

## What's going on in the L.R.C.s?

### Australian Law Reform Commission : (A.L.R.C.) :

Seven projects are in hand:

- \* *Privacy*. The Commission is gathering information. Work in hand (W.I.H.)
- \* *Consumers in Debt* (A.L.R.C.6). Work proceeding urgently under Mr. D. Kelly.
- \* *Human Tissue Transplants*. W.I.H. under Mr. Russell Scott.
- \* *Defamation*. W.I.H. under Mr. M. Wilcox.
- \* *Insurance Contracts*. Work commencing under Mr. D. Kelly.
- \* *Law Reform Digest*. Law Book Company considering publication.
- \* *Effectiveness of Sanctions and Remedies in Law Reform*. Mr. Spigelman is working on this, relevant to the *Privacy*, *Defamation* and *Insurance* References.

### A.C.T. Law Reform Commission (A.C.T.L.R.C.) :

Report *Law Relating to Conveyancing* delivered to Attorney General, 31 August 1976

The A.C.T.L.R.C. has now completed its programme.

### N.S.W. Law Reform Commission (N.S.W.L.R.C.) :

Since the last issue of "Reform" the Commission has published the following (some of which are not yet distributed):

- \* Annual Report 1976
- \* Report on Frustrated Contracts (L.R.C.25)
- \* Report on Perpetuities and Accumulations (L.R.C.26)

The Commission Report on *Commercial Arbitration* which will become L.R.C.27 is to be delivered before 13 October 1976. It is also hoped that the Report on Testators Family Maintenance will be finished before Meares J. ends his term.

The N.S.W.L.R.C. has received an important new Reference on the legal profession upon which preliminary research has been done.

### Papua New Guinea Law Reform Commission (P.N.G.L.R.C.) :

- \* *Adultery* : Report in final stage.
- \* *Children's Court* : W.I.H.
- \* *Underlying Law* : Report due 4 October 1976.
- \* *Willmaking* : Expanded to total review. W.I.H. 1 year estimate.
- \* *Unfair Contracts* : Fairness of Transactions Bill ready. W.P. due late October.
- \* *Family Law* : W.I.H. No report before 1977.

### Queensland Law Reform Commission : (Q.L.R.C.) :

- \* *Evidence* : (Q.L.R.C.19) : Bill before Parliament
- \* *Status of Children* : (Q.L.R.C.20) : Bill before Parliament
- \* *Criminal Law* : (Q.L.R.C.21) : Report with Minister
- \* *Succession and Administration of Estates* : (W.P.14). Report under preparation.
- \* *Rules of Court* )
- \* *Animals : Civil Liability* ) Reports being prepared by outside Counsel
- \* *Amalgamation of Courts* )
- \* *Unincorporated Associations*)
- \* *Jury Service* )
- \* *Hawkers and Pedlars* ) Informal reports to Minister
- \* *Harsh and Unconscionable Contracts*)
- \* *Rights of Unborn Child*)
- \* *Pawnbrokers' Acts* ) Referred by Minister for Inquiry
- \* *Secondhand Wares Act* )
- \* *Oaths, Declarations and Attestations:Work Towards Uniform Legislation* proceeding.
- \* *Children's Courts* : W.I.H. (Mr. V. Haupt)

### South Australian Criminal Law & Penal Methods Reform Committee (S.A.C.L.R.C.) :

- \* *Criminal Law* : Report on Substantive Criminal Law. The Committee hopes to complete this report early in 1977. Completion of this report will terminate the programme of the S.A.C.L.R.C.

South Australian Law Reform Committee (S.A.L.R.C.):

The following projects are in hand:-

- \* Frustration and Illegality of Contracts : Report to A.G., October 1976
- \* Infants' Contracts : W.I.H. (King J.)
- \* Landlord & Tenant : Report with A.G. Bill expected soon.
- \* Locus Standi & Class Actions : Reference received. W.I.H.
- \* Trusts : First Report on Investments awaiting signature. Further Report on variation. W.I.H.
- \* Suretyship : W.I.H.
- \* Solar Energy : New Reference announced 1 October 1976.

Tasmanian Law Reform Commission (Tas.L.R.C.) :

Work is proceeding on the following projects:

- \* Civil procedure
- \* Arrest, Search and Bail
- \* Sex Discrimination
- \* De facto wives : Report to A.G. soon
- \* Proof of boundaries : Report to A.G. soon
- \* Evidence : Competence and Compellability of Spouses
- \* Drinking drivers : Drink/driving rehabilitation course

References have been sought on the following:

- \* Evidence : Corroboration
- \* Exclusion clauses and implied obligations in goods and services contracts.
- \* Insurance law. May abide A.L.R.C. report on Insurance Contracts.

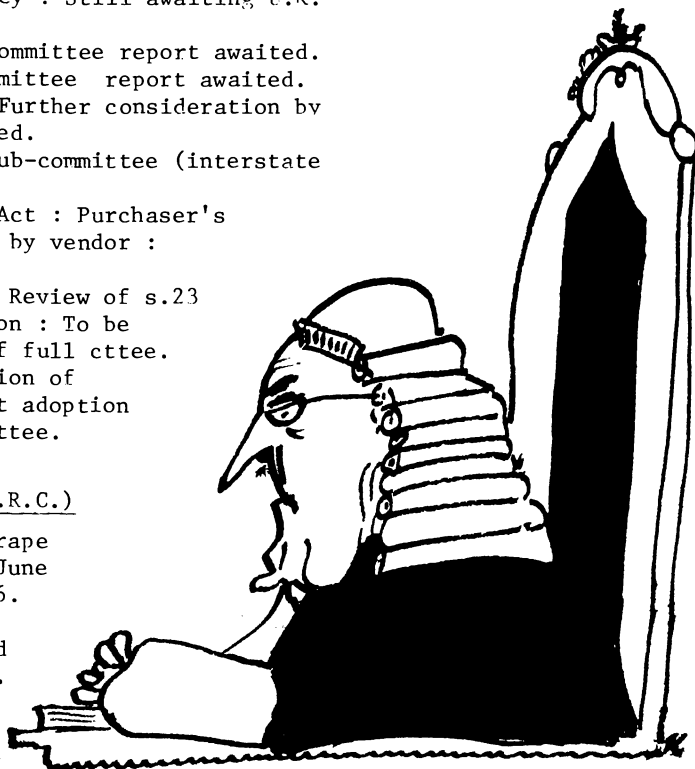
New references have been received. See *New References*.

Victorian Chief Justice's Law Reform Committee : (V.C.J.C.) :

- \* Company Law : Liquidators. Sub-committee's report received.  
To be considered at next meeting of Committee.
- \* Escape from Custody : Further report in process of preparation.
- \* Forgery and Counterfeit Currency : Still awaiting U.K. legislation.
- \* Oaths and Affirmations : Sub-committee report awaited.
- \* Occupier's Liability : Sub-committee report awaited.
- \* Unincorporated Associations. Further consideration by sub-committee. Report awaited.
- \* Workers' Compensation : With sub-committee (interstate aspects)
- \* Insurance : S.47 Property Law Act : Purchaser's right to insurance taken out by vendor : sub-committee established.
- \* Time : Limitation of Actions : Review of s.23 Act : Material facts extension : To be considered at next meeting of full cttee.
- \* Habeas Corpus Act : Consideration of Imperial Acts Application Act adoption of Habeas Corpus Act : Sub-cttee. established.

Victorian Law Reform Commissioner (V.L.R.C.)

- \* Rape : The V.L.R.C. Report on rape prosecutions was made on 21 June and published on 3 Sept. 1976.
- \* Evidence : Competence and Compellability of Husband and Wife in Criminal Proceedings.
- \* Evidence : Privileged communications between husband & wife (W.I.H.)



Victorian Statute Law Revision Committee (V.S.L.R.C.) :

Current matters before the Committee are:

- \*Vagrancy (Amendment) Bill 1974 : Inquiry completed. Report to be tabled October.
- \*Legal Infancy : Committee about to take verbal evidence.
- \*Criminal Law : Use of motor cars : Forfeiture : Further evidence to be taken.  
Report expected Spring sitting.
- \*Protection of Animals Act 1966 : W.I.H. Special study of destruction of unwanted animals. Interim Report expected soon.
- \*Protection of Animals (Amendment) Bill 1976 : Private Members Bill to ban destruction by decompression. Under study with above project.
- \*Imperial Acts Application Act : Not yet proceeding actively.
- \*The Constitution Act 1975 : W.I.H. Replies to correspondence awaited.
- \*Privacy : No evidence taken at this stage.
- \*Magistrates' (Summary Proceedings) Act 1975 : Not yet proceeding actively.

Western Australian Law Reform Commission (W.A.L.R.C.)

The following projects have joined the list of active projects before W.A.L.R.C.:

- \*Review of Bail procedures (Project 64).
- \*Privacy (Project 65)
- \*Evidence : Admissibility of documents produced by computers (Project 27)
- \*Minors' Contracts (Project 25, Part II) : The former project on Minors' Contracts has been broadened to a general project on legal capacity of minors.

Other projects are proceeding : See last issue of "Reform". New references received. See *New References*.

## New References

The following are the new references received since the last "Reform" in July.

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|----------------------|---|
| A.L.R.C.             | Defamation : See pp.63f above.<br>Human Tissue Transplants : See pp.64f above<br>Insurance Contracts : See pp.65f above   |
| A.C.T.L.R.C.         | Nil   |
| N.S.W.L.R.C.         | The Legal Profession. See pp.70f above  |
| N.S.W. Privacy Cttee | : Survey into Recordkeeping practices of Government organisations.  |
| P.N.G.L.R.C.         | Nil   |
| Q.L.R.C.             | Oaths, Declarations and Attestations : Review with a view to uniform legislation. Corresponding with W.A.L.R.C.<br>Children's Court : Mr. V. Haupt, former C.M. seconded to the Commission to study methods of improving procedures.  |
| S.A.C.L.R.C.         | Nil   |
| S.A.L.R.C.           | Solar Energy  |
| Tas.L.R.C.           | Rehabilitation of Offenders (Wiping the slate of convictions)<br>Decriminalisation of Drunkenness<br>Disposal of Uncollected Goods Act  |
| V.C.J.C.             | Nil   |
| V.L.R.C.             | Competence and Compellability of Husband and Wife in Criminal Proceedings<br>Privileged Communications between Husband and Wife.  |
| V.S.L.R.C.           | Protection of Animals (Amendment) Bill 1976.  |
| W.A.L.R.C.           | 64 : Review of Bail Procedures<br>65 : Privacy : The reference parallels the terms of reference on this subject to the A.L.R.C.<br>65 : Fatal Accidents : To consider widening the class of dependants (including a posthumous child) and solatium damages.<br>67 : Execution against Land. To review writs or warrants of execution. |