

Native Title Protection Conditions Form 16 – Clause 18.1 Version 4

This is an example of a notice required under the Native Title Protection Conditions. An Alternate form that complies with the requirements of the Native Title Protection Conditions may be used instead. The Department has produced this form but takes no responsibility for any subsequent unauthorised changes to it.

Purpose: This form may be used where Notified Native Title Parties are required to give written notice to an explorer when the Notified Native Title Parties are unable to meet their obligations contained in a notice given by the Explorer.

Definitions of some of the terms in this form are in Schedule 1 of the Native Title Protection Conditions.

INABILITY NOTICE

EXPLORATION PERMIT NO. _____ (Insert EP Number)

To: (Insert Explorer)	
From: (Insert Notified Native Title Parties)	
For and on behalf of: (Insert Native Title Claim)	

I/We are unable to meet our obligations set out in the _____
(Insert Notice or Report Title)
 _____ given by the explorer due to:

(Please tick where appropriate:)

a condition or occurrence of weather (for example storm, cyclone, flood or fire); or

a ceremonial or cultural activity according to Aboriginal tradition; or

other (please specify) _____

In response to this notice, the **Explorer** is required to give the Notified Native Title Parties an Inability Response Notice stating a reasonable alternative date/s for the Notified Native Title parties to meet their obligations.

If the Explorer disputes the Inability Notice and does not give the Notified Native Title Parties an Inability Response Notice, the Explorer must refer the Inability Dispute to the Land and Resources Tribunal on the grounds that their inability to meet their obligations is not reasonable

Dated this		Day of	20
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Signature of each Notified Native Title Party _____
