

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

-----  
Administrative Review Council  
-----

REPORTS

The Council's Thirteenth Annual Report, 1988-89, was released on 12 December 1989 after tabling in Parliament. It is available at the Australian Government Publishing Service Bookshop for \$14.95.

DISCUSSION PAPERS

On 19 January 1990 the Council released a discussion paper for the next stage of its review of the Administrative Decisions (Judicial Review) Act. The paper, entitled 'Review of the AD(JR) Act - statements of reasons', is concerned with the requirement imposed on decision makers to provide statements of reasons for decisions. The discussion paper has been prepared as a basis for consultation with interested persons or organisations. The Council would welcome comments on the paper.

LETTERS OF ADVICE

Since the November 1989 issue of Admin Review the Council has provided the Attorney-General with letters of advice on the following issues:

- . The Administrative Decisions (Judicial Review) Act 1977: tendering section 13 statements;
- . Amendments to the Administrative Appeals Tribunal Act 1975 and Regulations (2 letters);
- . Fisheries management.

OTHER PAPERS

- . submission to the Joint Parliamentary Committee on Public Accounts on annual reporting guidelines for statutory authorities.

CURRENT WORK PROGRAM - DEVELOPMENTS

Access to administrative review. The Council is consolidating access issues raised in its reports and letters of advice in a new submission dealing with the costs of justice for the Senate Standing Committee on Legal and Constitutional Affairs.

Broadcasting. The Council has received a draft discussion paper prepared by the Communications Law Centre. It is currently being revised prior to release. Work is also proceeding on the second discussion paper dealing with AAT review of substantive decisions by the ABT, and ministerial decisions.

Community Services and Health. Discussion papers on

Commonwealth/State funding programs and assessment of products are in preparation.

Intellectual Property. A discussion paper on review of patents decisions is in preparation.

Informal rule-making. A background/problems paper is being prepared.

Multicultural Australia. The project has commenced operation in Melbourne with the appointment of Mr Dennis Tracey as project leader. In the initial phase the Council is gathering information about the problems people from different cultural backgrounds face in attempting to obtain information about a government decision which affects them or to seek to have it changed. This involves community consultation, examination of earlier studies and discussions with government agencies. Mr Tracey can be contacted on (03) 611 3941.

Review of the AD(JR) Act. The discussion paper on the furnishing of statements of reasons under section 13 of the AD(JR) Act was released for public comment on 19 January 1990.

Specialist tribunals. A conference is proposed for early this year. The conference will provide a forum in which tribunals can identify areas of mutual concern and interest. It will also provide an opportunity to establish a framework for an on-going relationship between tribunals and the Council.

---

Administrative Appeals Tribunal

---

#### NEW JURISDICTION

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

- . Pasture Seed Levy Collection Act 1989
- . Goat Fibre Levy Collection Act 1989

#### KEY DECISIONS

##### Fisheries: departure from Management Plan

In Bromley and the Secretary, Department of Primary Industries and Energy (6 December 1989), a three-member AAT reviewed decisions by the Minister's delegate that Mr Bromley's boat 'Echo Star' did not satisfy the criteria for entry into the East Coast Tuna Longline Fishery and that its licence should not be extended.

The regulation of the tuna fishery on the east coast of the Australian Fishing Zone began in 1985, when the Director of the Australian Fisheries Services issued a media release warning against new investment in the tuna industry. The statement indicated that fishermen entering the industry after that time might not be eligible to continue under the new management plan.

The East Coast Tuna Management Advisory Committee (ECTUNAMAC), established in 1986, introduced a register listing expressions of interest, primarily by boat name rather than applicant's