

South Australia

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

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

Contents

1	Short title
3	Interpretation
4	Commonwealth Minister to be consulted about appointment of native title commissioners
5	Fees

Schedule—Fees

Legislative history

1—Short title

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

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	\$393
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Examples—

- an application for registration of a claim to native title in land

Environment, Resources and Development Court (Native Title) Regulations 1995—1.7.2004 to 30.6.2005—revoked
Schedule—Fees

- 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	\$27.25
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3—Inspection and copies of evidentiary material

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| (a) for each request to inspect material under section 47(1) of the Act | \$9.50 |
| (b) for a copy of a transcript of evidence, documentary material admitted into evidence, or a decision or order of the Court 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 copy of any other document for which a fee has not been charged under paragraph (b) | \$2.20 per page |

Note—

A party to proceedings is entitled to 1 copy of any decision or order given or made by the Court without charge.

4—Opening Registry after hours

For opening a Registry, or a Registry remaining open, after hours for urgent execution of process	\$71 per hour or part of an hour
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Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes.

Revocation of regulations

The *Environment, Resources and Development Court (Native Title) Regulations 1995* were revoked by Sch 3 cl 2 of the *Environment, Resources and Development Court Regulations 2005* on 1.7.2005.

Principal regulations and variations

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

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>r 2</i>	<i>omitted under Legislation Revision and Publication Regulations 2002</i>	<i>1.7.2004</i>
r 4	varied by 68/1996 r 3	9.5.1996
<i>Sch before substitution by 54/2004</i>		
<i>cl 1</i>	<i>varied by 70/1997 r 3(a)</i>	<i>1.7.1997</i>
	<i>varied by 55/1998 r 3(a)</i>	<i>1.7.1998</i>
	<i>varied by 125/1999 r 3</i>	<i>1.7.1999</i>
	<i>varied by 58/2000 r 3(a)</i>	<i>1.7.2000</i>
	<i>varied by 45/2001 r 3(a)</i>	<i>1.7.2001</i>
	<i>varied by 82/2002 r 3(a)</i>	<i>1.7.2002</i>
	<i>varied by 82/2003 r 4(1)</i>	<i>1.7.2003</i>
<i>cl 2</i>	<i>varied by 70/1997 r 3(b)</i>	<i>1.7.1997</i>
	<i>varied by 55/1998 r 3(b)</i>	<i>1.7.1998</i>

Environment, Resources and Development Court (Native Title) Regulations 1995—1.7.2004 to 30.6.2005—revoked
Legislative history

	<i>varied by 58/2000 r 3(b)</i>	1.7.2000
	<i>varied by 45/2001 r 3(b)</i>	1.7.2001
	<i>varied by 82/2002 r 3(b)</i>	1.7.2002
	<i>varied by 82/2003 r 4(2)</i>	1.7.2003
<i>cl 3</i>	<i>varied by 70/1997 r 3(c)</i>	1.7.1997
	<i>varied by 55/1998 r 3(c), (d)</i>	1.7.1998
	<i>varied by 58/2000 r 3(c)</i>	1.7.2000
	<i>varied by 45/2001 r 3(c), (d)</i>	1.7.2001
	<i>varied by 82/2002 r 3(c)—(e)</i>	1.7.2002
	<i>varied by 82/2003 r 4(3)</i>	1.7.2003
<i>cl 4</i>	<i>varied by 70/1997 r 3(d)</i>	1.7.1997
	<i>varied by 55/1998 r 3(e)</i>	1.7.1998
	<i>varied by 58/2000 r 3(d)</i>	1.7.2000
	<i>varied by 45/2001 r 3(e)</i>	1.7.2001
	<i>varied by 82/2002 r 3(f)</i>	1.7.2002
	<i>varied by 82/2003 r 4(4)</i>	1.7.2003
Sch	substituted by 54/2004 r 4	1.7.2004