

TEMPLATE REGULATION 9 CERTIFICATE

Native Title Act 1993 (Cth) (NTA)

Native Title (Indigenous Land Use Agreements) Regulations 2024
(Cth) (ILUA Regulations)

Native Title (Prescribed Body Corporate) Regulations 1999 (Cth)
(PBC Regulations)



National
Native Title
Tribunal

ATTACHMENT A – REGULATION 9 CERTIFICATE

EXPLANATORY NOTE:

If:

- a registered native title body corporate (RNTBC) is party to the agreement, and
- the agreement gives effect to a 'native title decision' as defined in Reg 3 of the *Native Title (Prescribed Bodies Corporate) Regulations 1999 (Cth)* (PBC Regulations), and
- for any part of the agreement area there is one or more Representative Aboriginal/Torres Strait Islander Bodies (RATSIBs) or Native Title Service Providers (NTSPs), and
- none of them is a party (or there is no RATSIB/NTSP for the agreement area), then your application must be accompanied by a certificate under Reg 9 of the PBC Regulations.

Reg 9(3) provides that **all of** the following information must be included in the certificate:

- the date of the certificate;
- details of the process of making the decision by the prescribed body corporate;
- details (including names) of the persons who participated in the process of making the decision by the prescribed body corporate; and
- details of either:
 - the process of approval under reg 8(8) (standing instructions decisions), or
 - the consultation and consent process with the common law holders.

The Registrar has developed the following template to assist in drafting a Reg 9 certificate.

Delete all words in [square brackets] and insert relevant details only.

Certification by Prescribed Body Corporate under Regulation 9 of the *Native Title (Prescribed Bodies Corporate) Regulations 1999* (Cth) (PBC Reg)

(the body corporate) certifies that:

Reg 9(3)(b) Details of the process of making the decision

AND

Reg 9(3)(c) Details (including names) of the persons who participated in the process of making the decision

Choose only the applicable option from the drop down below

Reg 9(3)(a) Date of the certificate:

Executed by the body corporate in accordance with subsection 99-5(1) or (2) of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth):

_____ PRINT NAME	_____ POSITION	_____ SIGNATURE
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_____ PRINT NAME	_____ POSITION	_____ SIGNATURE
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[OR] Signed by the chief executive officer of the body corporate:

_____ PRINT NAME	_____ SIGNATURE
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