

communication on relevant issues between the Specialist Tribunals and the Council.

Longer-term project. The Council has undertaken a longer-term project on guidelines and norms for the constitution, procedures and operation of tribunals. The project will involve close consultation with the tribunals themselves. It will cover both the substance of any such guidelines and the manner in which they should be implemented. Options range from legislation, either general or specific in nature, to less formal approaches such as a code of conduct.

The Council will be seeking the views of agencies, groups involved in Tribunal activities and members of the public generally. The person responsible for the project is Ms Patricia Georgee, who can be reached at the ARC Secretariat, or by phone on (06)247 5100.

Administrative Review Council

LETTERS OF ADVICE

Since the May 1990 issue of Admin Review the Council has provided letters of advice on the following issues:

- . specialist tribunals
- . determination of refugee status
- . Commonwealth-State housing agreement: client appeal mechanism

PAPERS

On 30 June 1990 the Council released an issues paper on 'Rule Making by Commonwealth Agencies'. Rules or other instruments of general application are made in a variety of forms. Most of them have a significant impact on individuals or groups of individuals. The forms which they take, the processes by which they are made and their accessibility affect the efficiency, fairness and responsiveness of government. Last year the Council sponsored a conference on rule making. The issues paper is designed to stimulate debate on a range of questions on this important topic. The Council has distributed the paper for information and comment from Commonwealth agencies, Members of Parliament, consumer and business groups, the legal profession and academics, and other interested members of the public. Copies are obtainable from the Council Secretariat on (06) 2475100.

CURRENT WORK PROGRAM - DEVELOPMENTS

Broadcasting. Further work is being undertaken by the Communications Law Centre on a discussion paper on inquiry procedures of the Australian Broadcasting Tribunal and review of its procedural decisions. Receipt of the paper is expected soon.

Community Services and Health. A report to Council has been received from the consultant engaged on the review of decisions on assessment of products involving the National Health and Medical Research Council, in particular its drugs and poisons scheduling function. Two discussion papers, one on the assessment of therapeutic goods and one on Commonwealth/State funding programs are to be released later this year.

Intellectual property. A discussion paper on review of patents decisions is being prepared.

Informal rule making. An issues paper was released on 30 June 1990 and submissions invited.

Multicultural Australia. In this project the Council is now conducting a series of intervention strategies to publicise the administrative review system and explain its purpose, operation and benefits. The strategies involve community education, training and government liaison activities and concentrate particularly on two communities, the Vietnamese in Footscray, Victoria, and the Turkish in Auburn, New South Wales.

Review of the AD(JR) Act. Submissions about the discussion paper on the furnishing of statements of reasons under section 13 of the AD(JR) Act have been examined and a report is being prepared.

Specialist tribunals. Following the National Conference organised by the Council in Canberra on 3 May 1990, the Council was able to report immediately to the Attorney-General on three issues: co-ordination and co-operation between tribunals, an annual tribunals conference and tribunal appointments. Other issues are still being examined by the Council and will be the subject of further advice in due course. In particular, a training program covering areas of interest for all tribunal members is being developed. Further information on this project and the Conference is contained in the Focus section at pages 54 to 57.

Outcomes in AD(JR) matters. The Council is examining the eventual outcomes in migration and customs cases remitted by the Federal Court to decision-makers for reconsideration.

The Multicultural Australia Project.

The Project seeks to find out whether people from non-English speaking backgrounds have fair and effective access to the Commonwealth administrative review system. In other words, have they the knowledge, the means and the confidence to appeal or complain against Commonwealth Government decisions or actions with which they are dissatisfied? The Council wants to identify obstacles to access and explore ways of overcoming them.

The Project started in December 1989 and will run for 18 months. After some preliminary investigation, the Council decided to concentrate its efforts on two ethnically and

geographically discrete communities, and so be able to measure the effectiveness of the various activities which it is undertaking.

The two communities chosen were the Turkish community in Auburn, Sydney, and the Vietnamese community in Footscray, Melbourne. While both these communities are considered to be disadvantaged, both have good community support networks, including newspapers and radio programs in their own languages. Without this it would be very hard for the Project team to make and maintain contact.

The Project's basic strategy is simple. In March 1990 it commissioned a survey which confirmed that members of the two target communities do not have much understanding of administrative review. It is now carrying out a series of intervention exercises designed to improve knowledge and understanding. Early in 1991 the survey will be repeated to assess the success of the Project.

The intervention strategies are divided into three main areas:

- . to improve knowledge and awareness within the general community;
- . to give detailed training and familiarisation to those people and organisations who commonly serve and advise the community; and
- . to encourage Commonwealth agencies - particularly those which have a good deal of contact with the public - to be more accessible to members of ethnic communities and more aware of the problems which affect them.

Administrative Appeals Tribunal

NEW JURISDICTION

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

- . Customs (Prohibited Imports) Regulations as amended by Customs (Prohibited Imports) Regulations (Amendment) Statutory Rules No.39 of 1990
- . Customs (Cinematograph Films) Regulations as amended by Customs (Cinematograph Films) Regulations ((Amendment) Statutory Rules No.40 of 1990
- . Designs Act 1906 as amended by Industry, Technology and Commerce Legislation Amendment Act (No.2) 1989
- . Hazardous Waste (Regulation of Exports and Imports) Act 1989
- . Industrial Chemicals (Notification and Assessment) Act 1989
- . Honey Levy Collection Act 1962 as amended by Primary Industries and Energy Legislation Amendment Act (No.3) 1989