

contains no definition of 'allotted', it should be given its ordinary meaning, that is 'assigned' or 'directed', and that it seemed clear that the veterans concerned were so assigned or directed to service in a special area in terms of the Act. The Department added that it thought that the veterans were also on special duty in terms of the Act because they were directly supporting the warlike operations in Vietnam and the connection was close and immediate.

This advice clarifies the allotment issue and raised some very complicated questions concerning how the entitlements thereby accruing to the people in question should be administered. For example what should be the remedy for those who applied for and were denied defence service home loans; and those who enquired but did not apply; and those who may have qualified for a service pension? The Ombudsman has proposed to the departments concerned that they confer on what action should be taken, and has suggested that it is for the Department of Defence to take the lead. The Department of Veterans' Affairs has since provided further information to the Attorney-General's Department and has asked for the advice given by that Department to be reconsidered.

Telephone intercepts - Ombudsman's new role

The Telecommunications (Interception) Amendment Act 1987 (still to be proclaimed) confers a new and rather different function on the Ombudsmans office - that of compliance auditing in respect of the keeping of certain records by the Australian Federal Police and the National Crime Authority (NCA).

Under sections 80 and 81 of the Act the AFP and the NCA are required to maintain various records connected with telephone intercepts and these records are subject to regular inspection by the Ombudsman. The purpose of the inspections is to ascertain the extent to which these agencies have met the relevant statutory requirements pertaining to both the keeping and destruction of records (section 79 of the Act requires that certain records be destroyed when they are no longer required). Provision is made in the Act for the Ombudsman or a delegated officer to enter premises, obtain access to information, require the production of material, and question officers for the purpose of carrying out the inspection function. Inspections are to be conducted at least twice each financial year and reports are to be submitted to the Attorney-General with copies being supplied to the Commissioner of the AFP and the Chairman of the NCA as the case may be.

A D M I N I S T R A T I V E L A W W A T C H

Task Force Review

The Task Force on Review of Administrative Appeals Tribunal Procedure which was set up by the Attorney-General in late December 1986 to conduct a review of the operations of the AAT

and of the provisions of the AAT Act has not as yet produced its report. The Task Force initially was required to produce its report in time to allow any necessary legislative changes to the Administrative Appeals Tribunal Act to be brought before the Parliament in the Autumn sittings.

Justice J.D. Davies ceased to be a member of the Task Force when he resigned as President of the AAT on 30 June 1987. The members of the Task Force are now Mr L.J. Curtis (Deputy Secretary, Attorney-General's Department), Mr J.L. Carroll (Deputy Secretary, Department of Finance) and Dr C.A. Saunders (Chairman of the Council).

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