

date in which he lodged his claim, as required by section 24(1)(b) of the Social Security Act 1947. The court rejected the submission that this sub-section applied only to the first and not a subsequent grant of an invalid pension.

Compensation claim following squash game

A matter involving a compensation claim following a lunch time squash game has been remitted by the Federal Court to the Administrative Appeals Tribunal for decision. The matter arose out of a claim for compensation in respect of incapacity for work after an episode of cardiac arrhythmia suffered during a lunch time squash game at courts maintained by the employer. In Canberra College of Advanced Education v Culpin (10 February 1986) the court held that the Tribunal had erred in considering the case as one of "personal injury arising out of or in the course of the employment of an employee" under section 27 of the Compensation (Commonwealth Government Employees) Act 1971. The real question, it said, was whether the employee had suffered an aggravation of the condition of hypertension to which the employment had been a contributing factor within the meaning of section 29 of the Act.

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

Appointment of new Ombudsman

Mr G.K. Kolts, OBE, QC, has been appointed Commonwealth Ombudsman from 1 July. Mr Kolts has been First Parliamentary Counsel for more than five years and has a long and sustained involvement in administrative law. He was a foundation member of the Administrative Review Council and served on the Council for six years. On taking up his appointment as Commonwealth Ombudsman, Mr Kolts will become an ex officio member of the Council. Until he takes up his appointment, Air Vice Marshal J.C. Jordan, AO will continue to act as Commonwealth Ombudsman.

Access to Information

On 6 and 7 March 1986, the Hon. Justice M.D. Kirby, CMG attended and addressed the National Forum on Access to Information and Privacy, in Ottawa, Canada. In his address, "The Ten Information Commandments", Mr Justice Kirby talked about the use (and abuse) of freedom of information legislation in the context of contemporary technological development. He acknowledged the difficulties inherent in reconciling competing rights and maintaining the integrity of FOI, and spoke about weighing costs against impact. On this note, he propounded the following ten information commandments:

- 1 contemporary technological developments endanger human rights and civil liberties and require a response
- 2 legislation is required; the common law is insufficient
- 3 technology itself demands, or may even produce, legal reform
- 4 the people are not always the best judges of their own interests - there is a role for the informed observer
- 5 costs must be counted, but so must benefits
- 6 flexibility is required in legislation, to account for changes in technology and perception of the problems
- 7 information rights must extend from the public sector to the private sector
- 8 information technology presents international issues and needs international solutions
- 9 legal responses must attend to the real problems, and not content themselves with mere symbols
- 10 democratic values must be preserved, but can our democratic institutions respond adequately to the challenge?