New South Wales Aboriginal Land Council

FACT Sheet

6 REGISTRATION APPROVAL CERTIFICATES

In many cases, following a land dealing approval from the New South Wales Aboriginal Land Council (**NSWALC**), LALCs will be required to apply to NSWALC for a Registration Approval Certificate (**RAC**).

A RAC, signed by the NSWALC CEO, is required to register most land dealings at Land Registry Services (**LRS**). For example, in the case of a LALC selling land, the purchaser will be required to lodge an executed transfer with LRS to effect the transfer of the title of the property to the purchaser. When a transfer is lodged over LALC land, it is required to be accompanied by a RAC (see section 42M of the *Aboriginal Land Rights Act 1983* (**ALRA**)) to enable registration of the transfer.

Applying for a Registration Approval Certificate

To apply for a RAC, a LALC must first complete NSWALC's Application for a Registration Approval Certificate which can be found on the NSWALC website by following this link: Application for a Registration Approval Certificate.

It is recommended that LALCs apply for a RAC **no later than 14 days prior** to when the RAC is required to avoid any issues as a result of delays in obtaining the RAC.

Section 42K(2) of the ALRA states that the NSWALC CEO can only issue a RAC when the following are satisfied:

(a) that the instrument is a registrable instrument giving effect to or forming part of a land dealing approved by the New South Wales Aboriginal Land Council under this Division,

(b) that any conditions of the approval by the New South Wales Aboriginal Land Council of the land dealing to which the instrument relates have been met,

(c) that any community development levy payable in respect of that land dealing has been paid.

Therefore, in order to obtain a RAC, LALCs must first provide evidence that any conditions of the NSWALC approval have been met. These conditions will be listed on the Dealing Approval Certificate (**DAC**) which would have been issued upon NSWALC approval (see NSWALC **Fact Sheet 5** for further information).

The LALC will also be required to provide evidence of payment of any Community Development Levy (**CDL**) where applicable. Further information relating to the CDL is provided in **Fact Sheet 7**.

As an example, in the case of the sale of LALC land, the LALC may be required to provide the following information:

- a copy of the proposed transfer for the property (normally provided by the purchaser's solicitor close to settlement);
- a copy of the exchanged contract for sale for the property,
- a copy of a case decision letter from the Revenue NSW confirming payment of CDL; and (if applicable)
- copy of a current market valuation of the property.

Please note however that each land dealing is unique in nature and different documents may be required to provide evidence of compliance with the NSWALC conditions of approval. If a LALC has any doubt regarding the required documentation, the LALC should contact the Commercial Team of NSWALC for clarification.

The content of this fact sheet is intended for information purposes only. It is not intended as advice and should not be relied upon as advice. All parties should seek independent advice that is suited to their own specific circumstances. Updated November 2026.