

**Native Title Protection Conditions
Form 9 – Clause 9.1 (b)
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 provided this form but takes no responsibility for any subsequent unauthorised changes to it.

Purpose: This form may be used where an Explorer is required to give written notice to the Notified Native Title Parties when a Cultural Heritage Find has been discovered while conducting the Exploration Activities.

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

CULTURAL HERITAGE NOTICE
EXPLORATION PERMIT NO. _____ (Insert EP Number)

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

If the **Explorer** discovers a Cultural Heritage Find while conducting Exploration Activities, the Explorer must take all reasonable steps to preserve and protect the Cultural Heritage Find, and provide this notice to the Notified Native Title Parties within **2 Business Days** of the find.

A description of the Cultural Heritage Find is as follows: _____

GPS Co-ordinates of Cultural Heritage Find: _____

The **Notified Native Title Parties** have **5 Business Days** from the receipt of this notice to advise the Explorer in writing (Cultural Heritage Response Notice) of the name and contact details of a representative of the Notified Native Title Parties to inspect the Cultural Heritage Find with the Explorer. The representative and Explorer will attempt to agree on how to deal with the find.

If the **Explorer** does not receive a Cultural Heritage Response Notice in time, not due to a failure on the part of the Explorer, the Explorer may proceed to undertake Exploration Activities in the vicinity of the Cultural Heritage Find subject to the *Aboriginal Cultural Heritage Act 2003* or *Torres Strait Islander Cultural Heritage Act 2003*, and subject to the Native Title Protection Conditions.

Receipt Date is the date that the notice is delivered by hand, two business days after mailing with correct postage or upon successful transmission by facsimile by 5:00pm or the next day if sent after 5:00pm.

Dated this		Day of	
			20

**Signature of Explorer OR
Explorer's Representative (if applicable)** _____