



National
Native Title
Tribunal

NOTES ON REVISED DIRECTIONS FOR EXPEDITED PROCEDURE OBJECTION APPLICATIONS 29 MARCH 2019

The **attached** document outlines proposed directions which may be made in objection applications in Western Australia in order to meet the Tribunal's disposition target of 8 weeks from the end of the notification period.

Setting of directions

The Tribunal proposes that directions will ordinarily be made following the end of the notification period, without the need for a case management conference.

Proposed timetable

The proposed timetable for directions is designed to accommodate the Tribunal's disposition target. However, parties have liberty to apply to vary the directions, having regard to the particular circumstances of the case. The directions made will be a matter for the member appointed.

Any request to vary the directions, including for an extension of time, should be made as early as possible and provide clear reasons for the request, including how the variation sought will assist the Tribunal's inquiry. Any request to vary the directions must be copied to all parties.

A case management conference may be convened to consider a request to vary directions.

Form of evidence

Where appropriate, the Tribunal may receive evidence other than by way of affidavit. For example, a native title party may seek to rely on video and/or audio evidence, signed statements, anthropological and/or archaeological reports, and/or evidence forming part of connection material. Where a party is seeking to rely on part/s of material prepared for another purpose (e.g. as part of a native title determination application), the party should direct the Tribunal's attention to the particular information relevant to the inquiry.

Settlement list

Where the parties to an objection application have reached an agreement that will result in the withdrawal of the objection, the Tribunal may adjourn the application to a settlement list, pending execution of the agreement within a specified period. Where agreement is not finalised within the specified time, the Tribunal will progress the inquiry.