

the ALRC would 'need to consider legal issues of considerable complexity and the Commission's high degree of legal scholarship will be called on even more than in the past'. He mentioned, as evidence of the new direction, the projects he had assigned on evidence law reform, admiralty law, foreign State immunity and service and execution of process. The lastmentioned reference involves the review of the Service and Execution of Process Act 1901. The reference will require the ALRC to examine the adequacy of the Act to deal with the service and execution throughout Australia of civil and criminal process. Senator Durack said that the establishment of new tribunals and varying procedures adopted by them raise possible problems for the application of the 1901 Act. The ALRC would be conducting a major review of the law. In doing so it would call on development and reform of service and execution of process achieved in the European Communities (EEC). Readers interested in an outline of the moves for reform arising out of the EEC Convention on Jurisdiction and Enforcement of Judgments in Civil and Commercial Matters may have regard to the article on the subject by Dr Michael Pryles and Mr Francis Trindade in (1974) 48 *ALJ* 185. The Convention in the EEC was concluded amongst the original six member States in 1968. It has since been revised and the new member States of the EEC have acceded to it. It is expected that Convention will shortly be enacted as part of United Kingdom law. It contains a detailed code on jurisdiction and the enforcement of foreign judgments. There are a number of points in relation to the 1901 Australian Act which clearly deserve revision. Included amongst these are the procedure for challenging jurisdiction and the grounds of jurisdiction stated in section 11 of the Act. It might be possible to examine arbitration and *quasi in rem* jurisdiction, although there may be constitutional difficulties in the way of

Federal legislation in Australia providing for interstate enforcement of arbitral awards. No such difficulties impede legislation for the enforcement of foreign arbitral awards. See Arbitration (Foreign Awards and Agreements) Act 1974. Although mainly directed at protection of Australian interests in respect of the Convention, the article by Pryles and Trindade discloses some of the important reforms that have been achieved on the European continent and which must now be considered for their applicability to Australia. Many of the procedures laid down in 1901 in Australia were appropriate for colonial and horsedrawn times. They may be less appropriate for Australia in the jet age, with the potential of computer linkage between court registries and suggestions (see above) of a national court system. The other references given by Senator Durack to the ALRC are progressing under the leadership of Dr James Crawford. Research papers on foreign State immunity are already beginning to appear to dealing with available legislation and conventions and procedural matters. Patriation and modernisation of admiralty jurisdiction in Australia is the subject of a helpful editorial comment in the *Australian Law Journal*. See (1982) 56 *ALJ* 617. Since the ALRC reference was given, the Queensland Attorney-General has assigned a reference on admiralty law to the QLRC. The subject is to be discussed at the forthcoming ALRAC conference in Brisbane in July 1983.

## new reports

### Australia

- ALRC : *Evid RP 13: Opinion Evidence*, 1983 (I. Freckelton)  
*Evid RP 14: Aspects of Proof*, 1983 (M. Ball)  
*Foreign SI*  
*RP 1* : *Select Bibliography & Documents*, 1983 (S. Curran)  
*ACL RP 6* : *Aboriginal Customary Law & Substantive Criminal Law* (Dr J. Crawford & C. Kirkbright)

- NSWLRC* : Annual Report 1982  
 : 34 : Community LR (First Rpt) *Insurance Contracts: Non-Disclosure and Misrepresentation*, 1983  
*SALRC* 66 : Report relating to the reform of the law of distress, 1983.  
*WALRC* 36 : *Limitation of Action: Latent Disease and Injury* 1982 (see above p 67)  
 : 56 : *Strata Titles Act* 1982 (see above p 66)

**Canada**

- CLRC* : : Eleventh Annual Report, 1981-1982  
 : 18 : Report on Obtaining Reasons before Applying for Judicial Scrutiny — Immigration Appeal Board, 1982.

- Alberta ILR  
 : 38 : Report on the Uniform Sale of Goods Act, 1982.

- BCLRC* 56 : Report on Presumptions of Survivorship, 1982  
 : *WP* 39 : Breach of Promise of Marriage, 1983

- Manitoba LRC  
 : 52 : Report on the Structure of the Courts; Part I: Amalgamation of the Court of Queen's Bench and the County Courts of Manitoba, 1982  
 : 53 : Report on the Law of Domicile, 1982

**Hong Kong**

- HKLRC Topic* 6 : Report on Bills of Exchange, 1982  
 : *WP* : Damages in Civil Proceedings, 1982

**South Africa**

- SALC* : : Annual Report 1981  
 : Report pertaining to the Matrimonial Property Law with Special Reference to the Matrimonial Affairs Act, 1953, the Status of the Married Woman and the Law of Succession in so far as it affects the Spouses, 1982

**United Kingdom**

- Law 116 : Family Law: Time Restrictions

- Com : on Presentation of Divorce and Nullity Petitions, 1982.  
 : 117 : Family Law: Financial Relief After Foreign Divorce, 1982.  
 : *WP* 84 : Criminal Libel, 1982.  
*Scot* 71 : Fourth Programme of Consolidation and Statute Law Revision, 1982.  
*LC* : 72 : Family Law: Report on Financial Provision After Foreign Divorce, 1982.  
 : 73 : Seventeenth Annual Report 1981-1982

**United States**

- Calif : : Recommendation relating to Marketable Title of Real Property, 1981.  
 : : Recommendations relating to Statutory Bonds and Undertakings, 1981

**Zimbabwe Advisor Com LR**

- : 2 : Report on Aspects of Capital Punishment, 1982.

**new references**

- NZPLERC* : Charges for Land Tax; involves study of the enforcement of land tax charges and the problem that arises where a purchaser acquires land which is subject to an unregistered land tax charge.  
*PNGLRC* : Official Secrets and Freedom of Information  
*QLRC* : Admiralty Jurisdiction  
*WALRC* : Companies Code: Special Interests (see above p 68)

**what's going on in the LRC's?****Australian Law Reform Commission (ALRC)**

- *Insurance Contracts*. Printed report now available and being distributed. See above p. 59.
- *Law Reform Digest*. Manuscript with printer. Publication expected May 1983.
- *Sentencing*. Work in suspension. Hoped to be revived in 1983.
- *Privacy*. Work in hand (WIH). Draft report being completed. Draft proposed legislation under consideration with Federal departments,