

TRIBUNAL WATCH

Attorney-General Confirms Tribunals Will Stay Independent

On 13 July 1997, the Attorney-General and Minister for Justice, the Hon Daryl Williams AM QC MP, issued the following News Release.

MERITS REVIEW TRIBUNALS TO STAY INDEPENDENT

Cabinet has reaffirmed its decision to streamline the present merits review system through amalgamation of a number of existing tribunals into an independent Administrative Review Tribunal.

As Cabinet decided in March, the Administrative Appeals Tribunal, the Social Security Appeals Tribunal, the Immigration Review Tribunal, the Refugee Review Tribunal and the Veterans Review Board would be amalgamated to form a new Administrative Review Tribunal.

That in-principle decision followed consideration of the Better Decisions report from the Administrative Review Council which recommended amalgamation.

An Inter-Departmental Committee was established to devise a strategy for implementation of the decision. The committee will report to Cabinet in due course.

The Cabinet is firm in its resolve that any proposal for reform of the merits review tribunals is not to affect the level of independence of such bodies in reaching decisions and it is confident that the report of the inter-departmental committee will be consistent with this aim.

Proposed Merger of IRT and MIRO into new Migration Review Tribunal

The last edition of *Admin Review* reported on the announcement of changes to be made in the Migration Act, in particular, to merge the Im-

migration Review Tribunal and the Migration Internal Review Office into a new Migration Review Tribunal and to introduce a privative clause to restrict judicial review in the High Court and federal Court in migration matters.

The legislation to achieve this – the Migration Legislation Amendment Bill (No 4) 1997 – was introduced into the House of Representatives by the Minister for Immigration and Multicultural Affairs on 25 June 1997.

In his Second Reading Speech on the Bill (Hansard pages 6281 - 6285), the Minister said that review of decisions by the Migration Review Tribunal would commence on 1 July 1998.

The Bill also makes a number of procedural changes for both the new Tribunal and the Refugee Review Tribunal.

Changes to Eligibility for Appointment to National Native Title Tribunal

The Native Title Amendment (Tribunal Appointments) Bill 1997 was introduced into the House of Representatives on 25 June 1997.

The Attorney-General's Second Reading Speech (Hansard p 6209) describes the amendments made by the Bill as adding a further class of persons to those eligible for appointment as presidential members – currently only judges are eligible, the amendments provide that persons who have been admitted to legal practice for at least 5 years are also eligible – and enabling the President of the Tribunal, instead of the Governor-General, to appoint an acting Registrar during vacancies in that office.