

Aboriginal Land (Manatunga Land) Act 1992

No. 29 of 1992

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Victoria

No. 29 of 1992

Aboriginal Land (Manatunga Land) Act 1992

[Assented to 16 June 1992]

Preamble:

In the interest of the Aboriginal people of Victoria it is desirable to authorise the grant by the Crown of land at Robinvale to the Murray Valley Aboriginal Co-operative Limited and to extinguish a Crown lease and any other existing encumbrances over that land:

The Parliament of Victoria therefore enacts as follows:

1. Purpose

The purpose of this Act is to authorise the grant by the Crown of land at Robinvale to the Murray Valley Aboriginal Co-operative Limited and to extinguish a Crown lease and any other encumbrances existing over that land.

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2. Commencement

This Act comes into operation on the day on which it receives the Royal Assent.

3. Grant of Manatunga land

- (1) The Governor in Council, on behalf of the Crown, may grant the land shown hatched on the plan in the Schedule to the Murray Valley Aboriginal Co-operative Limited for an estate in fee simple.
- (2) A grant of land under this section—
 - (a) must include the condition that the land must be used for aboriginal cultural purposes; and
 - (b) must not include any term or provision that purports to exclude, modify or restrict the operation of the **Mineral Resources Development Act 1990**, the **Petroleum Act 1958** or the **Extractive Industries Act 1966**; and
 - (c) is subject to any other terms, conditions, covenants, exceptions, reservations and limitations (not inconsistent with the condition in paragraph (a) or with the provisions of paragraph (b)) that the Governor in Council may determine.

4. Encumbrances extinguished

On the date of issue of a Crown grant of land under this Act—

- (a) the Crown lease recorded in Folio of the Register Volume 1210 Folio 723 is extinguished; and
- (b) any other encumbrance, estate or interest in the land existing immediately before the date of issue of the Crown grant is extinguished.

5. Relationship between this Act and other legislation

This Act has effect despite anything to the contrary in the **Land Conservation Act 1970** or in any recommendation made or notice published under that Act.

6. Registrar of Titles to amend records

The Registrar of Titles, on being requested to do so and on submission of any relevant certificate of title or other document, must make any amendments in the Register under the provisions of the **Transfer of Land Act 1958** that are necessary because of the operation of this Act.

7. No compensation payable by Crown

No compensation is payable by the Crown in respect of anything done under or arising out of this Act.

8. Supreme Court—Limitation of jurisdiction

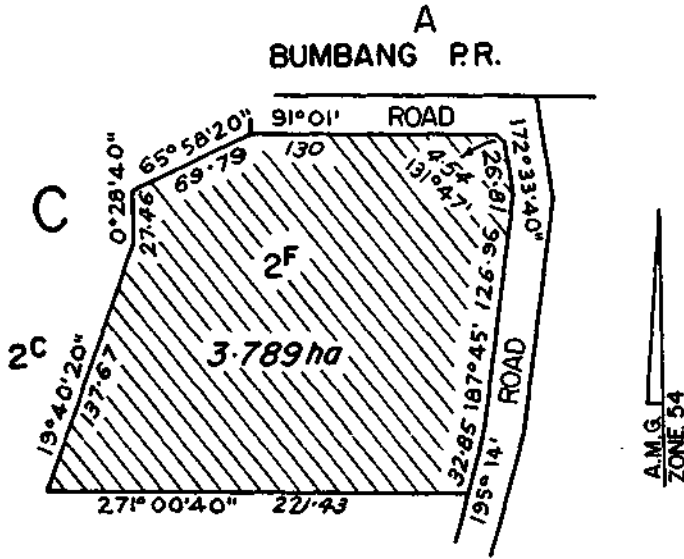
It is the intention of this section to alter or vary section 85 of the **Constitution Act 1975** to the extent necessary to prevent the Supreme Court awarding compensation in respect of anything done under or arising out of this Act.

Sch.

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SCHEDULE

Land which may be granted to the Murray Valley Aboriginal Co-operative Limited—Crown Allotment 2F, Section C, Parish of Bumbang



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Notes

NOTES

1. *Minister's second reading speech—*

Legislative Assembly: 19 March 1992

Legislative Council: 15 April 1992

2. The long title for the Bill for this Act was "A Bill to authorise the grant by the Crown of land at Robinvale and for other purposes."

3. **Constitution Act 1975:**

Section 85 (5) statement:

Legislative Assembly: 19 March 1992

Legislative Council: 15 April 1992

Absolute majorities

Legislative Assembly: 14 April 1992, 9 June 1992

Legislative Council: 6 May 1992

4. Section headings appear in bold italics and are not part of the Act. (See **Interpretation of Legislation Act 1984**).