Course

Native Title Law, Policy and Practice

LAWS8212 | 6 Units of Credit
Overview

Since the Mabo decision in 1992 revised fundamental assumptions embedded in Australian law, native title has developed as a complex and controversial area of law and policy. Based on an understanding of native title as the intersection of two legal systems, this course will provide students with a technical and contextual understanding of native title law, policy and practice in Australia. The course will study the evolution of native title law, by common law development and legislative change, and analyse the contemporary state of the law through the prism of issues such as the characterisation and content of native title as a property right, the rules of extinguishment, the requirements to establish a normative society and continuous connection with traditional country, agreement-making and current law reform debates. The course will situate the law in its broader context by exploring the social and practical as well as legal reality surrounding native title recognition, the interaction of native title holders with government and industry sectors and the pursuit of wider Indigenous aspirations in the post-Mabo era.

Main Topics

- From terra nullius to Mabo No 2
- Getting a Native Title Act
- Scoping the Act
- Wik and the 1998 Amendment Act
- Society, continuity and connection
- Native title: characterisation and content
- Extinguishment
- Compensation
- Preparing, pursuing and litigating native title claims
- After the claim is over
- Future acts
- Agreement-making
- Economic and social development and native title
- Current law and policy reform debates
- Evaluating native title and its significance.
Faculty
Faculty of Law

Study Level
Postgraduate

Offering Terms
Summer Term

Campus
Kensington

Indicative contact hours
2

Timetable
Visit timetable website for details
Conditions for Enrolment

Pre-requisite: Academic Program must be 9200 or 9201 or 9211 or 9231 or 9220.
Exclusion Courses

JURD7812  |  6 UOC
Native Title Law, Policy and Practice
Course Outline

To access course outline, please visit:

LAWS8212 Course Outline
**Fees**

- **Commonwealth Supported Students** $1370
- **Domestic Students** $4500
- **International Students** $5730

**DISCLAIMER**

Please note that the University reserves the right to vary student fees in line with relevant legislation. This fee information is provided as a guide and more specific information about fees, including fee policy, can be found on the fee website.

For advice about fees for courses with a fee displayed as "Not Applicable", including some Work Experience and UNSW Canberra at ADFA courses, please contact the relevant Faculty.

Where a Commonwealth Supported Students fee is displayed, it does not guarantee such places are available.
Pre-2019 Handbook Editions

Access past handbook editions (2018 and prior)

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