

## REGULAR REPORTS

### Administrative Review Council

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#### Reports, submissions and letters of advice

Since the last issue of *Admin Review* the Council has made submissions to:

- the Attorney-General in relation to the work of the Interdepartmental Committee on implementation of the Council's *Better Decisions* Report;
- the Attorney-General's Department in response to ALRC Report No 75: *Cost Shifting - who pays for litigation*;
- the Senate Legal and Constitutional Legislation Committee transmitting Council comments on Anthony Morris QC's further Submission to the Inquiry into the Administrative Review Council;
- the Public Service Commissioner transmitting Council comments on the document entitled *The Public Service Act 1997 - Accountability in a Devolved Management Framework*;
- the Parliamentary Joint Committee of Public Accounts concerning the review of the Public Service Bill 1997;
- the Senate Standing Committee on Regulations and Ordinances concerning the Occupational Health and Safety (Commonwealth Employees)(National Standards) Regulation (Amendment);
- the Senate Standing Committee on Regulations and Ordinances concerning the Family Law Regulations (Amendment).

The Council has also presented its Twenty-first Annual Report 1996-1997, which was tabled in the Parliament on 30 October 1997.

#### STOP PRESS

*Appeals from the AAT to the Federal Court*

This Council Report (No 41) was tabled in the

Parliament in early December. A summary will appear in the next *Admin Review*. Meanwhile if you would like a copy of the Report please contact the Council Secretariat on 02 62475100.

#### Senate Committee Report on the Role and Functions of the Administrative Review Council

*Admin Review* 47 reported that the Senate Legal and Constitutional Legislation Committee had received a reference from the Senate on 18 September 1996 for inquiry and report on:

The optimal role and function of the ARC and the relationship between the ARC and other relevant bodies including, but not limited to, the Attorney-General's Department, other Commonwealth departments, Commonwealth merits review tribunals, the Australian Law Reform Commission, tertiary institutions, the private sector, and territory and state agencies, with particular reference to:

- (a) the benefit of a separate and permanent administrative law advisory body;
- (b) the membership structure of the ARC;
- (c) the functions and powers of the ARC;
- (d) the effectiveness of the ARC in performing its functions and any obstacles to that effectiveness; and
- (e) the need for any amendment to Part V of the Administrative Appeals Tribunal Act.

The Senate Committee's report was presented in June 1997. The Committee reached a number of conclusions and made 11 recommendations. Those conclusions and recommendations are as follows.

#### “Effectiveness of the ARC

The Committee found that it is difficult to identify objective criteria against which to assess