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REGULAR REPORTS  
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Administrative Review Council  
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LETTERS OF ADVICE

Since the last issue of Admin Review (January 1988), the Council has sent letters of advice to the Attorney-General on the following issues:

- . the application of Australian Public Service streamlining provisions to the Australian Federal Police;
- . the A.C.T. and Christmas Island Casino Control Ordinances;
- . the draft Fisheries Amendment Bill 1988;
- . the proposed exclusion from the AD(JR) Act of certain decisions under section 56(2) of the Archives Act and the proposed exclusion of the Ombudsman's jurisdiction;
- . the Administrative Appeals Tribunal filing fee;
- . review of decisions under the Agricultural and Veterinary Chemicals Bill 1988;
- . consultation with the Administrative Review Council;
- . proposal to establish AUSTEL with Telecommunications review role;
- . the fee for reconsideration of certain decisions under the Migration Act;
- . Lands Acquisition Bill 1988;
- . review of decisions under the proposed Commonwealth companies scheme.

CURRENT WORK PROGRAM - DEVELOPMENTS

Access to administrative review. The Council's report on the Provision of Legal and Financial Assistance in Administrative Law Matters has been transmitted to the Attorney-General. The Council is presently considering the appointment of a consultant to undertake a limited further survey on the Social Security review officer system.

Review of the AD(JR) Act Stage 2. The Council's AD(JR) Act Committee has completed several sections of the draft report. It recently met with practitioners in Sydney and with Judges of the Federal Court, as part of the ongoing review of the AD(JR) Act.

Review of decisions under research and development legislation. A discussion paper on this subject has now been widely circulated. The paper may be obtained by contacting the Council Secretariat on 434671. Submissions on the issues raised by the paper are requested by 10 June 1988.

Community services and health. The Council has agreed to undertake a project to review decisions in this area. The Community Services and Health Committee expects to meet with officers of the Department at the end of June to discuss the approach to be adopted in the project.

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Administrative Appeals Tribunal

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NEW JURISDICTION

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

A.C.T. Institute of Technical and Further Education Ordinance 1987 (A.C.T.)  
Agents (Amendment) Ordinance 1988 (A.C.T.)  
Broadcasting Amendment Act (No. 4) 1987  
Dairy Produce Amendment Act 1987  
Horticultural Export Charge Collection Act 1987  
Horticultural Levy Collection Act 1987  
Long Service Leave (Building and Construction Industry) (Amendment) Ordinance 1987 (A.C.T.)  
Management and Investment Companies Legislation Amendment Act 1987  
Patents Regulations (Amendment)  
Petroleum Resource Rent Tax Assessment Act 1987  
Social Security and Veterans' Entitlements Amendment Act (No. 2) 1987

KEY DECISIONS

Danger from hostile forces of the enemy

Several recent AAT decisions have examined the term 'incurred danger from hostile forces of the enemy' with regard to qualifying service for the purpose of entitlement to a service pension under the Veterans' Entitlements Act 1986. The question when such danger has been incurred has been the subject of some seemingly inconsistent decisions and on 2 recent occasions tribunals containing a presidential member or presidential members have attempted to bring the law in this area together and to clarify the appropriate test to be applied.

In Re Crawford and Repatriation Commission (1 December 1987) the AAT found that an applicant who had been unloading naval ships in the Woolloomooloo Bay area at the time of the Japanese midget submarine attack on ships in Sydney Harbour had incurred danger from hostile forces of the enemy. The Tribunal said that the principle emerging from the decisions