

BETWEEN:

**Northern Land Council**  
First Appellant

**Joe Morrison as Chief Executive Officer of the Northern Land Council**  
Second Appellant

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and

**Kevin Lance Quall**  
First Respondent

**Eric Fejo**  
Second Respondent

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### APPELLANTS' CHRONOLOGY

#### Part I:

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This chronology is in a form suitable for publication on the internet.

#### Part II:

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No	Date	Event	Reference
1.	1 October 1996	The Full Council of the Northern Land Council (the <b>NLC</b> ) resolves to delegate to the Executive Council, Chairperson and Chief Executive Officer its functions and powers as a representative body in s 202 of the <i>Native Title Act 1993</i> (Cth) (the <b>NTA</b> )	CAB 12–13; TJ [10]
2.	10 March 2000	Instrument of delegation confirming delegations made on 1 October 1996	CAB 13–14; TJ [12]
3.	1 July 2000	<i>Native Title Amendment Act 1998</i> (Cth) (Schedule 3 items 25, 31) repeals s 202 (in former Part 11 Div 1A) and inserts Part 11 Div 3 restating functions and powers of representative bodies, including certification functions in new s 203BE	CAB 15–17; TJ [17]–[19]
4.	18 October 2001	The Full Council of the NLC resolves to confirm existing delegations under the NTA as delegations of the representative body	AFM 32 (Cole Affidavit)

No	Date	Event	Reference
		functions and powers in ss 203B to 203BK and 203D which came into force on 1 July 2000, and delegates to the Executive Council, Chairperson and Chief Executive Officer certain of the functions and powers as a representative body in Part 11 Div 3 of the NTA listed in the resolution, including certification functions in relation to indigenous land use agreements in s 203BE(1)(b)	[11]), 35 (TSC1)
5.	21 July 2016	The NLC and the Northern Territory enter the Kenbi Indigenous Land Use Agreement ( <b>Kenbi ILUA</b> )	CAB 7, 52; FC [7]
6.	2 February 2017	The NLC and the Northern Territory agree to a variation of the Kenbi ILUA	CAB 52; FC [7]
7.	13 March 2017	The Chief Executive Officer of the NLC signs a certificate for the application for registration of the Kenbi ILUA	AFM 3
8.	11 September 2017	Mr Quall commences proceedings in the Federal Court of Australia seeking judicial review of the decision to certify the Kenbi ILUA (NTD 45 of 2017)	
9.	10 November 2017	Mr Fejo commences proceedings in the Federal Court of Australia seeking judicial review of the decision to certify the Kenbi ILUA (NTD 54 of 2017)	
10.	15 June 2018	Hearing before the Federal Court of Australia (Reeves J)	CAB 6
11.	26 June 2018	Further Amended Originating Application filed by Mr Quall adding delegation ground (NTD 45 of 2018)	AFM 6
12.	29 June 2018	Judgment and orders of the Federal Court of Australia (Reeves J)	CAB 5, 27, 30
13.	5 July 2018	Amended Originating Application filed by Mr Fejo adding delegation ground (NTD 54 of 2018)	AFM 14
14.	20 July 2018	Appeal to the Full Court of the Federal Court of Australia	
15.	15 August 2018	Notice of Cross-Appeal filed	CAB 39
15.	27 September 2018	Interlocutory Application filed by the NLC seeking to adduce evidence of the 18 October	AFM 21

No	Date	Event	Reference
		2001 delegation	
16.	21 February 2019	Hearing before the Full Court of the Federal Court of Australia (Griffiths, White and Mortimer JJ)	CAB 48
17.	20 May 2019	Reasons for judgment of the Full Court of the Federal Court of Australia [2019] FCAFC 77 (Griffiths, White and Mortimer JJ)	CAB 46
18.	13 June 2019	Further Amended Notice of Appeal filed	CAB 33
18.	19 June 2019	Reasons for judgment and orders of the Full Court of the Federal Court of Australia [2019] FCAFC 101 (Griffiths, White and Mortimer JJ)	CAB 104, 105
19.	15 November 2019	Order granting special leave to appeal (Gageler and Nettle JJ)	CAB 129
20.	29 November 2019	Notice of appeal filed in the High Court of Australia	CAB 132

Dated: 17 January 2020



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**Sturt Glacken**

Telephone: (03) 9225 8171

Facsimile: (03) 9225 7728

Email: [glacken@vicbar.com.au](mailto:glacken@vicbar.com.au)

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**Rudi Kruse**

Telephone: (03) 9225 6182

Facsimile: (08) 9225 8668

Email: [kruse@vicbar.com.au](mailto:kruse@vicbar.com.au)

Counsel for the Appellants