

Committees was held at Parliament House, Canberra, on 26-28 April 1989. Speakers at the conference included the Commonwealth Ombudsman and the President of the AAT. The papers from the Conference have been published by the Senate Procedure Office.

Resource Assessment Commission Act 1989

In November 1988 the Council provided a letter of advice to the Attorney-General which recommended, inter alia, greater openness and provision for public inquiries by the Australian Heritage Commission in the related area of the National Estate Register. The Resource Assessment Commission Act 1989, which received Royal Assent on 28 June, establishes such an inquiry process with regard to natural resources. It provides for a Resource Assessment Commission which will 'hold inquiries and make reports in respect of resources matters in accordance with (the) Act'. It defines 'resource' as a biological, mineral or other natural resource. The Commission will be subject to guiding policy principles, set out in Schedule 1 to the Act, for resolving conflicting claims for the use of resources.

The Minister will refer matters to the Commission on behalf of the Government or a Commonwealth authority, and the Commission will conduct an inquiry into the matter and report back to the Minister. Reports are to be tabled in Parliament. The Minister will give notice in the Commonwealth Gazette of a proposed inquiry, and the Commission is required to give public notice of its hearings.

National Companies Scheme

The various legislative instruments that make up the new national companies and securities scheme have been passed by the Parliament. Some provisions of the Australian Securities Commission Act 1989 commenced on 27 June and 1 July, and the remainder are expected to be proclaimed shortly. The legislation confers jurisdiction on the AAT in relation to orders or other decisions of the Australian Securities Commission where a person has failed to comply with a requirement during an ASC investigation or hearing.

The Corporations Act 1989, which was passed in July but is not yet proclaimed, gives the AAT power to review certain decisions of the relevant minister, the ASC and the Companies Auditors and Liquidators Disciplinary Board. The Close Corporations Act 1989 also confers jurisdiction on the AAT.

Application for appointment: special leave

The High Court on 14 April 1989 granted special leave in Attorney-General for NSW v Eris Adrian Quin to appeal a decision of the NSW Court of Appeal. Mr Quin had been a NSW Stipendiary Magistrate until the establishment of Local Courts in January 1985, when he and 5 others were not re-appointed. This decision was later declared void, but the Department was not prepared to change its selection procedures and instead invited Mr Quin to submit a fresh application when a vacancy was advertised. Mr Quin sought, and obtained from the NSW Court of Appeal, a declaration that he was entitled to have his earlier application