

Local Government (Community Government Areas) Bill 2004

Explanatory Notes for amendments to be moved during consideration in detail by The Honourable Desley Boyle MP

Title of the Bill

Local Government (Community Government Areas) Bill 2004

Objectives of the Amendments

To clarify that a person entitled to enter and be on Aboriginal land under the *Aboriginal Land Act 1991* may, where the land is situated within a trust area, enter a part of that trust area in order to gain access to the Aboriginal land.

Achievement of the Objectives

The objective is achieved by amending Schedule 1, amendment 33 of the *Community Services (Aborigines) Act 1984*, to provide that a non-resident of a trust area may enter the trust area to gain access to Aboriginal land that the person is permitted to enter and be on under the *Aboriginal Land Act 1991*.

Consistency with Fundamental Legislative Principles

The amendment is consistent with fundamental legislative principles.

Notes on Provisions

Schedule 1, amendment 33 of the *Community Services (Aborigines) Act 1984*

Subsections 116(4A) and (4B) provide that a non-resident of a trust area may enter the trust area to gain access to Aboriginal land that the person is permitted to enter and be on under the *Aboriginal Land Act 1991*. This removes any doubt that a person who is entitled to enter and be on Aboriginal land under the *Aboriginal Land Act 1991* may, where the land is situated within a trust area, enter a part of that trust area in order to gain access to the Aboriginal land.