

ity of advice on what review mechanisms to use and how to use them.

- *Review of the AD(JR) Act: Redefining the Act's Ambit.* WIH on evaluating the submissions on the Council's discussion draft report. A seminar to discuss the draft was held on 5 October 1988.
- *Community Services and Health.* A series of public seminars was arranged in November to receive comments on present review structures and specific decision-making processes.
- *Migration.* The Council Secretariat has been involved with the Interdepartmental Committee considering the report of Committee to Advise on Australia's Immigration Policies. The government's response to the report is expected shortly.
- *Companies.* The Council is holding discussions with the Attorney-General's Department concerning review issues arising under the proposed new companies scheme.

House of Representatives Standing Committee on Legal and Constitutional Affairs

- *Inquiry into Mergers, Takeovers and Monopolies.* WIH
- *Inquiry into the Legal Regimes of Australia's External Territories.* WIH.

Senate Standing Committee Legal and Constitutional Affairs

- *Social and Fiduciary Duties and Responsibilities of Company Directors.* Submissions are being received with a view to holding hearings in early 1989.

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new references

ALRC

- Federal and Territory Choice of Laws (see *odds and ends* section of *Reform*)

- Community Law Reform – Children's Evidence (see *odds and ends* section of *Reform*)

TasLRC

- Police Powers of Interrogation Following Arrest.

VLRC

- Enduring Powers of Attorney.

WALRC

- Incitement to Racial Hatred.

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areas of law currently under review

Administrative law

NTLRC *Administrative Appeals.* Work in hand (WIH).

ARC Report on Review of Decisions under Industry Research and Development Legislation (No31).

Review of Decisions under Quarantine Proclamations. Letter of advice provided to the Attorney-General.

Review of Decisions under the Australian Heritage Commission Act. Letter of advice provided to the A-G.

Administrative Law Package under ACT Self-Government. Letter of advice provided to the A-G.

Access to Administrative Review. The Council has agreed that the next stage of the access project will examine the process that is followed from the making of a decision to the point of review, to identify any unintended impediments to access. This will enable the Council to follow up its 1986 report on notification of rights of review although this project will involve other issues as well, including the availability of advice on what review mechanisms to use and how to use them.

Review of the AD(JR) Act: Redefining the Act's Ambit. WIH on evaluating the submissions on the Council's discussion draft report. A seminar to discuss the draft was held on October 5 1988.

Community Services and Health. A series of public seminars was arranged in November to receive comments on present review structures and specific decision-making processes.

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Bankruptcy

ALRC *Insolvency.* Report on General Insolvency Inquiry (ALRC 45) tabled 13 December 1988.

Births, deaths and marriages

NSWLRC *Registration and Certification of Births and Deaths.* Report completed.

By-laws and regulations

VLCC *Subordinate Legislation.* The Committee has considered up to SR 309/1988

Thirteenth Report on Subordinate Legislation concerning *Police Gaols Regulations 1988* (SR No 73/1988) and *Correction (Firearms Amendment) Regulations 1988* (SR No 294/1988).

Fourteenth Report to Parliament on Subordinate Legislation concerning *MMBW By-law No 250: Trade Waste* (SR No 285/1988).

Fourth Report to Parliament on the Operation of s32 of the *Interpretation of Legislation Act 1984* concerning *Place Names Committee (members' Fees and Travelling Allowances Regulations 1988* (SR 251/1988).

Charities

VLCC *Law Relating to Charitable Trusts in Victoria.* Draft report under consideration by new Committee *Public Liability of Voluntary Organisations.* Draft report awaiting consideration by new Committee.

Civil rights

VCCL *Australian Constitutional Convention and Constitutional Commission.* Reports of these bodies under examination.

VLRC *Equal Opportunity Act Review.* WIH on DP

Admiralty

ALRC *Admiralty.* WIH on report on the Criminal Admiralty Jurisdiction

Animals

NSWLRC *Dog Act.* Report released (LRC 52)

Class actions

ALRC *Class Actions*. Report on Grouped Proceedings in the Federal Court (ALRC 46 tabled 13 December 1988).

Companies

House of Representatives Standing Committee on Legal and Constitutional Affairs: *Inquiry into Mergers, Takeovers and Monopolies*. WIH.

Senate Standing Committee on Legal and Constitutional Affairs: *Social and Fiduciary Duties and Responsibilities of Company Directors*. Submissions are being received with a view to holding hearings in early 1989.

Computers

RCCL (Review of Cth Criminal Law), Interim Report on Computer Crime

Conflict of laws

ALRC Choice of laws. WIH

Contempt of court

NSWLRC *Criminal Procedure*. Contempt of Court. WIH

Courts and judges

NSWLRC *Alternative Dispute Resolution*. IP prepared.

VLCC *Delays in Courts*. WIH

WALRC Report on the Jurisdiction, Procedures and Administration of Local Courts, 1988, Project 16 Part 1.

Credit

NSWLRC *Representations as to Credit: Requirement of Writing*. Report released (LRC 57).

VLRC *Credit Act*. WIH on preliminary report.

Criminal law

RCCL Discussion Paper on Bribery and Corruption DP 19.
Interim Report on Computer Crime.

WALRC *Criminal Process and Mental Disorders*. WIH on report.

VLRC

Sexual Offences. Report on Sexual Offences Against Children (No 18) tabled on 8 December 1988.

Report of Sexual Offences Against People with Impaired Mental Functioning (No 15).
Sexual Offences Against Children: Research Reports.

Criminal procedure

NSWLRC *Criminal Procedure: Procedure before Trial*. WIH.

Criminal Procedure: Codification and Classification. WIH.

Criminal Procedure: Appeals in Criminal Cases. WIH.

Criminal Procedure: Police Powers of Detention and Questioning. Report nearing completion.

Criminal Procedure: Contempt of Court. WIH.

Criminal Procedure: Sentencing. WIH.

TasLRC

Criminal Law and Procedure: Criminal Code S323, Alternative Verdicts. WIH.

Criminal Law and Procedure: Compulsory Identification Parades. WIH

Criminal Law and Procedure: Regulations relating to the Refrigeration etc. of Blood taken for Blood Alcohol Tests. WIH

Criminal Law and Procedure: Criminal Code. S157(1)(c), Murder. WIH

Criminal Law and Procedure: Provisions in the Evidence Act Governing the Competence and Compellability of Spouses to give Evidence. WIH

Insanity, Intoxication and Automatism under the Tasmanian Criminal Code. WIH

VLRC

Homicide. WIH on draft report. Submissions are currently being considered.

Insanity and Automatism. WIH.

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Customs and excise

ALRC *Customs*. Papers on the offshore application of the Act (with draft provisions) and cargo control will be released in early 1989. WIH on draft provisions on administration and passenger processing.

Damages

ALRC *Pre-judgment interest on Damages*. WIH on DP.

VLRC *Penalties and Liquidated Damages*. WIH on DP.

Discrimination

WALRC *Incitement to Racial Hatred*. WIH on DP

Evidence

TasLRC *Australian Law Reform Commission Draft Evidence Bill*. Recommendations forwarded to the Attorney-General.
Provisions in the Evidence Act Governing the Competance and Compellability of Spouses to give Evidence. Recommendation made that no changes are made to the present law.

WALRC *Payment of Witnesses in Civil Proceedings*. WIH on report

Family law

NTLRC Report on De Facto Relationships, 1988, No13.

Infants and children

ALRC Guardianship and Management of Property. WIH.

Tas LRC *Child Witnesses*. DP prepared. WIH on report.
Children's Evidence. WIH.

WALRC *Medical Treatment of Minors*

Insurance

NSWLRC *Assurance Fund*. IP completed.

International law

House of Representatives Standing Committee on Legal and Constitutional Affairs: *In-*

quiry into the Legal Regimes of Australia's External Territories. WIH.

Landlord and tenant

TasLRC *Shopping Centre Leases*. WIH

Liens

NSWLRC *Disposal of Uncollected Goods*. Report completed.

Medicine and the law

NSWLRC *Surrogate Motherhood*, Report completed.

Informed Consent to Medical Treatment. Draft report under consideration.

VLRC *Informed Consent to Medical Treatment*. Draft report prepared, and circulated. Due for tabling early in 1989.
Genetic Manipulation. WIH.

WALRC *Medical Treatment for Minors*. DP issued and comments are being considered. Deadline for comments is 28 February 1989.
Medical Treatment of the Dying. WIH on report. Comments being considered.
Medical Research Records. WIH on DP.

Mental illness

ALRC *Enduring Powers of Attorney*. Report due for tabling early in 1989.
Guardianship and Management of Property WIH.

NSWLRC *Wills for the Mentally Incapable*. WIH.

TasLRC *Insanity, Intoxication and Automatism under the Tasmanian Criminal Code*. WIH

WALRC *Criminal Process and Mental Disorders*. WIH on report.

Perpetuities and accumulations

NTLRC *Rules Against Perpetuities and Accumulations*. WIH on report. Due to be completed by December 1988.

- Police**
- NSWLRC *Police Powers of Detention and Questioning*. Report nearing completion.
- TasLRC *Police Powers of Interrogation following Arrest*. New reference.
- VLRC *Police Standing Orders*. WIH.
- Police offences**
- WALRC *Police Act Offences*. DP nearing completion.
- Privacy**
- VLCC *Use of Action for Breach of Confidence as a means of Protecting Personal Privacy*. WIH.
Freedom of Information Act 1982. Written submissions are still being received. Public hearings will probably be held in March.
- Product liability**
- ALRC WIH on RP's which are due for release in early 1989. Commissioner Goldring is visiting North American and the UK holding talks with interest groups.
- VLRC *Product Liability*. WIH on joint reference.
- Professions**
- VLRC Report on Principles for Occupational Regulation Occupational Regulation Report No 2.
- Real property and conveyancing**
- NSWLRC *Dividing Fences*. Report completed.
- QLRC *Real Property Act*. WIH
- VLRC *Easements and Convenants*. WIH on DP.
Trusts. WIH on DP.
Sale of Land Act. WIH on report.
Insurance. WIH on DP
Priorities. WIH on report.
- Sale of goods**
- NSWLRC *Sale of Goods*. WIH
- Security**
- RCCL Discussion Paper on Disclosure of Official Information, DP 20.
- Statutes**
- VLRC *Equal Opportunity Act Review*. WIH on DP.
Occupational Regulation. WIH on draft reports on *Private Agents*. WIH on draft report on the *Sheepowners Protection Act*.
Obsolete Legislation. WIH on report.
Codes of Practice. WIH on DP.
Police Standing Orders. WIH.
Credit Act. WIH on preliminary report.
- WALRC *Imperial Statutes in Force in WA*. DP in preparation.
- Sentencing and prisons**
- NSWLRC *Criminal Procedure* – Sentencing. WIH
- Torts**
- TasLRC *Civil Procedure*. Recommended that no further action be taken.
- NSWLRC *Contribution between Persons Liable for the Same Damage*. WIH
- Wills**
- NSWLRC *Wills for the Mentally Incapable*. WIH.
- WALRC *Administration of Assets of the Solvent Estates of Deceased Persons in the Payment of Debts and Legacies*. Report released *Wills: Marriage and Divorce*.
- Other**
- NSWLRC *The Rule in Bain v Fothergill*. WIH
Neighbour and Neighbour. WIH