

<u>Jurisdiction</u>	<u>No. of Applications under the AD(JR) Act</u>			
	Oct 1980- Dec 1981	1982	1983	Jan - 14.9.84
Income Tax Assessment Act 1936	-	5	25	18
Customs legislation *	3	9	6	16
Migration Act 1958	14	26	33	15
Public Service Act 1922	7	31	15	7
Broadcasting and Television Act 1942	1	5	4	7
Other	<u>44</u>	<u>42</u>	<u>81</u>	<u>54</u>
TOTAL	<u>69</u>	<u>118</u>	<u>164</u>	<u>117</u>

* Includes legislation relating to dumping and countervailing duties

Freedom of Information

Non-Government Bodies Subject To Act

In preliminary proceedings the AAT has ruled that the Law Society of the ACT, a body having some 'non-public purposes', was nevertheless an agency to which requests may be made for access to documents. The Tribunal held that the Society satisfied one of the definitions of a 'prescribed authority' in that it was 'a body corporate...established for a public purpose by, or in accordance with, the provisions of an enactment': Re Brennan and Law Society of A.C.T., 7 August 1984. (Note : a contrary conclusion was reached by the County Court of Victoria under the Victorian FOI Act in respect of the Law Institute of Victoria in Richards -v- Law Institute of Victoria, 13 August 1984).

Access to University Records

Two cases, one in Victoria under the Victorian Freedom of Information Act, and the other in the Commonwealth sphere, have considered whether, and if so to what extent, universities are subject to FOI requests. In Hart -v- Monash University (30 July 1984) Judge Hogg of the Victorian County

Court decided that a former student of Monash University was entitled to access to his marks in several subjects undertaken at the University. Whether Commonwealth tertiary educational institutions will be required to follow suit should be clarified when a decision is handed down in a recent case heard by the AAT involving applications by five former students at the Australian National University who are seeking access to records held by the University's Department of History (Re James and Others and Australian National University).

Access to Taxation Records

A taxpayer's success in a comprehensively argued case before the AAT involving access to documents relating to the applicant's personal, individual and partnership returns for three successive years has clarified to a large extent questions about individuals' rights of access to their taxation records (Re Murtagh and Commissioner of Taxation (1984) 54 ALR 313).

Conclusive Certificate : Relevant Documents

A conclusive certificate issued in respect of certain documents pursuant to the Freedom of Information Act also applies to copies of those documents (Re Peters and Public Service Board; Re Peters and Department of Prime Minister and Cabinet, 10 August 1984).

A D M I N I S T R A T I V E L A W W A T C H

The New (State) Administrative Law Recent Developments

IN BRIEF

Major proposals for reforms in administrative review in Victoria and South Australia appear to have been largely modelled on key elements of the Commonwealth's administrative law system. In Victoria, the Administrative Appeals Tribunal Bill 1984 proposes the establishment of a general appeals tribunal similar to the Commonwealth AAT, while in South Australia the Law Reform Committee has proposed a number of administrative law reforms, including a general appeals tribunal and an Administrative Decisions (Judicial Review) Act, both closely resembling the Commonwealth models.