

South Australia

Environment, Resources and Development Court (Native Title) Regulations 1995

under the *Environment, Resources and Development Court Act 1993*

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Legislative history

1—Short title

These regulations may be cited as the *Environment, Resources and Development Court (Native Title) Regulations 1995*.

2—Commencement

These regulations will come into operation on the day on which the *Environment, Resources and Development Court (Native Title) Amendment Act 1994* comes into operation.

3—Interpretation

In these regulations—

Act means the *Environment, Resources and Development Court Act 1993*.

4—Commonwealth Minister to be consulted about appointment of native title commissioners

For the purposes of section 10(2b) of the Act, the Minister for Aboriginal and Torres Strait Islander Affairs for the Commonwealth is designated as the Commonwealth Minister.

5—Fees

The fees set out in the Schedule are payable to the Court in relation to proceedings before the Court involving a native title question (to the exclusion of fees payable under the *Environment, Resources and Development Court Regulations 1993*).

Schedule—Fees

1—Applications or notices commencing proceedings

On filing or lodging an application or initiating an appeal commencing proceedings involving a native title question other than a request for mediation \$378.00

Examples—

- an application for registration of a claim to native title in land
- an application for a native title declaration
- an application for variation or revocation of a native title declaration
- an application for a summary determination authorising mining operations on native title land (including under the expedited procedure)
- an appeal against a decision of the Minister to prohibit registration of a native title mining agreement
- an application for a determination of the Court made under an Act authorising a person to enter native title land and carry out operations on the land or to acquire native title land
- an application for review of compensation provisions of determination following native title declaration

2—Other applications

On filing or lodging any other application in proceedings involving a native title question \$26.25

3—Inspection and copies of evidentiary material

- (a) for each request to inspect material under section 47(1) of the Act \$9.20
- (b) for a copy of a transcript of evidence, documentary material admitted into evidence, or a decision or order of the Court¹ supplied under section 47(3) of the Act
- per A4 page (or smaller) \$5
 - per page that is greater in size than A4 \$5 or the actual cost of copying (whichever is the greater)
- (c) for a plain or office copy of any other document for which a fee has not been charged under paragraph (b) \$2.20 per page

Note—

- 1 A party to proceedings is entitled to one copy of a decision or order of the Court made in the proceedings without charge.

4—Opening Registry after hours

For opening a Registry, or a Registry remaining open, after hours for urgent execution of process \$68.00 per hour or part of an hour

Legislative history

Notes

- Variations of this version that are uncommenced are not incorporated into the text.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes.

Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
1995	193	<i>Gazette 12.10.1995 p1098</i>	17.6.1996: r 2
1996	68	<i>Gazette 9.5.1996 p2469</i>	9.5.1996: r 2
1997	70	<i>Gazette 13.5.1997 p1846</i>	1.7.1997: r 2
1998	55	<i>Gazette 28.5.1998 p2299</i>	1.7.1998: r 2
1999	125	<i>Gazette 24.6.1999 p3278</i>	1.7.1999: r 2
2000	58	<i>Gazette 25.5.2000 p2713</i>	1.7.2000: r 2
2001	45	<i>Gazette 31.5.2001 p1945</i>	1.7.2001: r 2
2002	82	<i>Gazette 20.6.2002 p2575</i>	1.7.2002: r 2
2003	82	<i>Gazette 29.5.2003 p2219</i>	1.7.2003: r 2
2004	54	<i>Gazette 27.5.2004 p1457</i>	1.7.2004: r 2

Provisions varied

New entries appear in bold.

Provision	How varied	Commencement
r 4	varied by 68/1996 r 3	9.5.1996
Sch		
cl 1	varied by 70/1997 r 3(a)	1.7.1997
	varied by 55/1998 r 3(a)	1.7.1998
	varied by 125/1999 r 3	1.7.1999
	varied by 58/2000 r 3(a)	1.7.2000
	varied by 45/2001 r 3(a)	1.7.2001
	varied by 82/2002 r 3(a)	1.7.2002
	varied by 82/2003 r 4(1)	1.7.2003
cl 2	varied by 70/1997 r 3(b)	1.7.1997
	varied by 55/1998 r 3(b)	1.7.1998
	varied by 58/2000 r 3(b)	1.7.2000
	varied by 45/2001 r 3(b)	1.7.2001
	varied by 82/2002 r 3(b)	1.7.2002
	varied by 82/2003 r 4(2)	1.7.2003
cl 3	varied by 70/1997 r 3(c)	1.7.1997
	varied by 55/1998 r 3(c), (d)	1.7.1998

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	varied by 58/2000 r 3(c)	1.7.2000
	varied by 45/2001 r 3(c), (d)	1.7.2001
	varied by 82/2002 r 3(c)—(e)	1.7.2002
	varied by 82/2003 r 4(3)	1.7.2003
cl 4	varied by 70/1997 r 3(d)	1.7.1997
	varied by 55/1998 r 3(e)	1.7.1998
	varied by 58/2000 r 3(d)	1.7.2000
	varied by 45/2001 r 3(e)	1.7.2001
	varied by 82/2002 r 3(f)	1.7.2002
	varied by 82/2003 r 4(4)	1.7.2003