

of the Law of Trusts (with Professor HAJ Ford). He also recently chaired a working party which produced a model trustee code for Australian States and Territories.

vlcc

Ms Anne Blake has been appointed the new Director of Research for the VLCC, following the departure of Spencer Zifcak. Anne was employed by the WALRC prior to her appointment to the VLCC. She also worked for the ALRC. Zara Officer recently joined the staff of the VLCC as a research officer.

walrc

Ms Anne Blake left the Commission staff in July 1990 on being appointed Director of Research of the VLCC (see above). Whilst working with the WALRC, she was chiefly responsible for the issues paper and the report on Incitement to Racial Hatred. A Bill to implement the recommendations of this report is currently being considered by a Select Committee of the Legislative Council. ■

areas of law currently under review

administrative law

ARC

- Multicultural Australia — The Council is conducting a series of intervention strategies to publicise the administrative review system and explain its purpose, operation and benefits. The strategies involve community education, training and government liaison activities and concentrate particularly on two communities, the Vietnamese in Footscray, Vic., and the Turkish in Auburn, N.S.W.
- Review of the *Administrative Decisions (Judicial Review) Act* — A draft report on the furnishing of statements of reasons under Section 13 of the Act is in preparation.

- Specialist Tribunals — Following the National Conference organised by the Council in Canberra on 3 May 1990, the Council was able to report immediately to the A-G on 3 issues: co-ordination and co-operation between tribunals, an annual tribunals conference and tribunal appointments. A training program covering areas of interest for all tribunal members is currently being developed.
- Broadcasting — Further work is being undertaken by the Communications Law Centre on a DP on inquiry procedures of the ABT and review of its procedural decisions. Receipt of the paper is expected in the near future.
- Informal Rule Making — An IP (Rule Making by Commonwealth Agencies) was released on 30 June and submissions are invited.
- Community Services and Health — A report to Council has been received from the consultant engaged on the review of decisions on assessment of products involving the National Health and Medical Research Council, in particular its drugs and poisons scheduling function. Two DPs, one on the assessment of therapeutic goods and one on Commonwealth/State funding programs are to be released later this year.
- Intellectual Property — WIH on a DP on review of Patents decisions.
- Outcomes in AD(JR) matters — The Council is examining the eventual outcomes on migration and customs cases remitted by the Federal Court to decision-makers for reconsideration.

NTLRC

- Administrative Appeals: Appellate Structure — A DP has been released for comment and consultation is progressing.
- Administrative Appeals: Appellate Procedure — WIH on DP.

QEARC

- Review of Judicial Review of Administrative Decisions and Actions — Public Submissions, July 1990.

Admiralty

ALRC

- Admiralty — WIH on report on Criminal Admiralty Jurisdiction.

Alcohol and drugs

VLRC

- Public Drunkenness — Supplementary Report, No. 32, 1990.

Alternative dispute resolution

NSWLRC

- Alternative Dispute Resolution: Training and Accreditation of Mediators — WIH on report.

Attorney

Alberta LRI

- Enduring Powers of Attorney, Report for Discussion No 17, 1990.

BCLRC

- Report on the Enduring Power of Attorney: Fine Tuning the Concept, LRC 110, 1990.

California LRC

- Tentative Recommendations relating to Elimination of Seven-Year Limit for Durable Powers of Attorney for Health Care, 1990.

Broadcasting

ARC

- Broadcasting — Further work is being undertaken by the Communications Law Centre on a DP on inquiry procedures of the ABT and review of its procedural decisions. Receipt of the paper is expected in the near future.

By-laws and regulations

VLCC

- Subordinate Legislation — The Committee is responsible for reviewing all the statutory rules made in Victoria under the Subordinate Legislation Act 1962. It has considered up to SR 63/1990.
- Report on Operation of Section 32 of the Interpretation of Legislation Act 1984 concerning Food Standards Regulations 1987, 5th Report, 1990 — Tabled in the Victorian Parliament in May 1990.

Censorship

ARLC

- Censorship — Draft legislation for State consultation should be prepared by the end of September.

Children

ALRC

- Children's Evidence — The ACT Ordinance allowing the video taping of Children's evidence has been extended for a further 12 months as there has not been a significant number of cases to evaluate.

WALRC

- Evidence of Children and Other Vulnerable Witnesses — The DP (prepared with the assistance of Marion Dixon acting as consultant) was issued in April 1990. Comments are being considered.
- Medical Treatment for Minors — WIH on report on sterilisation. Other aspects of reference to be dealt with subsequently.

Scot Law Com

- Report on the Evidence of Children and Other Vulnerable Witnesses, Scot Law Com 125, 1990.

Civil rights

H of R

- Equal Opportunity and Equal Status for Australian Women — WIH.

Companies

ALRC

- WIH on a paper on prescribed interests.

CSLRC

- Report on Company Directors and Officers: Indemnification, Relief and Insurance, No. 10, 1990.
- DP on Enforcement of the Duties of Directors and Officers of a Company by Means of a Statutory Derivative Action, DP 11, 1990.

H of R

- Corporate Practices and the Rights of Shareholders — WIH.

Compensation for personal injury

Tas LRC

- Damages for Personal Injury — WIH.

Conflict of laws

ALRC

- DP on Choice of Law Rules, DP 44, 1990, released. Submissions are invited.

Constitutional law

Sen

- Shield of the Crown — Receiving submissions.

VLCC

- Australian Constitutional Commission — No further work has been done on this reference since the last issue of Reform.

Contract

VLRC

- Codification of the Law of Contract — WIH.

Courts and judges

AIJA

- The Use of Discovery and Interrogatories in Civil Litigation, 1990.

Sen

- Cost of Legal Services and Litigation — Public hearings commenced in July.

NSWLRC

- Alternative Dispute Resolution: Training and Accreditation of Mediators — WIH on report.

VLCC

- Delays in Courts — No further work has been done on this reference.

VLRC

- Report on Access to the Law: the Structure and format of Legislation, No 33, 1990.
- IP on Access to the Law: the Cost of Litigation, 1990.
- The Costs of Litigation — IP has been released. WIH on 2 DPs, 'The Market for Legal Services' and 'The Accountability of the Legal Profession'. Work will soon begin on a 3rd DP.

Newfoundland LRC

- Legislative History of the Judicature Act 1971—1988, NLRC-IWD4, 1989.

Criminal law and procedure

NSWLRC

- Police Powers of Arrest and Detention — Interim Report nearing completion.

HRA — PC

- Federal Spent Convictions Scheme: Exclusions — Advice to the Attorney-General, 1990.

RCCL

- Interim Report on Principles of Criminal Responsibility and Other Matters, 1990.

QLRC

- Bail Act — WIH.

Tas LRC

- The Mental Element in Crime — WIH.

VLRC

- Obsolete Summary Offences — WIH.

WALRC

- Criminal Process and Mental Disorder — WIH on report.

NZLC

- Report on Criminal Procedure: Part One — Disclosure and Committal, No 14, 1990.

Law Com

- WP on Corroboration of Evidence in Criminal Trials, WP 115, 1990.

Customs and excise

ALRC

- Customs — WIH on draft legislation.

Damages

ALRC

- Pre-Judgment Interest on Damages — WIH on DP.

HKLRC

- Report on Interest on Debt and Damages, Topic 19, 1990.

NSWLRC

- Contribution between Persons Responsible for the Same Damage — Interim report on Solidary Liability completed.

Debts and Debtors

Sen

- Debt Recovery under the Social Security Act and Veterans' Entitlements Act — Report presented on 28 June 1990.

Northwest Territories CLR

- WP on the Bulk Sales Act, WP 3, 1990.

HKLRC

- Report on Interest on Debt and Damages, Topic 19, 1990.

Scot Law Com

- DP on Statutory Fees for Arrestees, DP 87, 1990.

California LRC

- Tentative Recommendation relating to Remedies of Creditor Where Personal Representative Fails to Give Notice, 1990.

Defamation

AGs of NSW, QLD and VIC

- DP on Reform of Defamation Law, 1990.

Discrimination

H of R

- Equal Opportunity and Equal Status for Australian Women — WIH.

VLRC

- Review of the Equal Opportunity Act — WIH.

WALRC

- Incitement to Racial Hatred — Report submitted October 1989. Bill implementing report before Parliament.

Environmental law and planning

PNGLRC

- WP on the Laws Relating to Gillnet and Driftnet Fishing in Papua New Guinea, WP 25, 1990.
- WP on a Critique of the World Bank's Tropical Forestry Action Plan for Review for Papua New Guinea, WP 26, 1990.

Law Com

- Town and Country Planning Bill, Planning (Listed Buildings and Conservation Areas) Bill, Planning (Hazardous Substances) Bill, Planning (Consequential Provisions) Bill: Report on the Consolidation of Certain Enactments Relating to Town and Country Planning, Law Com 189, 1990.

Evidence

ALRC

- Children's Evidence — The ACT Ordinance allowing the video taping of Children's evidence has been extended

for a further 12 months as there has not been a significant number of cases to evaluate.

Tas LRC

- ALRC — Draft Evidence Bill — WIH.

WALRC

- Evidence of Children and Other Vulnerable Witnesses — The DP (prepared with the assistance of Marion Dixon acting as consultant) was issued in April 1990. Comments are being considered.

Law Com

- WP on Corroboration of Evidence in Criminal Trials, WP 115, 1990.

Scot Law Com

- Report on the Evidence of Children and Other Vulnerable Witnesses, Scot Law Com 125, 1990.

Family law

WALRC

- Wills: Marriage and divorce — DP issued February 1990. Comments being considered.

Alberta LRI

- Report on Section 16 of the Matrimonial Property Act, No 57, 1990.

BCLRC

- Report on Property Rights in Marriage Breakdown, LRC 111, 1990.

PNGLRC

- WP on the Law of Maintenance in Papua New Guinea, WP 23, 1989.

Law Com

- DP on Family Law: Pre-Consolidation Reforms, DP 85, 1990.
- DP on the Effects of Cohabitation in Private Law, DP 86, 1990.

Fish and Fisheries

PNGLRC

- WP on the Laws Relating to Gillnet and Driftnet Fishing in Papua New Guinea, WP 25, 1990.

Freedom of information

QEARC

- Review of Freedom of Information Issues, Public Submissions (2 Vols), 1990.

Intellectual property

ARC

- Intellectual Property — WIH on a DP on review of Patents decisions.

International law

H of R

- Legal Regimes of Australia's External Territories and Jervis Bay — WIH.

PNGLRC

- WP on Political Refugees and the Proposed Extradition Treaty with Indonesia, WP 24, 1990.

Law Reform

Tas LRC

- First Annual Report for the year ended 31 July 1989, 1990.

CLRC

- 18th Annual Report 1988—1989, 1990.

BCLRC

- Annual Report 1989/90, LRC 113, 1990.

ULCC

- Proceedings of the 71st Annual Meeting held at Yellowknife, Northwest Territories, August 1989.

ILRC

- Eleventh Report (1989), 1990.

PNGLRC

- Annual Report 1988, 1990.

SALC

- Seventeenth Annual Report, 1989, 1990.

Law Com

- Twenty-Fourth Annual Report 1989 including Fourth Annual Report of the Conveyancing Standing Committee, Law Com 190, 1990.
- Law Under Review, No. 13, March 1990.

Michigan LRC

- Twenty-Fourth Annual Report 1989, 1990.

Limitation of actions

WALRC

- Limitation and Notice of Actions — RP on latent damage (prepared by Nicholas Mullany acting as consultant) prepared. WIH on further RP dealing with other aspects of the reference.

Alberta LRI

- Report on Limitations, No 55, 1989.

BCLRC

- Report on the Ultimate Limitation Period: Limitation Act, Section 8, LRC 112, 1990.

Matrimonial Property

Alberta LRI

- Report on Section 16 of the Matrimonial Property Act, No 57, 1990.

BCLRC

- Report on Property Rights in Marriage Breakdown, LRC 111, 1990.

Medicine and the law

WALRC

- Medical Treatment for the Dying — WIH on report.
- Medical Treatment for Minors — WIH on report on Sterilisation. Other aspects of reference to be dealt with subsequently.

- Confidentiality of Medical Records and Medical Research — Draft report being considered by commentators prior to settlement.

Mental illness

NSWLRC

- Wills for Persons Lacking Will-Making Capacity — DP released. WIH on report.

Tas LRC

- The Mental Element in Crime — WIH.

WALRC

- Criminal Process and Mental Disorder — WIH on report.

Multiculturalism

ARC

- Multicultural Australia — The Council is conducting a series of intervention strategies to publicise the administrative review system and explain its purpose, operation and benefits. The strategies involve community education, training and government liaison activities and concentrate particularly on two communities, the Vietnamese in Footscray, Vic., and the Turkish in Auburn, N.S.W.

ALRC

- Multiculturalism — WIH on Family Law DP which should be ready by mid September. WIH on Criminal Law DP. Consultants meeting being held on 31 August.

Patents

ARC

- Intellectual Property — A DP on review of Patents decisions in preparation.

Perpetuities and accumulations

NTLRC

- Rules Against Perpetuities and Accumulations — WIH on a report being prepared in conjunction with the Land Law Review Committee.

California LRC

- Tentative Recommendation relating to Uniform Statutory Rule Against Perpetuities, 1990.

Personal property securities

ALRC & VLRC

- Personal Property Securities — WIH on draft legislation to be the basis of a DP. Consultation involving both Commissions is taking place.

Police

NSWLRC

- Police Powers of Arrest and Detention — Interim Report nearing completion.

Police Offences

VLCC

- Stolen Goods with particular emphasis on Livestock — Written submissions were to be received by 14 August. Public hearings will be held in August/September in Melbourne and rural Victoria. The Committee is required to report by 30 November 1990.

WALRC

- Police Act Offences — WIH on report.

HKLRC

- Report on Loitering, Topic 23, 1990.

Privacy

HRA — PC

- Federal Spent Convictions Scheme: Exclusions — Advice to the Attorney-General, 1990.

VLCC

- The Use of Action for Breach of Confidence as a Means of Protecting Personal Privacy — Report (40th) tabled in the Victorian Parliament on 30 May, 1990.

WALRC

- Confidentiality of Medical Records and Medical Research — Draft report being considered by commentators prior to settlement.

Real property and conveyancing

NSWLRC

- The Rule in *Bain and Fothergill* — Report completed.

QLRC

- Real Property Acts — WIH.
- Property Law Acts — WIH.

Law Com

- Report on the Transfer of Land: Risk Damage After Contract of Sale, Law Com 191, 1990.

Sale of goods

NSWLRC

- Sale of Goods — WIH.

Statutes

QLRC

- Henry VIII Clauses — WIH.

QEARC

- IP on Review of the Office of Parliamentary Counsel, IP 7, 1990.

Stock

VLCC

- Stolen Goods with particular emphasis on Livestock — Written submissions were to be received by 14 August. Public hearings will be held in August/September in Melbourne and rural Victoria. The Committee is required to report by 30 November 1990.

Torts

NSWLRC

- Contribution between Persons Responsible for the Same Damage — Interim report on Solidary Liability completed.

Wills

NSWLRC

- Wills for Persons Lacking Will-Making Capacity — DP released. WIH on report.

WALRC

- Wills: Marriage and divorce — DP issued February 1990. Comments being considered.
- Administration Act — Draft report (prepared by Neville Crago acting as consultant) being considered by commentators prior to settlement.

HKLRC

- Report on Law of Wills, Intestate Succession and Provision for Deceased Persons' Families and Dependants, Topic 15, 1990.

California LRC

- Tentative Recommendation relating to Alternative Beneficiaries for Unclaimed Distribution, 1990.
- Tentative Recommendation relating to Probate Law and Procedure: Debts that are Contingent, Disputed or Not Due, 1990.
- Tentative Recommendation relating to Litigation Involving Decedents, 1990.

Other

- Neighbour and Neighbour – WIH on IP. ■

publications

Australia

Federal

ARC

- IP on Rule Making by Commonwealth Agencies, 1990.

AIJA

- The Use of Discovery and Interrogatories in Civil Litigation, 1990.

ALRC

- DP on Choice of Law Rules, DP 44, 1990.

RCCL

- Interim Report on Principles of Criminal Responsibility and Other Matters, 1990.

CSLRC

- Report on Company Directors and Officers: Indemnification, Relief and Insurance, Report No 10, 1990.
- DP on Enforcement of the Duties of Directors and Officers of a Company by Means of a Statutory Derivative Action, DP 11, 1990.

HRA — PC

- Federal Spent Convictions Schemes: Exclusions — Advice to the Attorney-General, 1990.

Queensland

QEARC

- Review of Freedom of Information Issues — Public Submissions, 2 vols, 1990.
- Review of Judicial Review of Administrative Decisions and Actions — Public Submissions, 1990.
- IP on Review of the Office of the Parliamentary Counsel, IP 7, 1990.

Tasmania

TasLRC

- First Annual Report for the year ended 31 July 1989, 1990.

Victoria

VLCC

- Report upon Privacy and Breach of Confidence, No 40, 1990.
- 5th Report on the Operation of Section 32 of the Interpretation of Legislation Act 1984 concerning Food Standards Regulations 1987, 1990.

VLRC

- Report on Public Drunkenness — Supplementary Report, No 32, 1990.
- Report on Access to the Law: the Structure and Format of Legislation, No 33, 1990.