

Garboi (Torres Strait Islander) Corporation

OVERVIEW

Garboi (Torres Strait Islander) Corporation administers land and waters owned by the Poruma and Masig people on Garboi (or Arden) Island. This ownership was recognised in 2005 in the native title determination *Garboi*

The Garboi (Torres Strait Islander) Corporation administers the native title rights and interests of the Poruma and Masig people over the uninhabited Garboi (Arden) Island. This ownership was recognised in 2005 in the native title determination *Garboi*

The Garboi determination arose from an application made in 2001 on behalf of the Masig and Poruma peoples by Lota Warria. This claim entire area of Garboi Island except for a small area at the western end, is subject to a lease to the Australian Maritime Safety Authority.

This claim was successfully negotiated between the parties with all agreeing to recognise the Masig and Poruma people's native title rights over the uninhabited island, including to:

- Exclusive possession of land; and
- Non-exclusive use of water and the things within it for person, non-commercial and domestic communal needs.

When this agreement came before the Federal Court for approval, Justice Black considered that it was appropriate to recognise native title because of the 'continuous, spiritual and cultural connection of the Masig and Poruma Peoples' with Garboi. He also recognised that the island 'occupies an important role in the belief system of the claimants'.

RNTBC PROFILE

NAME OF RNTBC ORIC HYPERLINK	GARBOI (TORRES STRAIT ISLANDERS) CORPORATION
TYPE OF RNTBC ATNS HYPERLINK	TRUSTEE
STATE/TERRITORY	QLD (TSI)
MAP NNTT HYPERLINK	http://www.nntt.gov.au/Publications-And-Research/Maps-and-Spatial-Reports/Documents/Quarterly%20Maps/Determinations_PBCs_A4.pdf
CONTACT DETAILS ORIC HYPERLINK	C/o Native Title Office, Torres Strait Regional Authority

RNTBC ADMINISTRATION

INDIGENOUS CORPORATION NUMBER	4548
DATE OF INCORPORATION	01/08/2005
CERTIFICATE OF INCORPORATION ORIC HYPERLINK	http://www.orac.gov.au/document.aspx?concernID=104548
CORPORATION OBJECTS & RULES ORIC HYPERLINK	http://www.orac.gov.au/document.aspx?concernID=104548
LIST & NAMES OF MEMBERS ORIC HYPERLINK	http://www.orac.gov.au/document.aspx?concernID=104548

NATIVE TITLE DETERMINATION INFORMATION

NNTT SHORT NAME NNTT HYPERLINK	GARBOI
CASE LAW AUSTLII HYPERLINK	Lota Warria on behalf of the Poruma & Masig Peoples v State of Queensland & Ors (2005) 223 ALR 62; [2005] FCA 1117
DATE OF DETERMINATION	15/08/2005
TYPE OF DETERMINATION ATNS HYPERLINK	CONSENT DETERMINATION
DETERMINATION OUTCOME	NATIVE TITLE EXISTS IN THE ENTIRE DETERMINATION AREA
TRIBUNAL FILE NO	QC01/44
FEDERAL COURT FILE NO	QUD6042/01
NATIVE TITLE RIGHTS AND INTERESTS ¹	The native title in relation to land is a right to possession, occupation, use and enjoyment of the Determination Area to the exclusion of all others. The native title in relation to Water is a non-exclusive right to: (a) hunt and fish in or on, and gather from, the Water for the purpose of satisfying personal, domestic or non-commercial communal needs; and (b) take, use and enjoy the Water for the purpose of satisfying personal, domestic or non-commercial communal needs.
AREA OF LAND	0.1 SqKm
GENERAL LOCATION OF DETERMINATION AREA	GARBOI ISLAND (OR ARDEN ISLAND) IN THE TORRES STRAIT
NTRB REGION NTRB HYPERLINK	TORRES STRAIT REGIONAL AUTHORITY

ADDITIONAL ELECTRONIC RESOURCES

Media releases	National Native Title Tribunal, <i>Torres Strait Islanders, fishermen and government agree on native title over eight islands</i> (15/08/2005) http://www.nntt.gov.au/News-and-Communications/Media-Releases/Pages/Torres Strait Islanders fishermen and go.aspx
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¹ These native title rights and interests are subject to the laws of the Commonwealth and the State of Queensland. They may also be subject to particular interests specified in the determination.