# Applying for Registration of an Alternative Procedure Agreement—Application Form

An application for registration of an alternative procedure agreement must be made in writing.

Information must be provided which complies with the requirements of the:

* *Native Title Act 1993* (Cth) (NTA)
* Native Title (Indigenous Land Use Agreements) Regulations 1999 (ILUA Regulations) and
* Native Title (Prescribed Body Corporate) Regulations 1999 (PBC Regulations).

The Native Title Registrar (Registrar) has developed this application form to assist applicants in applying for registration of an alternative procedure agreement. Whilst completion of this form is not compulsory, it is preferred.

Before completing this form, please read the explanatory notes available on the Tribunal website.

Application Form

Part A—Application details

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| **1. Short name of agreement** | Click to enter text |

Part B—Party details

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| **2. First party details** (s 24BG(1) NTA) | Name | Click to enter text |
| Contact Name | Click to enter text |
| Postal Address  | Click to enter text |
| Telephone number | Click to enter text |
| Fax number (if available) | Click to enter text |
| Email address (if available) | Click to enter text |
| Is this party also the applicant? | Yes [ ]  No [ ]  |
| **Representative’s name, address and telephone number (if applicable)** | Company Name | Click to enter text |
| Contact Name | Click to enter text |
| Postal Address  | Click to enter text |
| Telephone number | Click to enter text |
| Fax number (if available) | Click to enter text |
| Email address (if available) | Click to enter text |
| Contact address for notification?Contact address for Register entry? | Yes [ ]  No [ ] Yes [ ]  No [ ]  |

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| **Second party details** (s 24BG(1) NTA) | Name | Click to enter text |
| Contact Name | Click to enter text |
| Postal Address  | Click to enter text |
| Telephone number | Click to enter text |
| Fax number (if available) | Click to enter text |
| Email address (if available) | Click to enter text |
| Is this party also the applicant? | Yes [ ]  No [ ]  |
| **Representative’s name, address and telephone number (if applicable)** | Company Name | Click to enter text |
| Contact Name | Click to enter text |
| Postal Address  | Click to enter text |
| Telephone number | Click to enter text |
| Fax number (if available) | Click to enter text |
| Email address (if available) | Click to enter text |
| Contact address for notification?Contact address for Register entry? | Yes [ ]  No [ ] Yes [ ]  No [ ]  |

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| **Third party details** (Reg 8(3)(a) ILUA Regulations) | Name | Click to enter text |
| Contact Name | Click to enter text |
| Postal Address | Click to enter text |
| Telephone number | Click to enter text |
| Fax number (if available) | Click to enter text |
| Email address (if available) | Click to enter text |
| Is this party also the applicant? | Yes [ ]  No [ ]  |
| **Representative’s name, address and telephone number (if applicable)** | Company Name | Click to enter text |
| Contact Name | Click to enter text |
| Postal Address | Click to enter text |
| Telephone number | Click to enter text |
| Fax number (if available) | Click to enter text |
| Email address (if available) | Click to enter text |
| Contact address for notification?Contact address for Register entry? | Yes [ ]  No [ ] Yes [ ]  No [ ]  |

Part C—Mandatory parties

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| **3. Native title group** (s 24DE(1)–(2) NTA and Reg 8(3)(b) ILUA Regulations) | State the registered native title body (or bodies) corporate (RNTBCs) that are a party to the agreement:Click to enter text |
| State the Representative Aboriginal and Torres Strait Islander Body/Bodies (RATSIBs) or Native Title Service Provider/s (NTSPs) that are a party to the agreement:Click to enter text |
| **4. Government parties**(s 24DE(1) and (3) NTA and Reg 8(3)(c) ILUA Regulations) | Is the relevant Commonwealth, State or Territory government (relevant government) party to the agreement?Yes [ ]  No [ ] If yes, please identify which party/parties:Click to enter text |

Part D—Other parties

|  |  |
| --- | --- |
| **5. Other native title parties** (s 24DE(4)(a)–(b) NTA) | Please identify any other party/parties who are registered native title claimants in relation to the agreement area:Click to enter textPlease identify any other party/parties who claims to hold native title in relation to the agreement area:Click to enter text |

Part E—Agreement area

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| --- | --- |
| **6. Complete description of agreement area** (s 24DH(2) NTA Reg 8(2)(d) & 5 ILUA Regulations) | Provide a ‘complete description’ of the agreement area, including any areas within the external boundary of the agreement area that are excluded from the agreement area (or refer to relevant section of agreement):Click to enter text**Note:** a map of the agreement area showing geographic coordinates must be attached to this application or be contained within the agreement. |

Part F—Operating period

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| **7. Operating period** (Reg 8(3)(d) ILUA Regulations) | Does the agreement specify a time period during which it will operate?Yes [ ]  No [ ] If applicable, please provide the commencement date here (the commence date may also be defined by reference to a specified event or activity, e.g. once a determination of native title is made by the Federal Court):Click to enter textIf applicable, please write the end date here (the end date may also be defined by reference to a specified event or activity, e.g. upon completion of a particular project):Click to enter textPlease specify where in the agreement details of the operating period are located:Click to enter text |

Part G—Statements in the agreement

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| **8. Consent to future acts** (s 24EB(1)(b) NTA and Reg 8(4)(a) ILUA Regulations) | Does the agreement contain any statement/s consenting to the doing of a particular future act, or class of acts, whether or not subject to conditions? Yes [ ]  No [ ] If yes, please specify where each such statement is located in the agreement (e.g. clause 5 and 6 plus definitions):Click to enter text |
| **9. Acts excluded from the right to negotiate** (s 24EB(1)(c) NTA and Reg 8(4)(b) ILUA Regulations) | Does the agreement include any statement/s to the effect that the right to negotiate provisions of the NTA (Part 2, Division 3, Subdivision P of the NTA) are not intended to apply to any or all of the future acts included in the agreement? Yes [ ]  No [ ] If yes, please specify where each such statement is located in the agreement:Click to enter text |
| **10. Validation of future acts that have already been done invalidly** (s 24EBA(1)(a)(i)­–(ii) NTA and Reg 8(4)(c)–(d) ILUA Regulations) | Does the agreement provide for the validation of future acts or class of future acts (other than intermediate period acts or the surrender of native title) that have already been done invalidly, whether or not subject to conditions?Yes [ ]  No [ ] If yes, please specify where each such statement is located in the agreement:Click to enter text |
| **11. Any other comments about required statements in the agreement** | N/A [ ]  Yes [ ] Click to enter text |

Part H—Parts of the Register to be kept confidential

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| **12. Confidential information** (s 199E(1)-(2) NTA) | Please indicate if there is any information or documents which you do not wish to be available for inspection by the public if the agreement is registered: Click to enter text**Note**: the Registrar can only keep information confidential to the extent that the law allows. |
|  | Is the agreement between the parties confidential?Yes [ ]  No [ ]  |

Part I—Document checklist

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| **Documents that must accompany the application** (s 24DH(2) NTA, Reg 8(2) ILUA Regulations and Reg 9(1) PBC Regulations) | A copy of the agreement (the original is not required) including any attachments or appendices—s 24DH(2). | Yes [ ]  |
| A copy of each determination of native title for each party that is a RNTBC—Reg 8(2)(a). | Yes [ ]  |
| A statement by each party to the agreement, signed by or for the party, that the party agrees to the application being made—Reg 8(2)(b). | Yes [ ] Specify where in agreement/application: Click to enter text  |
| An extract from the Register of Native Title Claims giving details of each party that is a registered claimant—Reg 8(2)(c). | Yes [ ]  N/A [ ]  |
| A complete description of the agreement area (Regs 8(2)(d) and (5)) including:* any areas within the external boundary of the agreement area that are not included in the agreement area, and
* a map of the ILUA area showing geographic coordinates.
 | Yes [ ] Specify where in agreement/application: Click to enter text |
|  | If:* a RNTBC is party to the agreement, and
* the agreement gives effect to a ‘native title decision’, and
* for any part of the agreement area there is one or more RATSIBs or NTSPs, and
* none of them is party (or there is no RATSIB/ NTSP for the agreement area)—

a document as mentioned in Reg 9(1) PBC Regulations (Reg 8(2)(e) ILUA Regulations). | Yes [ ]  N/A [ ]  |