

Queensland Government Native Title Work Procedures

Delegations and responsibilities

September 2022

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Delegations and responsibilities

1. No delegations

There are no delegations to make decisions in relation to native title under the Native Title Work Procedures, the *Native Title Act 1993* (NTA) or the *Native Title (Queensland) Act 1993* (NTQA).

The native title assessment process is just one part of your decision-making process to make your decision about the land or resource dealing under your legislation, e.g. a decision to grant a lease or a permit. By carrying out a native title assessment, you ensure your decision complies with the NTA.

If you, as the decision-maker, are unsure how to proceed, contact your Native Title Contact Officer (NTCO) for advice. If your NTCO is unsure how to proceed, your NTCO will contact Native Title Policy for advice.

However, please note that the procedures do direct when a matter must be forwarded to Native Title Policy (via your NTCO) for our consideration. This direction is usually provided for more complex issues.

2. Your responsibility

The State must comply with the NTA when carrying out land and resource dealings.

Therefore, it is important that for **each** and **every** land and resource dealing you carry out a native title assessment in accordance with the Native Title Work Procedures.

If there is a gap in time between completing your native title assessment and doing the proposed dealing, you must ensure that your native title assessment is still correct at the time you do the dealing.

For example, when you did your assessment **Module BB** may not have applied but because a native title claim has since been filed **Module BB** may now be applicable to your proposed dealing.

Finally, if you rely upon another officer's native title assessment for a particular area, it is still your decision. However, a **conclusion** published in QNTIME can be relied upon for the purpose of your native title assessment. The existence of a **conclusion** means no further tenure or usage research is required, as native title has been assessed by Native Title Policy as being wholly extinguished over the area covered by the **conclusion** subject to your consideration of **Module BB**.