

Proposals for the new Australian Telecommunications Authority (AUSTEL)

Among the proposals recently considered by government concerning the operation of the telecommunications industry was a recommendation to establish a new regulatory body, AUSTEL, with the capacity to investigate consumer complaints. In the original proposal AUSTEL was to take over the Ombudsman's jurisdiction with regard to complaints about Telecom. After discussions between the Ombudsman, the Department of Transport and Communications and the Minister, Senator Gareth Evans, the government decided that:

'AUSTEL will have a capacity to refer to the Ombudsman complaints it receives which are more appropriately dealt with by the Ombudsman. As a general principle, the Ombudsman will deal with matters affecting individuals while AUSTEL will be concerned with complaints which raise wider regulator policy considerations. Arrangements will be developed between the Ombudsman and AUSTEL to avoid duplication of effort and to minimise confusion over responsibility for responding to complaints. Arrangements will also be developed between the Ombudsman and AUSTEL to ensure that, subject to confidentiality provisions, AUSTEL is advised of complaints that may raise regulatory implications. AUSTEL will report to the Minister on the overall regulatory implications of consumer complaints'.

The Minister agreed to recommend to Cabinet that a Parliamentary review examine the effectiveness of the complaint handling procedures two years after the establishment of AUSTEL.

ACT self government

The government has announced proposals for ACT self government which provide that the ACT Assembly have power to enact its own administrative law but that, in the interim, the Commonwealth will hand over laws in terms similar to the Administrative Decisions (Judicial Review) Act, the Freedom of Information Act and the Ombudsman Act, which will apply as ACT Assembly laws to the decisions of the ACT Government. The Administrative Appeals Tribunal Act is to be amended to permit ACT laws to confer jurisdiction on the Tribunal.

R E C E N T P U B L I C A T I O N S

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