
R E G U L A R R E P O R T S

Administrative Review Council

ANNUAL REPORT OF THE COUNCIL

The Council's Fourteenth Annual Report, 1989-90, was tabled in the Senate on 18 December 1990. Copies are available from AGPS at a cost of \$14.95. As in previous years the Annual Report contains letters of advice provided to the Government in 1989/90.

LETTERS OF ADVICE

Between November 1990 and the August issue of Admin Review the Council provided letters of advice on the following issues

- . Determination of Refugee Status
- . Higher Education Contribution Scheme - AAT filing fee
- . Federal Court of Australia Resources Review
- . Amendments to the Migration Act 1958 and Regulations:
Exclusion of the operation of Privacy Principles
- . Review of decisions within the Employment, Education and Training portfolio
- . Draft Report of the Committee on Court Fees and Charges.

CURRENT WORK PROGRAM - DEVELOPMENTS

Broadcasting

The discussion paper prepared for the Council by the Communications Law Centre is expected to be published shortly as a contribution to the Commonwealth Government's general review of the Australian Broadcasting Tribunal and the Broadcasting Act 1942.

Community Services and Health

Discussion papers are being prepared on Commonwealth/State funding programs and assessment of therapeutic products. A letter of advice on the decision making process of the National Health and Medical Research Council and review of its decisions was prepared.

Intellectual Property

A consultant's paper on review of patents decisions is being prepared by Dr Margaret Allars of the University of Sydney.

Informal Rule Making

The issues paper on 'Rule Making by Commonwealth Agencies', released on 30 June 1990, has provoked substantial and varied responses, both from within and outside government. These

responses are being analysed and further research, in particular a comparison of rule making in other jurisdictions, is now being undertaken. The final report is due by 30 June 1991.

Multicultural Australia

This project was described in some detail in the August edition of Admin Review at pp 58-59. In essence it involves surveying and liaising with two communities: the Turkish community in the Sydney suburb of Auburn and the Vietnamese community in the Melbourne suburb of Footscray, in order to encourage contact and foster increased understanding by and use of certain Commonwealth agencies by these communities. As part of the project regular articles have been published in the local ethnic press, explaining how common grievances, which might relate for example to Telecom, social security benefits and immigration matters, may be remedied.

A 'phone-in' held for the Melbourne Vietnamese community in Footscray on immigration matters attracted many enquiries. A public meeting on social security matters held during November in Auburn attracted 80 people, including community, local media and welfare representatives. The question of access to and use of the AAT and the Commonwealth Ombudsman is a priority for the project and meetings to that end have been held with both bodies.

Review of the Administrative Decisions (Judicial Review) Act

This review relates to the ambit of section 13 of the AD(JR) Act, which obliges certain decision makers to furnish statements of reasons for their decisions. Mr Denis O'Brien, a solicitor with Minter Ellison and a former Director of Research for the Council, is preparing a report in the light of responses to the discussion paper published by the Council on this topic on 19 January 1990.

Specialist Tribunals

This project was discussed in the August edition of Admin Review at pp54-57.

Outcomes in AD(JR) Matters

The Council is examining the eventual outcome in migration and customs cases remitted by the Federal Court to decision makers for reconsideration.

Administrative Appeals Tribunal

NEW JURISDICTION

Since the last issue of Admin Review jurisdiction has been conferred on the AAT under the following legislation: