




Aboriginal land claims

The [Aboriginal Land Rights Act 1983](#)  entitles the New South Wales Aboriginal Land Council or one or more local Aboriginal Land Councils to make a claim for certain lands in New South Wales.

The Crown Lands Minister may grant the claim and transfer the land if satisfied that the land is claimable Crown land. If the Crown Lands Minister refuses the claim, the claimant Aboriginal Land Council may appeal to the Land and Environment Court under [s 36\(7\)](#)  of the [Aboriginal Land Rights Act 1983](#) . The appeal is allocated to [Class 3](#) of the Court’s jurisdiction.

A judge of the Court, assisted by one or two commissioners who have been appointed with qualifications concerning land rights for Aboriginal people, hears and determines the appeal. If the Crown Lands Minister fails to satisfy the Court that the land is not claimable Crown land, the Court will uphold the appeal, grant the claim and order the transfer of the land.

More information

Find more information about how the Land and Environment Court deals with [Aboriginal land claims](#).

Need legal advice or information?

In NSW, there are a number of places where you can get specialised legal advice on the sorts of legal problems heard by the Land and Environment Court. Find out [where to get legal advice and information](#).

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We acknowledge the traditional owners and custodians of the land on which we work and we pay respect to the Elders, past, present and future.