



*Schedule HA [see Act, s 62(2)(i)]*

Details of any conditions under section 251BA of the Act on the authority of the applicant to make the application and to deal with matters arising in relation to it.

The Gomeri People native title claim group has placed the following conditions under *section 251BA* of the *Native Title Act 1993 (Cth)* on the authority of the Applicant to make the application and to deal with matters arising in relation to it:

The Gomeri People native title claim group acknowledges the authority and responsibilities of the Applicant as set out in the *Native Title Act 1993 (Cth)*.

The Gomeri People native title claim group confers authority on the people who make up the Applicant on the condition that they, and each of them, will act at all times in the interests of the Gomeri People native title claim group and will not act in any way which is for personal benefit or in pursuit of a personal interest.

The Gomeri People native title claim group imposes the following additional conditions on the authority of the Applicant to make the Gomeri People native title determination application (NSD37/2019) (the 'Application'), and to deal with matters arising in relation to it:

- (a) The Applicant must do all things necessary to implement the resolutions and decisions of the Gomeri People native title claim group meeting and must not act inconsistently with those resolutions and decisions;
- (b) The Applicant must not disclose to third parties who are not members of the Gomeri People native title claim group information which is confidential to the Gomeri People native title claim group;
- (c) The Applicant must not amend, resolve, have listed for trial or discontinue the Application without first obtaining a resolution of the Gomeri People native title claim group specifically authorising it to do so;
- (d) The Applicant must not attempt to terminate the services of NTSCORP Limited as solicitor acting in relation to the Application and any future acts arising in relation to it, or engage another solicitor for those purposes, without first obtaining a resolution of the Gomeri People native title claim group specifically authorising it to do so;
- (e) The Applicant must not execute any future act agreement, Indigenous Land Use Agreement or any other agreement that confers benefits or obligations on Gomeri People, or has the effect of extinguishing, impairing or otherwise affecting native title or confirming the prior extinguishment, impairment or effect on native title in the area under claim, or take steps in Court or Tribunal proceedings which would have any of those effects, unless it is expressly authorised by a resolution of the Gomeri People native title claim group to do so;
- (f) The Applicant must not establish a Corporation or other legal entity to hold benefits on behalf of the Gomeri People native title claim group without first obtaining a resolution of the native title claim group specifically authorising it to do so;
- (g) The Applicant must not expend any monies, or make directions in relation to the expenditure or use of any monies, which have been provided pursuant to a future act agreement, Indigenous Land Use Agreement or any other agreement that confers benefits on the Gomeri People native title claim group, without first obtaining a resolution of the native title claim group specifically authorising it to do so;

Any person being a member of the Applicant will be replaced for acting contrary to these conditions and therefore exceeding the authority conferred on the Applicant by the Gomeri People native title claim group. In this circumstance, NTSCORP Limited is instructed to notify and convene a meeting of the Gomeri People native title claim group, for the purposes of considering replacing the Applicant.

It is a further condition of the Applicant's authority that it make decisions in the following manner:



1. Before the Applicant makes a decision, there must be a minimum of 11 members of the Applicant in attendance, either in person or by electronic means.
2. The Applicant should attempt to make each decision by consensus of the members of the Applicant in attendance, either in person or by electronic means.
3. In the event that the Applicant has discussed the decision in detail, and cannot reach consensus, then the Applicant is authorised to vote on the matter by show of hands or by saying their vote, and the matter will be decided by a majority vote of members of the Applicant in attendance, either in person or by electronic means.
4. A decision of the majority made in accordance with the above process will be a decision of the Applicant.
5. If the Applicant makes a decision to enter into an agreement in accordance with the above process, the agreement will be taken to have been executed by the Applicant if:
  - (i) it is signed by a majority of the members of the Applicant; and
  - (ii) entry into the agreement is otherwise in accordance with the conditions imposed on the Applicant's authority by the Gomerai People native title claim group.

Should one of the individuals comprising the Applicant pass away or resign, those who remain shall continue to be the Applicant without alteration, and shall continue to be authorised to exercise all rights of the Applicant under the *Native Title Act 1993* (Cth), subject to any conditions imposed by the Gomerai People native title claim group, unless and until a full claim group meeting authorises a new Applicant.

*Schedule I*

