

# Northern Territory (Administration)

No. 88 of 1969

An Act to amend the *Northern Territory (Administration) Act* 1910–1968 in connexion with the Aborigines Benefits Trust Fund.

[Assented to 27 September 1969]

**B**E it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1.—(1.) This Act may be cited as the *Northern Territory (Administration) Act* 1969.

Short title  
and citation.

(2.) The *Northern Territory (Administration) Act 1910–1968*,\* as amended by this Act, may be cited as the *Northern Territory (Administration) Act 1910–1969*.

Commence-  
ment.

2. This Act shall come into operation on the day on which it receives the Royal Assent.

Aborigines  
Benefits Trust  
Fund.

3. Section 21 of the *Northern Territory (Administration) Act 1910–1968* is amended by omitting sub-sections (3.), (4.), (5.) and (6.) and inserting in their stead the following sub-sections:—

“(3.) Subject to the next two succeeding sub-sections, there shall be paid into the Fund any amounts from time to time received by or on behalf of the Commonwealth—

- (a) as royalties under a law of the Territory, being royalties in respect of mining, or the taking of timber, on land to which this section applies;
- (b) as rent payable under a lease of land to which this section applies, other than a lease granted under a law of the Territory relating to mining; or
- (c) as revenue of any other kind that the Minister determines, from time to time, by instrument in writing, to be revenue to which this paragraph applies, being revenue derived from land to which this section applies; and
- (d) as interest on, or repayment of, any loan referred to in sub-section (7.) of this section.

“(4.) Where—

- (a) moneys have been expended by or on behalf of the Commonwealth in connexion with the establishment and development of planted forests, or the development of native forests, on land to which this section applies; and
- (b) the Minister considers that some or all of that expenditure should be offset against royalties in respect of the taking of timber from the forests so developed,

the Minister may, for that purpose, direct, by instrument in writing, that a portion of each amount of those royalties received by or on behalf of the Commonwealth while the direction is in force, being a portion fixed by, or in accordance with, the direction, shall be paid into the Consolidated Revenue Fund.

“(5.) Where—

- (a) moneys have been expended by or on behalf of the Commonwealth in connexion with the subdivision of land to which this section applies (including the provision of roads, water, sewerage and other services); and

\* Act No. 27, 1910, as amended by Nos. 16 and 19, 1926; Nos. 5 and 7, 1931; No. 18, 1933; No. 85, 1939; Nos. 20 and 87, 1940; Nos. 10 and 39, 1947; No. 53, 1949; No. 71, 1952; No. 89, 1953; No. 71, 1955; Nos. 50 and 110, 1956; No. 28, 1959; No. 68, 1961; No. 77, 1962; No. 69, 1965; No. 111, 1965 (as amended by No. 39, 1966 and No. 30, 1967); No. 65, 1966 (as amended by No. 15, 1967); and Nos. 5 and 47, 1968.

- (b) the Minister considers that some or all of that expenditure should be offset against rents payable under leases of land to which this section applies,

the Minister may, for that purpose, direct, by instrument in writing, that a portion of each amount of those rents received by or on behalf of the Commonwealth while the direction is in force, being a portion fixed by, or in accordance with, the direction, shall be paid into the Consolidated Revenue Fund.

“(6.) Moneys standing to the credit of the Fund may be expended—

- (a) for any purpose that the Minister considers to be for the benefit of—

- (i) Aborigines in general;
- (ii) a particular class of Aborigines; or
- (iii) a particular Aboriginal; and

- (b) to meet the expenses of administering the Fund,

but shall not be expended except in accordance with a direction in writing under the hand of the Minister.

“(7.) Without affecting the generality of the last preceding sub-section, a payment out of the Fund may be by way of a loan (whether secured or unsecured) by the Commonwealth on such conditions as the Minister thinks fit.

“(8.) Interest received from the investment of moneys standing to the credit of the Fund forms part of the Fund.

“(9.) This section applies to the following land:—

- (a) land that is a reserve by virtue of having been proclaimed or declared under a law of the Territory—

- (i) to be reserved for the use and benefit of the aboriginal inhabitants of the Territory;
- (ii) to be reserved for the use and benefit of the aboriginal native inhabitants of the Territory;
- (iii) to be a reserve for Aborigines; or
- (iv) to be reserved for the use and benefit of wards; and

- (b) land that is not such a reserve but that, at any time after the second day of September, One thousand nine hundred and fifty-three, was such a reserve.”