

REQUEST FORM FOR ACCESS TO INDIGENOUS LAND USE AGREEMENT



National
Native Title
Tribunal

The Native Title Registrar (**Registrar**) has developed this request form to assist persons and authorised legal representatives seeking access to ILUAs. The National Native Title Tribunal (**NNTT**) will only provide access to ILUAs requested through this form where it is satisfied that it may do so lawfully.

The NNTT requires a request for access to an ILUA to be made in writing to assist the NNTT to assess whether copies of the requested ILUAs can be provided outside of the FOI Act process.

The NNTT retains executed copies of ILUAs registered with the NNTT however, as these are private and confidential contracts between the parties to these agreements, they cannot be automatically provided at the request of any individual or entity. The NNTT must comply with the *Privacy Act 1988* (Cth) and *Freedom of Information Act 1982* (Cth) (**FOI Act**).

The NNTT will require the NNTT number (or details) of the requested ILUAs in order for these to be located. Locating and providing access to ILUAs is not without impost on resources of the NNTT. For example, depending on the age of the ILUAs, they may be stored as a physical copy only and kept at an external location. The NNTT advises parties seeking an ILUA, to, where possible, contact the other parties to the ILUA to acquire a copy in the first instance.

You can locate information about a registered ILUA, including the ILUA extract, by searching the [ILUA register](#) or by using the [mapping tool \(NTV\)](#) available through the [NNTT website](#).

A fully completed and accurate Request Form will assist the NNTT to assess your request promptly.

REQUEST FORM FOR ACCESS TO INDIGENOUS LAND USE AGREEMENT

Unless otherwise indicated you must complete all parts of this form. Please attach more pages as needed if you require more space to complete the form.

PART A – APPLICATION DETAILS

1. CONTACT DETAILS OF PERSON/ENTITY/LEGAL REPRESENTATIVE AUTHORISED TO MAKE REQUEST TO THE TRIBUNAL ('REQUESTOR')		
Name		
Contact name of requestor		
Postal address		Postcode:
Telephone number		
Email address		
2. IS THE REQUESTOR A PARTY TO/LEGAL REPRESENTATIVE OF A PARTY TO THE AGREEMENT(S) REQUESTED?		
Yes <input type="checkbox"/> No <input type="checkbox"/>		
If yes, please specify whether you are a party or a legal representative:		
If no, please specify your interest in the requested agreement:		
3. IS THE REQUESTOR A SUCCESSOR/ASSIGNEE/s24 CHANGED LEGAL REPRESENTATIVE TO THE REQUESTED ILUA(S)?		
Are you a successor / assignee / or a changed legal representative for a party to the ILUA?		
Yes <input type="checkbox"/> No <input type="checkbox"/> If "No" go to PART B.		
If yes, have you advised the NNTT of a change to the Register under s 24ED of the Native Title Act 1993 (Cth)?		
Yes <input type="checkbox"/> No <input type="checkbox"/>		

If no, is there a clause in the ILUA that provides for succession/assignment and can you evidence that the succession/assignment has occurred in accordance with that clause?

Yes ☐ No ☐ Unsure ☐

If not, what is the basis for your assertion to be a successor/assignee?

PART B – REQUESTING A COPY OF THE ILUA(S) FROM PARTIES TO THE AGREEMENT(S)

4. REQUESTING A COPY OF THE ILUA(S) FROM PARTIES TO THE AGREEMENT(S)

Has the Requestor made reasonable enquiries/taken reasonable steps to obtain a copy of the ILUA(s) from the parties to the agreement(s)?

Yes ☐ No ☐

If yes, please specify the:

- date such enquiries/steps were taken and by whom; and
- reasons why you have not been able to obtain a copy.

NOTE: If the Requestor is not a party to the agreement (whether an original party or by succession/assignment), the NNTT may not be able to provide a copy of the ILUA without the written consent of all the parties.

Please see the template at Attachment A – Parties' Consent to Access Indigenous Land Use Agreement.

PART C – ILUA DETAILS

PROVIDE DETAILS OF THE DOCUMENT(S) REQUESTED							
NNTT File No.	ILUA Name	Parties to the ILUA	ILUA Type (e.g. Body Corporate or Area Agreement)	State or Territory	Representative A/TSI body area	Subject Matter	Date registered
<p>Please refer to the ILUA extract which can be located on the NNTT website (see page 1) and provide as much information as possible. When detailing the parties to an ILUA, please include (where relevant):</p> <ul style="list-style-type: none">Any registered native title body/bodies corporate (including ICN);Any Commonwealth/State/Territory government agencies and departments;Any Representative Aboriginal/Torres Strait Island Bodies or Native Title Service Providers; andAny other persons/entities that are a party to the agreement(s) (including ICN/ACN number).							

ATTACHMENT A – PARTIES’ CONSENT TO PROVIDE ACCESS TO INDIGENOUS LAND USE AGREEMENT

Where consent to release of the ILUA(s) is agreed, Attachment A can be completed by all necessary parties and provided to the NNTT accompanied by a completed Request Form.

The signatories to this certificate certify that:

*I am a party/authorised to represent _____ being a party to the _____
listed in Table A.*

The Requestor specified in Part A of the Request for Access to Indigenous Land Use Agreement—Request Form (‘Access Request Form’) has consulted with _____ in relation to this Request.

*The _____ consent to the Registrar of the National Native Title Tribunal providing a copy/copies of the ILUA/s listed in Table A directly to the Requestor [and to each of the parties to the ILUA identified below]. **[AND/OR]***

The _____ consent to the Registrar of the National Native Title Tribunal providing a copy/copies of the ILUA/s listed in Table A directly to the Requestor [and to each of the persons/entities/legal representatives identified below] on the following conditions:

See Table A below.

Date:

Execution by an authorised¹ individual / legal representative:

PRINT NAME

SIGNATURE

Execution by a body corporate

Execution by a body corporate must be in accordance with either:

- subsection 99-5(1) or (2) of the **Corporations (Aboriginal and Torres Strait Islander) Act 2006** (Cth); or
- subsection 127(1) or (2) of the **Corporations Act 2001** (Cth):

¹ Authorised individuals should provide evidence of authority

<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> PRINT NAME	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> POSITION	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> SIGNATURE
<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> PRINT NAME	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> POSITION	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> SIGNATURE
<p>[OR] Signed by the chief executive officer of the body corporate/corporation:</p>		
<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> PRINT NAME	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> SIGNATURE	

How to submit the Request Form for Access to Indigenous Land Use Agreement

The completed Request Form should be emailed to iluas@nntt.gov.au with any attachments referred to in the form.

If you need assistance submitting this form contact:

- Email: iluas@nntt.gov.au
- Phone: 07 3052 4040

ACCESS 1024V1

TABLE A

Tribunal File No.	ILUA Name	Parties to the ILUA	ILUA Type (e.g. Body Corporate or Area Agreement)	State or Territory	Representative A/TSI body area	Subject Matter	Date registered