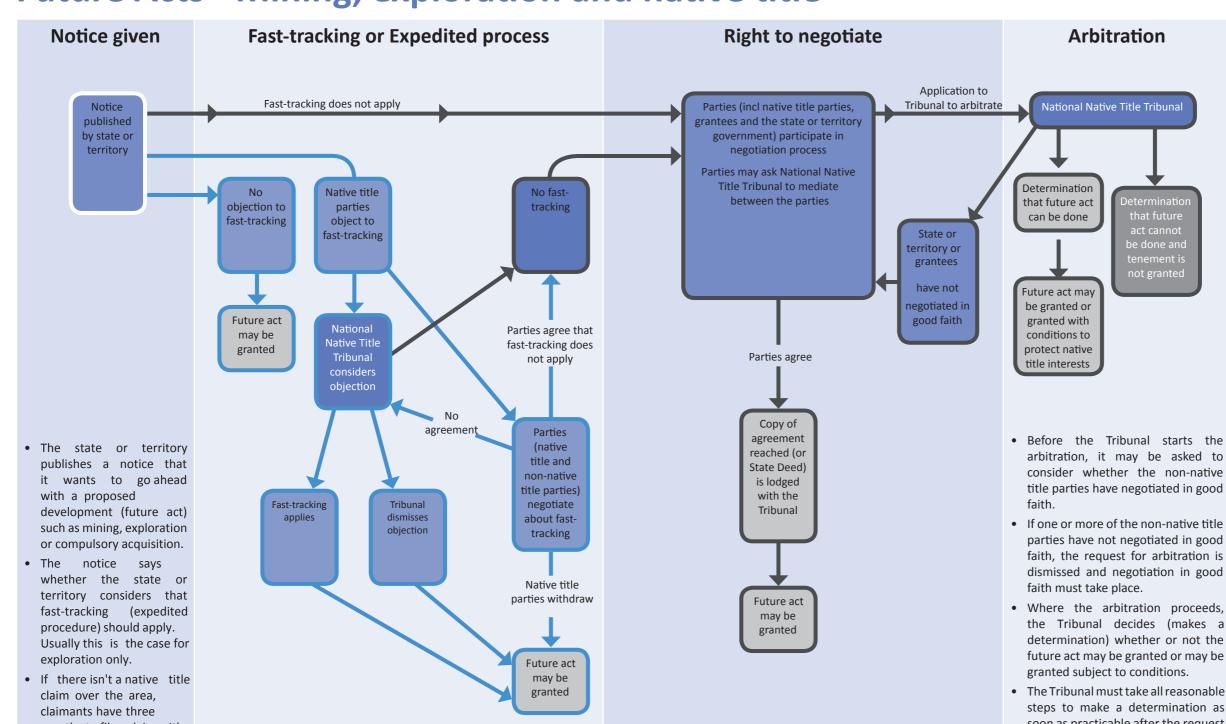
Future Acts - Mining, exploration and native title



- months to file a claim with the Federal Court.
- A native title claim must pass the registration test for the claim group to have a say. Registered claimants involved in negotiation are often referred to as a 'native

title party'.

- Native title parties have four months from the date of the notice to object to the fast-tracking process.
- If a native title party objects to the fast-tracking process, all parties are encouraged to come to an agreement about fast-tracking.
- If no agreement about fast-tracking is reached, the Tribunal holds an inquiry into the objection.
- If the objection is upheld, all parties must negotiate in good faith about the granting of the future act.
- All parties must negotiate in good faith.
- Parties may ask the Tribunal to assist in reaching an agreement
- If negotiations are unsuccessful, parties may ask the Tribunal to act as umpire (arbitrate), provided they have tried to reach an agreement for a minimum period of six months from the date of the notice.

- If one or more of the non-native title
- parties have not negotiated in good faith, the request for arbitration is dismissed and negotiation in good faith must take place.
- Where the arbitration proceeds, the Tribunal decides (makes a determination) whether or not the future act may be granted or may be granted subject to conditions.
- The Tribunal must take all reasonable steps to make a determination as soon as practicable after the request for arbitration.
- If the Tribunal has not made a determination within six months of the request being made, it needs to explain to the Commonwealth Attorney-General why the timeframe was not met.
- The Commonwealth Attorney-General may overrule the Tribunal's decision within two months after the decision is made.



Legend

Fast-tracking process (expedited procedure) for exploration and other low impact activities.



Right to negotiate process for proposed developments such as mining, compulsory acquisition and for exploration where fasttracking does not apply.

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This fact sheet is provided as general information only and should not be relied upon as legal advice for a particular matter.