National Native Title Tribunal

Diagram of ILUA process

Identify the need for an agreement.

ILUAs might cover:
- native title holders agreeing to a future development
- compensation
- how native title rights coexist with the rights of other people
- access to an area
- extinguishment of native title
- framework agreement.

Identify what the agreement will be about and who you need to get on board as a party.

Establish which type of agreement is most appropriate for your circumstances.

- body corporate agreement
- area agreement
- alternative procedure agreement

Start negotiations.

The Tribunal can assist by:
- providing options for negotiations
- facilitating meetings.

The representative body can:
- represent native title holders
- certify that all native title holders have authorised the making of the ILUA
- be a party to the ILUA in its own right.

Apply to the Tribunal to have the ILUA registered.

The Tribunal can provide comments on draft agreements and applications for registration.

The Registrar checks that the application and the ILUA comply with the Native Title Act. Parties will need to address any problems.

The Registrar notifies certain people, organisations and the public of the ILUA. People have a period of time to object to the registration.

Parties resolve obstacles to registrations, such as objections. The Tribunal can assist in resolving objections.

The Registrar registers the ILUA.

Once registered, ILUAs bind all parties and all native title holders to the terms of the agreement.