

# Juristes de la vin

Did you know there was such a thing as the *Association Internationale des Juristes pour le Driot de la Vigne et du Vin* or, literally translated, the International Wine Lawyers Association?

Well, there is and an Australian practitioner has recently been elected a Director.

Bruce Drinkwater (please be assured that this is not a pun), a Senior Corporate Lawyer with SA Brewing, is that newly-elected Director.

He wrote to the Society informing us of its existence:

Although created in 1987 as a French organisation it is now very much an international organisation with over 300 members in 20 countries.

The Association's charter is to consider legal issues affecting the inter-

national wine community and commerce, to advise the International Office of Wines on ways of harmonising international wine regulations, to serve as a clearing house for legal documentation concerning the wine industries of the world and to provide a forum in which wine lawyers, regulators, professors and businessmen can discuss issues of common concern.

Probably due to its relative youth, the Association is not well known in Australia however I imagine that there would be a reasonable number of lawyers in this country who might be interested in participating in its activities.

Any person who wants to know more about the Association can contact me through GPO Box 14038, Melbourne or by facsimile (03) 3265986.

# Fellowship all at sea

The President of the Maritime Law Association of Australia and New Zealand, Stuart Hetherington, announced that the Association is setting up a Fellowship.

The Association will sponsor the attendance of the successful applicant at the 19th Maritime Law Shortcourse at the Institute of Maritime Law in Southampton, England, from 14 September to 2 October.

Mr Hetherington said the Fellowship will meet the economy class return airfare to the UK as well as registration fees (which include accommodation at a three-star hotel, three full meals per day, course materials, lectures and social events).

Application for the Fellowship is by way of an essay submission of not less than 5,000 words and not more than 10,000 words.

The topic is: *The Hamburg Rules constitute a considerable advance upon the Hague-Visby Rules and should be implemented in Australia and New Zealand.*

Essays must be submitted before 30 June and should be accompanied by a declaration that the work is original and, if it incorporates other work, that other work should be recognised and identified in the declaration.

Essays should be submitted to the Association's Executive Secretary, Christopher Quennell at Norton Smith & Co, 20 Martin Place, Sydney.

# Privacy under Crimes Act

Part VIIC of the *Crimes Act 1914*, known as the Commonwealth Spent Conviction Scheme, was effective from 30 June last year and deals with the collection and use of old conviction information.

In certain circumstances, a person has the right not to disclose a conviction or finding of guilt, no one else can disclose it without the person's consent and it must not be taken into account. The Privacy Commissioner of the Human Rights Commission, Kevin O'Connor, prepared Compliance Note 2/91 which deals in detail with the legislation.

The law relates to Commonwealth or Territory convictions (which include Norfolk Island, the Australian Antarctic Territory, the ACT and the NT since self-government).

It applies to situations in which a person was granted a free and absolute pardon, the conviction was quashed or the conviction is spent.

A Commonwealth conviction is spent if a pardon was granted for other than wrongful conviction or if it meets all

the following criteria:

- \* it is 10 years or more since the date of conviction or five years in the case of a juvenile;

- \* the sentence imposed (not what was served) was a fine, bond, community service order or imprisonment for a period of less than 30 months;

- \* there have not been any further offences in the ten or five year period; and

- \* an exclusion does not apply.

If the spent, quashed or pardoned conviction was for a Commonwealth or Territory offence, an individual has the right not to disclose that conviction to anyone in Australia.

That individual can claim on oath or otherwise that he or she was not charged with, or convicted of, the offence.

If a person has such a conviction, anyone who knows or could reasonably be expected to know about the conviction must not take it into account or, without the consent of the first person, disclose it to any other person.

## OFFICE SPACE FOR RENT

Approximately 112msq, top floor of the Australian Airlines building, 16 Bennett Street Darwin.

One large office with windows plus four internal offices and reception/waiting area.

Enquiries to Maureen Butt, William Forster Chambers, phone 818322.