

which came into effect on 1 June 1988 and which, in general, provides for collection of maintenance payable under court orders and maintenance agreements. The Act covers:

- . the establishment of a Child Support Register, to be administered by the Commissioner of Taxation in his role of Child Support Registrar;
- . the creation of a 'child support debt', whereby maintenance previously payable to the payee of an order or agreement becomes a debt due to the Commonwealth;
- . termination of the liability to pay future maintenance to the payee named in the order or agreement, and removal of the payee's entitlement to enforce that debt;
- . collection of maintenance, as far as practicable, by automatic deductions from the salary or wages of employees; or where this does not or cannot apply, by a direct monthly remittance by the payer;
- . payment of maintenance by the Child Support Registrar, through the agency of the Department of Social Security, to the payee;
- . recovery of unpaid maintenance only during the time the liability is payable to the Commonwealth;
- . penalties for payers and employers for offences such as the late payment of maintenance and failing to provide information to the Registrar; and
- . objection and appeal rights for parties affected by liability to the Commonwealth.

Decisions under the Act are reviewable in general by the Family Court. Decisions with regard to remission of certain penalty amounts, remission of late payment penalties and consideration of objections by the Registrar are reviewable by the AAT.

The Child Support Assessment Bill 1989, introduced as an exposure draft during the Autumn sittings of Parliament, will give effect to the second stage of the scheme, ie administrative assessment of child support by the Registrar of Child Support. It covers eligibility for administrative assessment, the formula for child support and rights of application to the court for variation of the formula. The Bill confers jurisdiction on the courts with jurisdiction under the Family Law Act for these matters.

Legislative Scrutiny Manual

The Department of the Senate has produced a Legislative Scrutiny Manual as a guide to public servants dealing with the operations of the Senate Standing Committee on Regulations and Ordinances and the Senate Standing Committee for the Scrutiny of Bills. The Manual comprises various papers and reports which provide an overview of the operations of the two Committees. It stresses, however, that legislative scrutiny is a dynamic process and the Manual does not purport to be a definitive document.

In addition, the Senate Procedure Office recently published the collection of papers from the seminar on legislative scrutiny held by the Senate earlier in the year.

Second Conference of Australian Delegated Legislation Committees

The Second Conference of Australian Delegated Legislation

Committees was held at Parliament House, Canberra, on 26-28 April 1989. Speakers at the conference included the Commonwealth Ombudsman and the President of the AAT. The papers from the Conference have been published by the Senate Procedure Office.

Resource Assessment Commission Act 1989

In November 1988 the Council provided a letter of advice to the Attorney-General which recommended, inter alia, greater openness and provision for public inquiries by the Australian Heritage Commission in the related area of the National Estate Register. The Resource Assessment Commission Act 1989, which received Royal Assent on 28 June, establishes such an inquiry process with regard to natural resources. It provides for a Resource Assessment Commission which will 'hold inquiries and make reports in respect of resources matters in accordance with (the) Act'. It defines 'resource' as a biological, mineral or other natural resource. The Commission will be subject to guiding policy principles, set out in Schedule 1 to the Act, for resolving conflicting claims for the use of resources.

The Minister will refer matters to the Commission on behalf of the Government or a Commonwealth authority, and the Commission will conduct an inquiry into the matter and report back to the Minister. Reports are to be tabled in Parliament. The Minister will give notice in the Commonwealth Gazette of a proposed inquiry, and the Commission is required to give public notice of its hearings.

National Companies Scheme

The various legislative instruments that make up the new national companies and securities scheme have been passed by the Parliament. Some provisions of the Australian Securities Commission Act 1989 commenced on 27 June and 1 July, and the remainder are expected to be proclaimed shortly. The legislation confers jurisdiction on the AAT in relation to orders or other decisions of the Australian Securities Commission where a person has failed to comply with a requirement during an ASC investigation or hearing.

The Corporations Act 1989, which was passed in July but is not yet proclaimed, gives the AAT power to review certain decisions of the relevant minister, the ASC and the Companies Auditors and Liquidators Disciplinary Board. The Close Corporations Act 1989 also confers jurisdiction on the AAT.

Application for appointment: special leave

The High Court on 14 April 1989 granted special leave in Attorney-General for NSW v Eris Adrian Quin to appeal a decision of the NSW Court of Appeal. Mr Quin had been a NSW Stipendiary Magistrate until the establishment of Local Courts in January 1985, when he and 5 others were not re-appointed. This decision was later declared void, but the Department was not prepared to change its selection procedures and instead invited Mr Quin to submit a fresh application when a vacancy was advertised. Mr Quin sought, and obtained from the NSW Court of Appeal, a declaration that he was entitled to have his earlier application