Date Introduced: 21 September 1983
House: House of Representatives
Presented by: Hon. L.F. Bowen, Minister for Trade

Short Digest of Bill

Purpose

To make non-controversial and non-contentious amendments to a number of Acts in a single "omnibus" Bill.

Background

The criteria for inclusion of amendments in a Statute Law (Miscellaneous Provisions) Bill were stated by the Attorney-General in debate on the Statute Law (Miscellaneous Provisions) Bill (No.1) 1983 (See Digest). The practice initiated in that Bill of setting out amendments in a schedule is continued in the present Bill.

Main Provisions

Some Acts which are amended by the Bill are noted in brackets below.

The jurisdiction of Federal Courts is modified so that certain prerogative writs may be obtained by proceedings in the Federal Court of Australia rather than in the High Court. This change will notably once again allow demands for lodgement of securities in an anti-dumping action to be challenged in the Federal Court, reversing their discontinuance during 1982 (Judiciary Act 1903, Federal Court of Australia Act 1976)[1]. Proceedings before the Administrative Appeals Tribunal to review a deportation order under the Migration Act 1958 need no longer be presided over by a presidential member who is also a Federal Court judge (Statute Law (Miscellaneous Amendment) (No.1) Act 1982). Functions which may be delegated to the Registrar of the A.C.T. Supreme Court are extended (A.C.T. Supreme Court Act 1933). A.C.T. courts are to be included among those to which Part IIIA of the Evidence Act 1905 applies, rendering business records admissible, as an exception to the hearsay rule (Evidence Act 1905).
Exchange of relevant information between two Royal Commissions is to be permitted (Royal Commissions Act 1902).

Government administration is affected to accommodate certain State officers transferred to Commonwealth employment (Meat Inspection Arrangements Act 1964) and to permit variation in the terms of certain Commonwealth/State agreements (Growth Centres (Financial Assistance) Act 1973, Land Commissions (Financial Assistance) Act 1973). Certain appointments to statutory boards are henceforth to be made by the Minister responsible for telecommunications matters rather than the Governor-General (Overseas Telecommunications Act 1946).

"Conflict of interest" disclosure requirements and the consequences of conflict are modified in respect of several bodies, conformably to the recommendations of the Bowen Committee.[2] (Australia-Japan Foundation Act 1976, Australian Centre for International Agricultural Research Act 1982).

Representation of community legal centres on the Commonwealth Legal Aid Council is provided for (Commonwealth Legal Aid Act 1979), and of small business organisations on the Economic Planning Advisory Council (Economic Planning Advisory Council Act 1983).

Amendments provide for priority, in certain cases, of an international application lodged under the Patent Co-operation Treaty over an earlier patent application (Patents Act 1952).

A change of name of the Australian Commercial Pig Producers Federation to the Australian Pork Producers Federation (Pig Industry Research Act 1977, Pig Meat Promotion Act 1975) and replacement of the Northern Territory's Parks and Wildlife Service by a Conservation Commission are accommodated (Environment Protection (Northern Territory Supreme Court) Act 1978).

For further information, if required, contact:

4 October 1983

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References

