



Reference: W12018/007

30 May 2018

**The Applicant –Kultju
c/- Mr Malcolm O’Dell
Principal Legal Officer
Central Desert Native Title Services
76 Wittenoom Street
EAST PERTH WA 6004**

Via email: malcolmodell@centraldesert.org.au; michaelallbrook@centraldesert.org.au and reception@centraldesert.org.au

Dear Applicant

Claimant Application—WAD225/2018 (WC2018/007) Keith Sceghi & Ors on behalf of the Kultju Native Title Claim Group and State of Western Australia (Kultju)

On 28 May 2018, you filed the above Native Title Determination Application in the Federal Court.

On 28 May 2018, the Native Title Registrar (Registrar) received a copy of this application and accompanying documents. This is a referral of the application to the Registrar under s 63 of the *Native Title Act 1993* (Cth) (the Act) and requires the Registrar (or his delegate) to consider the claim made in your application in accordance with s 190A of the Act. This is called the ‘registration test’.

Notification of state government and representative body/s

As required by ss 66(2) and (2A) of the Act, I have provided a copy of the application and accompanying documents filed in the Federal Court to the relevant state government and to the representative body/s for the area covered by your application.

Registration test process

- I will write to you shortly to advise you of the date the delegate proposes to make the registration test decision.
- If the delegate receives a submission from the state government or has regard to any other information that is adverse to the claim meeting the conditions of the registration test, I will forward these to you to allow you to respond before the registration test decision is made.
- If you wish the delegate to consider any information additional to the application and accompanying documents that you have filed in the Federal Court, you will need to provide this information to me by **15 June 2018**.
- Please note that if the delegate forms the preliminary view that the application is likely to be accepted for registration your additional information must be provided to the state government. This is to provide that government with the opportunity to comment on the additional information before the registration test decision is made. If you assert that any of the material is of a confidential nature, please outline the basis upon which you assert this to be the case when submitting the additional information. In circumstances where the

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Registrar's delegate considers the additional material information may be of a confidential nature, the delegate will require the state government to comply with confidentiality conditions in respect of its use of the material information.

- A statement of reasons will be provided to you as soon as possible after the registration test decision has been made. If the claim is accepted for registration, the claim will be entered on the Register of Native Title Claims. If the claim is not accepted for registration, it will not be entered on the Register of Native Title Claims, or, if it is an amended application for a previously registered claim, it will be removed from the Register of Native Title Claims. A copy of the statement of reasons will also be provided to the Federal Court.
- When providing a statement of reasons where the application is not accepted for registration, the Registrar will inform you of your options for having the claim reconsidered by a Tribunal Member or the registration decision reviewed by the Federal Court.
- A summary of the decision and an edited version of the statement of reasons are published on the NNTT's website at www.nntt.gov.au.

If you have any queries regarding this letter, please do not hesitate to contact me via the details below.

Yours sincerely



Allan Palmer

Acting Practice Leader

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