To make a native title application

To make a native title application, you or your representative will need to fill out an application form from the Federal Court of Australia. Forms are available from the Federal Court in your capital city or by downloading it from the Federal Court’s website, www.fedcourt.gov.au. Once the form has been completed it needs to be lodged with the Federal Court. In South Australia the Supreme Court is also able to receive native title applications. This can be done in person by delivering it to the Court, or by post or fax, or by sending it via the internet. This is called ‘filing’.

For more information, contact your nearest National Native Title Tribunal, there offices in Brisbane, Cairns, Melbourne, Perth and Sydney. Freecall 1800 640 501, or visit the website, www.nntt.gov.au
What happens when there’s a native title application?

1. Claimant group lodges application with Federal Court.
2. NNTT tests for registration to determine whether applicants can have certain rights while the application is on foot.
3. NNTT lets other people know about the application and invites them to become involved.
4. Federal Court makes orders about mediation to help people get together and reach agreements.
5. A mediator is appointed.
6. The mediator organises meetings between people who have interests in the land and waters.
7. If everybody agrees, the Federal Court can make a determination of native title.
8. NNTT lets other people know about the application and invites them to become involved.
9. Determinations and ILUAs are kept on Registers at the National Native Title Tribunal.
10. If everybody agrees, the Federal Court can make a determination of native title.
11. No agreement.
12. Federal Court determines if native title exists or not.
13. Everyone gives evidence to the Federal Court about their interests.
15. Federal Court can refer claims back to a mediator.
16. People can also make other kinds of agreements, including indigenous land use agreements (ILUAs), to suit their needs. These may or may not involve a native title determination.

Indigenous groups.
Local and state governments.
Pastoralists and farmers.
Miners.
Other interested parties.