

bodies which have been specifically designed to make expert decisions and which have been given a wide discretion to do so. The paper suggests that expertise in itself is not a sufficient reason for precluding review.

Copies of the paper can be obtained by telephoning the Council secretariat on 434671.

Joinder of AD(JR) Act and section 39B proceedings under the Federal Court Rules

Order 54A of the Federal Court Rules has been amended to provide that an application under section 39B of the Judiciary Act 1903 and an application under the AD(JR) Act in respect of the same subject matter are to be made in the one application. The amendments of the rules came into operation on 26 April 1988 and are published as Statutory Rules 1988, No 54.

This amendment should overcome the practical problems involved in a system where 2 separate proceedings can be brought in the one court, one under the AD(JR) Act and one under section 39B of the Judiciary Act, in respect of the one set of circumstances, with both cases having as their object substantially similar orders.

The issue of the desirability of, or need for, such a bifurcated review path is being examined as part of the Council's present review of the operation of the AD(JR) Act.

Referral of matters between the Ombudsman and the AAT

The Ombudsman and the President of the AAT have agreed on a set of administrative arrangements for the referral of matters between the Ombudsman and the AAT. The arrangements give effect to recommendations made by the Council in its Report No. 22, The Relationship between the Ombudsman and the Administrative Appeals Tribunal.

R E C E N T P U B L I C A T I O N S

Bayne, Peter

'Relevant and irrelevant considerations' (1988) 62
Australian Law Journal 71

Bayne, Peter

'Natural justice, public policy and justiciability' (1988)
62 Australian Law Journal 225

Bull, David

'Tameside revisited: prospectively "reasonable";
retrospective "maladministration"' May 1987 50 Modern Law
Review 307-344