 s 3  
amd 2002 SL No. 85 ss 4, 10  
om 2004 SL No. 318 s 8

**Arrangements for electors at institutions**

**s 339** sub 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 4  
om 2004 SL No. 318 s 8

**Arrangements for electoral visitor voting**

**s 340** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Help for electors in voting**

**s 341** sub 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 4  
om 2004 SL No. 318 s 8

**Adjournment of poll**

**s 342** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Division 10—Declaration voting**

**div hdg** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Who may cast a declaration vote**

**s 343** sub 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 11  
om 2004 SL No. 318 s 8

**Who must cast a declaration vote in ordinary elections**

**s 344** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Declaration voting for postal ballot elections**

**s 345** sub 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**How declaration vote is cast**

**s 346** sub 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 4  
om 2004 SL No. 318 s 8

**Distribution of ballot papers to certain electors who may cast declaration vote**

**s 346A** ins 2000 SL No. 5 s 14  
om 2004 SL No. 318 s 8

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**Distribution of ballot papers to other electors who may or must cast declaration vote**

- prov hdg** amd 2002 SL No. 85 s 12(1)  
**s 347** sub 1998 SL No. 274 s 3  
 amd 2002 SL No. 85 ss 4, 12(2)–(3)  
 om 2004 SL No. 318 s 8

**How declaration vote may be cast at a polling booth**

- s 348** sub 1998 SL No. 274 s 3  
 amd 2002 SL No. 85 s 11  
 om 2004 SL No. 318 s 8

**Subdivision 4—(omitted)**

- sdiv hdg** om 1998 SL No. 274 s 3

**PART 7—FRESH ELECTIONS**

- pt hdg** om 1998 SL No. 274 s 3

**Distribution of ballot papers to electors for postal ballot election**

- s 349** ins 1998 SL No. 274 s 3  
 om 2004 SL No. 318 s 8

**Record of ballot papers given to postal voters**

- s 350** sub 1998 SL No. 274 s 3  
 amd 2002 SL No. 85 s 11  
 om 2004 SL No. 318 s 8

**Casting a declaration vote by post**

- s 351** sub 1998 SL No. 274 s 3  
 amd 2002 SL No. 85 ss 4, 13  
 om 2004 SL No. 318 s 8

**Declaration voting before polling day**

- s 352** sub 1998 SL No. 274 s 3  
 amd 2002 SL No. 85 ss 4, 14; 2003 SL No. 198 s 5  
 om 2004 SL No. 318 s 8

**Distribution of declaration envelopes when separate ballot papers or polls on same day**

- s 353** sub 1998 SL No. 274 s 3  
 amd 2000 SL No. 5 s 15  
 om 2004 SL No. 318 s 8

**Division 11—Marking of ballot papers**

- div hdg** ins 1998 SL No. 274 s 3  
 om 2004 SL No. 318 s 8

**Optional-preferential voting**

- s 354** sub 1998 SL No. 274 s 3  
 om 2004 SL No. 318 s 8

**First-past-the-post voting**

- s 355** sub 1998 SL No. 274 s 3  
 om 2004 SL No. 318 s 8

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**PART 8—(OMITTED)**

**pt hdg** om 1998 SL No. 274 s 3

**Division 12—Replacement ballot papers**

**div hdg** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Use of replacement ballot papers**

**s 356** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 4  
om 2004 SL No. 318 s 8

**Division 13—Effect of ballot papers**

**div hdg** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Effect of ballot papers—optional-preferential voting**

**s 357** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Effect of ballot papers—first-past-the-post voting**

**s 358** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 ss 4, 15  
om 2004 SL No. 318 s 8

**Posted vote presumed valid until contrary proved**

**s 359** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 4  
om 2004 SL No. 318 s 8

**Formal and informal ballot papers**

**s 360** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Ballot paper partly formal and partly informal**

**s 361** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 4  
om 2004 SL No. 318 s 8

**Division 14—Counting of votes**

**div hdg** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Votes to be counted in accordance with this division**

**s 362** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Preliminary counting by presiding officer**

**s 363** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 ss 4, 16  
om 2004 SL No. 318 s 8

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**Preliminary processing of declaration votes by returning officer—postal ballot election)**

**s 363A** ins 2002 SL No. 85 s 17  
om 2004 SL No. 318 s 8

**Preliminary processing of declaration votes by returning officer (words omitted)**

**prov hdg** amd 2002 SL No. 85 s 18(1)

**s 364** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 18(2)–(3)  
om 2004 SL No. 318 s 8

**Procedure for processing declaration envelopes**

**s 365** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 ss 4, 19  
om 2004 SL No. 318 s 8

**Official counting of votes**

**s 366** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 4  
om 2004 SL No. 318 s 8

**Treatment of ballot paper to which objection is made**

**s 367** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 4  
om 2004 SL No. 318 s 8

**Counting of votes for optional-preferential system**

**s 368** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Counting of votes for first-past-the-post system**

**s 369** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 4; 2003 SL No. 198 s 6  
om 2004 SL No. 318 s 8

**Returning officer's duty after counting votes**

**s 370** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Division 15—Actions following poll**

**div hdg** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Declaration of poll**

**s 371** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Notice of final result of poll**

**s 372** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Resolution about electors who fail to vote**

**s 373** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

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**List of electors failing to vote**

**s 374** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Notice of failure to vote etc.**

**s 375** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Payments for failure to vote**

**s 376** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Recording response to notice**

**s 377** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 4  
om 2004 SL No. 318 s 8

**Evidentiary value of list under s 374**

**s 378** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 4  
om 2004 SL No. 318 s 8

**Disposal of material resulting from election**

**s 379** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 4  
om 2004 SL No. 318 s 8

**Ballot papers as evidence**

**s 380** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 4  
om 2004 SL No. 318 s 8

**Notice to electors whose ballot papers are not accepted**

**s 381** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Notice to electoral commission of certain declaration votes**

**s 382** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Division 16—Enforcement**

**div hdg** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Subdivision 1—Offences in general**

**sdiv hdg** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**False or misleading statements**

**s 383** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 20  
om 2004 SL No. 318 s 8

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**False, misleading or incomplete electoral documents**

**s 384** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 20  
om 2004 SL No. 318 s 8

**Bribery**

**s 385** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 20  
om 2004 SL No. 318 s 8

**Providing money for illegal payments**

**s 386** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 20  
om 2004 SL No. 318 s 8

**Improperly influencing electoral officers**

**s 387** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 20  
om 2004 SL No. 318 s 8

**Interfering with election right or duty**

**s 388** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 ss 20–21  
om 2004 SL No. 318 s 8

**Forging or uttering electoral papers**

**s 389** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 20  
om 2004 SL No. 318 s 8

**Wilful neglect etc. of electoral officers**

**s 390** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 20  
om 2004 SL No. 318 s 8

**No record to be made of vote cast**

**s 391** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 20  
om 2004 SL No. 318 s 8

**Subdivision 2—Offences about electoral advertising and information**

**sdiv hdg** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Responsibility for election matter**

**s 392** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 ss 20, 22; 2003 SL No. 384 s 7  
om 2004 SL No. 318 s 8

**Distribution of how-to-vote cards**

**s 392A** ins 2002 SL No. 85 s 23  
om 2004 SL No. 318 s 8

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**Headline to electoral advertisements**

**s 393** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 20  
om 2004 SL No. 318 s 8

**Misleading voters**

**s 394** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 20  
om 2004 SL No. 318 s 8

**Subdivision 3—Offences about voting**

**sdiv hdg** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Failure to vote**

**s 395** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 4  
om 2004 SL No. 318 s 8

**Leave to vote**

**s 396** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 20  
om 2004 SL No. 318 s 8

**Canvassing in or near polling booths**

**s 397** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 20  
om 2004 SL No. 318 s 8

**Interrupting voting etc.**

**s 398** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 20  
om 2004 SL No. 318 s 8

**Influencing voting**

**s 399** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 20  
om 2004 SL No. 318 s 8

**Party badges not to be worn in polling booths**

**s 400** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Voting if not entitled**

**s 401** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 20  
om 2004 SL No. 318 s 8

**Offences relating to ballot papers**

**s 402** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 ss 4, 20  
om 2004 SL No. 318 s 8

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**Failure to deliver or post documents for someone else**

**s 403** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 20  
om 2004 SL No. 318 s 8

**Breach of confidentiality of vote**

**s 404** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 s 20  
om 2004 SL No. 318 s 8

**Breaking seals on parcels**

**s 405** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 ss 20, 24  
om 2004 SL No. 318 s 8

**Duty of witness to signing of declaration voting papers**

**s 406** ins 1998 SL No. 274 s 3  
amd 2002 SL No. 85 ss 4, 20  
om 2004 SL No. 318 s 8

**Subdivision 4—(omitted)**

**sdiv hdg** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**PART 7—FRESH ELECTIONS**

**pt hdg** ins 1998 SL No. 274 s 3  
amd 2000 SL No. 5 s 3  
om 2004 SL No. 318 s 8

**Requirements for fresh election**

**s 408** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Time for fresh election**

**s 409** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Returning officer for fresh election**

**s 410** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Voters roll for fresh election**

**s 411** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**Other provisions of schedule apply**

**s 412** ins 1998 SL No. 274 s 3  
amd 2000 SL No. 5 s 3  
om 2004 SL No. 318 s 8

**Extension of term of councillors**

**s 413** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

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**PART 8—(OMITTED)**

**pt hdg** ins 1998 SL No. 274 s 3  
om 2004 SL No. 318 s 8

**SCHEDULE 1A—DECLARATION OF COUNCIL AREAS**

ins 2000 SL No. 5 s 16  
amd 2000 SL No. 9 s 5; 2002 SL No. 85 s 25  
om 2004 SL No. 318 s 8

**SCHEDULE 1B—AURUKUN COMMUNITY JUSTICE GROUP**

ins 2002 SL No. 375 s 7

**SCHEDULE 1C—DOOMADGEE COMMUNITY JUSTICE GROUP**

**sch hdg** ins 2003 SL No. 97 s 7

**PART 1—PRELIMINARY**

**pt hdg** ins 2003 SL No. 97 s 7

**Definitions for sch 1C**

**s 1** ins 2003 SL No. 97 s 7  
def “**council**” amd 2004 SL No. 318 s 9(1)

**PART 2—NAME OF COMMUNITY JUSTICE GROUP**

**pt hdg** ins 2003 SL No. 97 s 7

**Name—Act, s 86(2)**

**s 2** ins 2003 SL No. 97 s 7  
amd 2004 SL No. 318 s 9(2)

**PART 3—MEMBERSHIP**

**pt 3 (ss 3–8)** ins 2003 SL No. 97 s 7

**PART 4—BUSINESS AND MEETINGS**

**pt 4 (ss 9–13)** ins 2003 SL No. 97 s 7

**SCHEDULE 1D—NAPRANUM COMMUNITY JUSTICE GROUP**

**sch hdg** ins 2003 SL No. 97 s 7

**PART 1—PRELIMINARY**

**pt hdg** ins 2003 SL No. 97 s 7

**Definitions for sch 1D**

**s 1** ins 2003 SL No. 97 s 7  
def “**council**” amd 2004 SL No. 318 s 10(1)  
def “**main indigenous social grouping**” sub 2003 SL No. 301 s 4  
def “**Torres Strait Islander grouping**” amd 2004 SL No. 318 s 10(2)

**PART 2—NAME OF COMMUNITY JUSTICE GROUP**

**pt hdg** ins 2003 SL No. 97 s 7

**Name—Act, s 86(2)**

**s 2** ins 2003 SL No. 97 s 7  
amd 2004 SL No. 318 s 10(2)

**PART 3—MEMBERSHIP**

**pt 3 (ss 3–8)** ins 2003 SL No. 97 s 7

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**PART 4—BUSINESS AND MEETINGS**

**pt 4 (ss 9–13)** ins 2003 SL No. 97 s 7

**SCHEDULE 1E—INJINOO COMMUNITY JUSTICE GROUP**

**sch hdg** ins 2003 SL No. 301 s 5

**PART 1—PRELIMINARY**

**pt hdg** ins 2003 SL No. 301 s 5

**Definitions for sch 1E**

**s 1** ins 2003 SL No. 301 s 5  
 def “**council**” amd 2004 SL No. 318 s 11(1)  
 def “**main indigenous social grouping**” amd 2004 SL No. 318 s 11(2)

**PART 2—NAME OF COMMUNITY JUSTICE GROUP**

**pt hdg** ins 2003 SL No. 301 s 5

**Name—Act, s 86(2)**

**s 2** ins 2003 SL No. 301 s 5  
 amd 2004 SL No. 318 s 11(2)

**PART 3—MEMBERSHIP**

**pt hdg** ins 2003 SL No. 301 s 5

**Number of members**

**s 3** ins 2003 SL No. 301 s 5

**Eligibility**

**s 4** ins 2003 SL No. 301 s 5  
 amd 2004 SL No. 318 s 11(3)

**Nomination, and withdrawal of nomination, of members**

**s 5** ins 2003 SL No. 301 s 5

**Notification by Minister**

**s 6** ins 2003 SL No. 301 s 5

**Vacation of office**

**s 7** ins 2003 SL No. 301 s 5

**Coordinator to advise Minister of vacancy**

**s 8** ins 2003 SL No. 301 s 5

**Term of membership**

**s 9** ins 2003 SL No. 301 s 5

**PART 4—BUSINESS AND MEETINGS**

**pt 4 (ss 10–14)** ins 2003 SL No. 301 s 5

**SCHEDULE 1F—KOWANYAMA COMMUNITY JUSTICE GROUP**

**sch hdg** ins 2003 SL No. 301 s 5

**PART 1—PRELIMINARY**

**pt hdg** ins 2003 SL No. 301 s 5

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**Definitions for sch 1F**

**s 1** ins 2003 SL No. 301 s 5  
def “**council**” amd 2004 SL No. 318 s 12(1)

**PART 2—NAME OF COMMUNITY JUSTICE GROUP**

**pt hdg** ins 2003 SL No. 301 s 5

**Name—Act, s 86(2)**

**s 2** ins 2003 SL No. 301 s 5  
amd 2004 SL No. 318 s 12(2)

**PART 3—MEMBERSHIP**

**pt 3 (ss 3–9)** ins 2003 SL No. 301 s 5

**PART 4—BUSINESS AND MEETINGS**

**pt 4 (ss 10–14)** ins 2003 SL No. 301 s 5

**SCHEDULE 1G—LOCKHART RIVER COMMUNITY JUSTICE GROUP**

**sch hdg** ins 2003 SL No. 301 s 5

**Definitions for sch 1G**

**s 1** ins 2003 SL No. 301 s 5  
def “**council**” amd 2004 SL No. 318 s 13(1)

**PART 2—NAME OF COMMUNITY JUSTICE GROUP**

**pt hdg** ins 2003 SL No. 301 s 5

**Name—Act, s 86(2)**

**s 2** ins 2003 SL No. 301 s 5  
amd 2004 SL No. 318 s 13(2)

**PART 3—MEMBERSHIP**

**pt hdg** ins 2003 SL No. 301 s 5

**Number of members**

**s 3** ins 2003 SL No. 301 s 5

**Eligibility**

**s 4** ins 2003 SL No. 301 s 5  
amd 2004 SL No. 318 s 13(3)

**Nomination, and withdrawal of nomination, of members**

**s 5** ins 2003 SL No. 301 s 5

**Notification by Minister**

**s 6** ins 2003 SL No. 301 s 5

**Vacation of office**

**s 7** ins 2003 SL No. 301 s 5

**Coordinator to advise Minister of vacancy**

**s 8** ins 2003 SL No. 301 s 5

**Term of membership**

**s 9** ins 2003 SL No. 301 s 5

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**PART 4—BUSINESS AND MEETINGS**

**pt 4 (ss 10–14)** ins 2003 SL No. 301 s 5

**SCHEDULE 1H—PORMPURA AW COMMUNITY JUSTICE GROUP**

**sch hdg** ins 2003 SL No. 301 s 5

**PART 1—PRELIMINARY**

**pt 1 (s 1)** ins 2003 SL No. 301 s 5

**PART 2—NAME OF COMMUNITY JUSTICE GROUP**

**pt hdg** ins 2003 SL No. 301 s 5

**Name—Act, s 86(2)**

**s 2** ins 2003 SL No. 301 s 5  
amd 2004 SL No. 318 s 14

**PART 3—MEMBERSHIP**

**pt hdg** ins 2003 SL No. 301 s 5

**Number of members**

**s 3** ins 2003 SL No. 301 s 5

**Eligibility**

**s 4** ins 2003 SL No. 301 s 5  
amd 2004 SL No. 318 s 14

**Nomination, and withdrawal of nomination, of members**

**s 5** ins 2003 SL No. 301 s 5

**Notification by Minister**

**s 6** ins 2003 SL No. 301 s 5

**Vacation of office**

**s 7** ins 2003 SL No. 301 s 5

**Coordinator to advise Minister of vacancy**

**s 8** ins 2003 SL No. 301 s 5

**Term of membership**

**s 9** ins 2003 SL No. 301 s 5

**PART 4—BUSINESS AND MEETINGS**

**pt 4 (ss 10–14)** ins 2003 SL No. 97 s 7

**SCHEDULE 1I—UMAGICO COMMUNITY JUSTICE GROUP**

**sch hdg** ins 2003 SL No. 301 s 5

**PART 1—PRELIMINARY**

**pt hdg** ins 2003 SL No. 301 s 5

**Definitions for sch 1I**

**s 1** ins 2003 SL No. 301 s 5  
def “**council**” amd 2004 SL No. 318 s 15(1)  
def “**main indigenous social grouping**” amd 2004 SL No. 318 s 15(2)

**PART 2—NAME OF COMMUNITY JUSTICE GROUP**

**pt hdg** ins 2003 SL No. 301 s 5

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**Name—Act, s 86(2)**

s 2 ins 2003 SL No. 301 s 5  
amd 2004 SL No. 318 s 15(3)

**PART 3—MEMBERSHIP**

pt hdg ins 2003 SL No. 301 s 5

**Number of members**

s 3 ins 2003 SL No. 301 s 5

**Eligibility**

s 4 ins 2003 SL No. 301 s 5  
amd 2004 SL No. 318 s 15(3)

**Nomination, and withdrawal of nomination, of members**

s 5 ins 2003 SL No. 301 s 5

**Notification by Minister**

s 6 ins 2003 SL No. 301 s 5

**Vacation of office**

s 7 ins 2003 SL No. 301 s 5

**Coordinator to advise Minister of vacancy**

s 8 ins 2003 SL No. 301 s 5

**Term of membership**

s 9 ins 2003 SL No. 301 s 5

**PART 4—BUSINESS AND MEETINGS**

pt 4 (ss 10–14) ins 2003 SL No. 301 s 5

**SCHEDULE 1J—WOORABINDA COMMUNITY JUSTICE GROUP**

sch hdg ins 2003 SL No. 301 s 5

**PART 1—PRELIMINARY**

pt hdg ins 2003 SL No. 301 s 5

**Definitions for sch 1J**

s 1 ins 2003 SL No. 301 s 5  
def “**council**” amd 2004 SL No. 318 s 16(1)  
def “**main indigenous social grouping**” amd 2004 SL No. 318 s 16(2)

**PART 2—NAME OF COMMUNITY JUSTICE GROUP**

pt hdg ins 2003 SL No. 301 s 5

**Name—Act, s 86(2)**

s 2 ins 2003 SL No. 301 s 5  
amd 2004 SL No. 318 s 16(3)

**PART 3—SELECTION COMMITTEE**

pt hdg ins 2003 SL No. 301 s 5

**Establishment**

s 3 ins 2003 SL No. 301 s 5

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**Membership**

s 4 ins 2003 SL No. 301 s 5  
amd 2004 SL No. 318 s 16(2)

**Functions**

s 5 ins 2003 SL No. 301 s 5

**Conduct of business by selection committee**

s 6 ins 2003 SL No. 301 s 5

**PART 4—MEMBERSHIP**

pt 4 (ss 7–13) ins 2003 SL No. 301 s 5

**PART 5—BUSINESS AND MEETINGS**

pt 5 (ss 14–18) ins 2003 SL No. 301 s 5

**SCHEDULE 1K—CHERBOURG COMMUNITY JUSTICE GROUP**

sch hdg ins 2003 SL No. 365 s 4

**PART 1—PRELIMINARY**

pt hdg ins 2003 SL No. 365 s 4

**Definitions for sch 1K**

s 1 ins 2003 SL No. 365 s 4  
def “**council**” amd 2004 SL No. 318 s 17(1)  
def “**main indigenous social grouping**” amd 2004 SL No. 318 s 17(2)

**PART 2—NAME OF COMMUNITY JUSTICE GROUP**

pt hdg ins 2003 SL No. 365 s 4

**Name—Act, s 86(2)**

s 2 ins 2003 SL No. 365 s 4  
amd 2004 SL No. 318 s 17(3)

**PART 3—MEMBERSHIP**

pt 3 ins 2003 SL No. 365 s 4

**Number of members**

s 3 ins 2003 SL No. 365 s 4

**Eligibility**

s 4 ins 2003 SL No. 365 s 4  
amd 2004 SL No. 318 s 17(2), (4)

**Nomination, and withdrawal of nomination, of members**

s 5 ins 2003 SL No. 365 s 4  
amd 2004 SL No. 318 s 17(1)–(2)

**Notification by Minister**

s 6 ins 2003 SL No. 365 s 4

**Vacation of office**

s 7 ins 2003 SL No. 365 s 4

**Coordinator to advise Minister of vacancy**

s 8 ins 2003 SL No. 365 s 4

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**Term of membership**

s 9 ins 2003 SL No. 365 s 4

**PART 4—BUSINESS AND MEETINGS**

pt 4 (ss 10–14) ins 2003 SL No. 365 s 4

**SCHEDULE 1L—MAPOON COMMUNITY JUSTICE GROUP**

sch hdg ins 2003 SL No. 365 s 4

**PART 1—PRELIMINARY**

pt hdg ins 2003 SL No. 365 s 4

**Definitions for sch 1L**

s 1 ins 2003 SL No. 365 s 4

def “**council**” amd 2004 SL No. 318 s 18(1)

def “**main indigenous social grouping**” amd 2004 SL No. 318 s 18(2)

**PART 2—NAME OF COMMUNITY JUSTICE GROUP**

pt hdg ins 2003 SL No. 365 s 4

**Name—Act, s 86(2)**

s 2 ins 2003 SL No. 365 s 4

amd 2004 SL No. 318 s 18(3)

**PART 3—MEMBERSHIP**

pt hdg ins 2003 SL No. 365 s 4

**Number of members**

s 3 ins 2003 SL No. 365 s 4

**Eligibility**

s 4 ins 2003 SL No. 365 s 4

amd 2004 SL No. 318 s 18(2)

**Nomination, and withdrawal of nomination, of members**

s 5 ins 2003 SL No. 365 s 4

amd 2004 SL No. 318 s 18(2)

**Notification by Minister**

s 6 ins 2003 SL No. 365 s 4

**Vacation of office**

s 7 ins 2003 SL No. 365 s 4

**Coordinator to advise Minister of vacancy**

s 8 ins 2003 SL No. 365 s 4

**Term of membership**

s 9 ins 2003 SL No. 365 s 4

**PART 4—BUSINESS AND MEETINGS**

pt 4 (ss 10–14) ins 2003 SL No. 365 s 4

**SCHEDULE 1M—NEW MAPOON COMMUNITY JUSTICE GROUP**

sch hdg ins 2003 SL No. 365 s 4

*Aboriginal Communities (Justice and Land Matters)  
Regulation 1998*

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**PART 1—PRELIMINARY**

**pt hdg** ins 2003 SL No. 365 s 4

**Definitions for sch 1M**

**s 1** ins 2003 SL No. 365 s 4

def “**council**” amd 2004 SL No. 318 s 19(1)

def “**main indigenous social grouping**” amd 2004 SL No. 318 s 19(2)

**PART 2—NAME OF COMMUNITY JUSTICE GROUP**

**pt hdg** ins 2003 SL No. 365 s 4

**Name—Act, s 86(2)**

**s 2** ins 2003 SL No. 365 s 4

amd 2004 SL No. 318 s 19(3)

**PART 3—MEMBERSHIP**

**pt hdg** ins 2003 SL No. 365 s 4

**Number of members**

**s 3** ins 2003 SL No. 365 s 4

**Eligibility**

**s 4** ins 2003 SL No. 365 s 4

amd 2004 SL No. 318 s 19(2)

**Nomination, and withdrawal of nomination, of members**

**s 5** ins 2003 SL No. 365 s 4

**Notification by Minister**

**s 6** ins 2003 SL No. 365 s 4

**Vacation of office**

**s 7** ins 2003 SL No. 365 s 4

**Coordinator to advise Minister of vacancy**

**s 8** ins 2003 SL No. 365 s 4

**Term of membership**

**s 9** ins 2003 SL No. 365 s 4

**PART 4—BUSINESS AND MEETINGS**

**pt 4 (ss 10–14)** ins 2003 SL No. 365 s 4

**SCHEDULE 1N—WUJAL WUJAL COMMUNITY JUSTICE GROUP**

**sch hdg** ins 2003 SL No. 365 s 4

**PART 1—PRELIMINARY**

**pt hdg** ins 2003 SL No. 365 s 4

**Definitions for sch 1N**

**s 1** ins 2003 SL No. 365 s 4

def “**main indigenous social grouping**” amd 2004 SL No. 318 s 20

def “**nominating entity**” amd 2004 SL No. 318 s 20

**PART 2—NAME OF COMMUNITY JUSTICE GROUP**

**pt hdg** ins 2003 SL No. 365 s 4

*Aboriginal Communities (Justice and Land Matters)  
Regulation 1998*

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**Name—Act, s 86(2)**

**s 2** ins 2003 SL No. 365 s 4  
amd 2004 SL No. 318 s 20

**PART 3—MEMBERSHIP**

**pt 3 (ss 3–9)** ins 2003 SL No. 365 s 4

**PART 4—BUSINESS AND MEETINGS**

**pt 4 (ss 10–14)** ins 2003 SL No. 365 s 4

**SCHEDULE 10—YARRABAH COMMUNITY JUSTICE GROUP**

**sch hdg** ins 2003 SL No. 365 s 4

**PART 1—PRELIMINARY**

**pt hdg** ins 2003 SL No. 365 s 4

**Definitions for sch 10**

**s 1** ins 2003 SL No. 365 s 4  
def “**council**” amd 2004 SL No. 318 s 21(1)  
def “**main indigenous social grouping**” amd 2004 SL No. 318 s 21(2)

**PART 2—NAME OF COMMUNITY JUSTICE GROUP**

**pt hdg** ins 2003 SL No. 365 s 4

**Name—Act, s 86(2)**

**s 2** ins 2003 SL No. 365 s 4  
amd 2004 SL No. 318 s 21(3)

**PART 3—MEMBERSHIP**

**pt hdg** ins 2003 SL No. 365 s 4

**Number of members**

**s 3** ins 2003 SL No. 365 s 4

**Eligibility**

**s 4** ins 2003 SL No. 365 s 4  
amd 2004 SL No. 318 s 21(2)

**Nomination, and withdrawal of nomination, of members**

**s 5** ins 2003 SL No. 365 s 4

**Notification by Minister**

**s 6** ins 2003 SL No. 365 s 4

**Vacation of office**

**s 7** ins 2003 SL No. 365 s 4

**Coordinator to advise Minister of vacancy**

**s 8** ins 2003 SL No. 365 s 4

**Term of membership**

**s 9** ins 2003 SL No. 365 s 4

**PART 4—BUSINESS AND MEETINGS**

**pt 4 (ss 10–14)** ins 2003 SL No. 365 s 4

*Aboriginal Communities (Justice and Land Matters)  
Regulation 1998*

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**SCHEDULE 2—DICTIONARY**

- sch hdg** sub 2004 SL No. 318 s 22
- def “**clerk**” om 2004 SL No. 318 s 22
- def “**conclusion**” om 2003 SL No. 384 s 8(1)
- def “**convicted**” ins 2003 SL No. 384 s 8(2)
- def “**councillor**” sub 2004 SL No. 318 s 22  
om 2004 SL No. 318 s 22
- def “**cut-off date**” om 2004 SL No. 318 s 22
- def “**directly elected**” om 2004 SL No. 318 s 22
- def “**elector**” om 2004 SL No. 318 s 22
- def “**fine option order**” om 2004 SL No. 318 s 22
- def “**indictable offence**” ins 2003 SL No. 301 s 6  
sub 2004 SL No. 318 s 22
- def “**justice group**” ins 2002 SL No. 375 s 8  
sub 2004 SL No. 318 s 22
- def “**pecuniary interest disclosure**” amd 2003 SL No. 97 s 8  
om 2004 SL No. 318 s 22
- def “**post-election meeting**” om 2004 SL No. 318 s 22
- def “**relevant schedule**” ins 2002 SL No. 375 s 8  
sub 2004 SL No. 318 s 22
- def “**spent conviction**” ins 2003 SL No. 301 s 6  
sub 2004 SL No. 318 s 22
- def “**trust money**” om 2004 SL No. 318 s 22