

Fejo v Northern Territory (1998) 195 CLR 96

<http://lawcasesummarries.com/knowledge-base/fejo-v-northern-territory-1998-195-clr-96/>

Facts

- The Larrakia people applied for native title over a certain area
- The area was once granted in fee simple but had since reverted back to Crown lands

Issue

- Can the land fall under native title if it had been extinguished but would likely succeed now?

Held

- Native title is completely extinguished by a grant in fee simple and cannot exist concurrently at all
- Once native title is extinguished, it cannot be “restored”

Law case summary from www.lawcasesummarries.com