
R E G U L A R R E P O R T S

Administrative Review Council

RECENT ADVICE

Two major reports were transmitted to the Attorney-General during August-September. They were:

- . Report No. 26, Review of the Administrative Decisions (Judicial Review) Act - Stage One. (Transmitted 13 August 1986.)
- . Report No. 27, Access to Administrative Review - Stage One - Notification of Decisions and Rights of Review. (Transmitted 11 September 1986.)

Both reports are currently being printed prior to tabling in the Parliament.

Report No. 25, Review of Migration Decisions, (AGPS, Canberra, 1986) was tabled by the Attorney-General in the House of Representatives on 21 August 1986. Copies may be obtained from AGPS but are understood to be in short supply. The Council's Secretariat can provide a copy of the Summary and List of Recommendations on request.

During August-September the Council also sent letters of advice to the Attorney-General on several matters including the proposed Data Protection Agency, draft privacy legislation, the report of the Senate Standing Committee on Constitutional and Legal Affairs on conscientious objection to conscripted military service, proposed Antarctic Seals Conservation Regulations and the A.C.T. Electricity Ordinance.

CURRENT WORK PROGRAM

Access to administrative review. Following completion of the preliminary work on Stage Two of this project the Council decided at its September meeting that a report on the second stage should cover review of hardship cases, the provision of legal and financial assistance and the Department of Social Security review officer system. Arrangements are currently being finalised with the Attorney-General's Department and the Department of Social Security for the collection of statistical and other data relevant to the study.

Student assistance. At its September meeting the Council approved the commencement of a separate project to examine the overall review mechanisms of the student assistance jurisdiction.

Customs (anti-dumping). The Council has received submissions on issues raised in its discussion paper which was circulated in July, and is now in the process of preparing a final report on the review of decisions taken pursuant to anti-dumping legislation.

AAT. The Council's Committee on Divisions of the AAT met in October to consider a discussion paper relating to the divisional structure of the Tribunal. A report is now being prepared.

AD(JR) Act. Work on Stage Two of the AD(JR) Act project is currently proceeding.

Visitors. A number of members of the Senate Standing Committee on Constitutional and Legal Affairs attended the August meeting of Council for discussions on matters of mutual interest. Those attending were Senator Michael Tate (Chairman), Senator Nick Bolkus, Senator Barney Cooney and Senator Robert Hill. During August the Secretariat was also pleased to welcome Sir Frederick Deer CMG who served on the Council from its inauguration in 1976 until November 1982, and Professor Stephen Wood from Brigham Young University in Utah U.S.A. Professor Wood was interested in obtaining an update on the Australian administrative law system.

Administrative Appeals Tribunal

NEW JURISDICTION

Since the last issue of Admin Review new jurisdiction has been conferred on the AAT under the following legislation:

- . Apple and Pear (Conditions of Export) Regulations
- . Australian Capital Territory Taxation (Administration) Act 1969
- . Australian Citizenship Act 1948
- . Australian Meat and Livestock Corporation Act 1977
- . Bank Account Debits Taxation Administration Act 1982
- . Children's Services Ordinance 1986 (A.C.T.)
- . City Area Leases Ordinance 1936 (A.C.T.)
- . Dairy Produce Act 1986
- . Dairy Produce Levy (No.1) Act 1986
- . Estate Duty Assessment Act 1914
- . Export Control (Unprocessed Wood) Regulations
- . Fringe Benefits Tax Assessment Act 1986
- . Gift Duty Assessment Act 1941
- . Grape Research Levy Collection Act 1986
- . Health Legislation Amendment Act 1986
- . Income Tax Assessment Act 1936
- . Leases (Special Purposes) Ordinance 1925 (A.C.T.)
- . Loan (Drought Bonds) Act 1969
- . Pay-roll Tax Assessment Act 1941
- . Pay-roll Tax (Territories) Assessment Act 1971
- . Prevention of Cruelty to Animals Ordinance 1986 (A.C.T.)