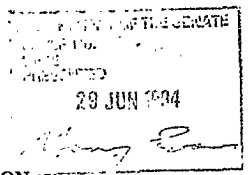
THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA



SENATE STANDING COMMITTEE ON
REGULATIONS AND ORDINANCES

SCRUTINY BY THE COMMITTEE OF AMENDMENTS OF THE FAMILY LAW (CHILD ABDUCTION CONVENTION) REGULATIONS

NINETY-EIGHTH REPORT

JUNE 1994

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CONTENTS

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MEMBERS OF THE COMMITTEE

Senator Mal Colston (Chairman)
Senator Bill O'Chee (Deputy Chairman)
Senator Eric Abetz
Senator Stephen Loosley
Senator Nick Minchin
Senator Olive Zakharov

PRINCIPLES OF THE COMMITTEE

(Adopted 1932: Amended 1979)

The Committee scrutinises delegated legislation to ensure:

(a) that it is in accordance with the statute;

(b) that it does not trespass unduly on personal rights and liberties;

(c) that it does not unduly make the rights and liberties of citizens dependent upon administrative decisions which are not subject to review of their merits by a judicial or other independent tribunal; and

(d) that it does not contain matter more appropriate for parliamentary enactment.

INTRODUCTION

The Standing Committee on Regulations and Ordinances has a mandate from the Senate to scrutinise every disallowable instrument of delegated legislation to ensure compliance with the highest standards of personal rights and parliamentary proprietory.

This Report describes scrutiny by the Committee of amendments of the Family Law (Child Abduction Convention) Regulations, which adversely affected the rights of considerable numbers of Australian children, their parents and guardians who are associated with the present countries covering the geographical extent of the former Socialist Federal Republic of Yugoslavia (SFRY).

The Child Abduction Convention which forms part of the citation of the Regulations, is the Convention on the Civil Aspects of International Child Abduction. That Convention provides for the prompt return of children wrongfully removed to or retained in any Convention country and ensures reciprocal rights of custody and access to children under the laws of those countries.

The amendments which were the subject of the Committee's scrutiny not only failed to apply the protection of the Convention to children abducted to or from the former SFRY, but also removed existing safeguards for much of this troubled area.

The Committee is pleased to report to the Senate that the Attorney-General has undertaken to make new sets of regulations which will extend the list of countries in respect of which the Convention has entered into force for Australia, to include the whole of the area of the former SFRY. This helpful cooperation from the Attorney-General will improve the personal rights of many Australians affected by matters provided for by the Convention.

CHAPTER 1

THE LEGISLATION

Section 111B of the *Family Law Act 1975*, inserted into that Act by section 61 of the *Family Law Amendment Act 1983*, provides as follows :

> **Convention on the Civil Aspects of International Child Abduction**
> 111B. The regulations may make such provision as is necessary to enable the performance of the obligations of Australia, or to obtain for Australia any advantage or benefit, under the Convention on the Civil Aspects of International Child Abduction signed at The Hague on 25 October 1980 but any such regulations shall not come into operation until the day on which that Convention enters into force for Australia.

This Report will refer to the Convention mentioned in that section as the Child Abduction Convention, or the Convention, in accordance with subsequent Commonwealth legislative practice.

The Child Abduction Convention entered into force generally on 1 December 1983. The objects of the Convention are to secure the prompt return of children wrongfully removed to, or retained in, a country which is a party to the Convention and to ensure that rights of custody and access to children under the laws of a Convention country are effectively respected in the other Convention countries.

On 22 April 1986 the Governor-General made the **Family Law (Child Abduction Convention) Regulations, Statutory Rules 1986 No 85**, to give effect to the Convention for Australia. The stated purpose of the Regulations was to give effect to section 111B of the Family Law Act by establishing the legal framework and facilitating administrative arrangements to enable Australia to perform its obligations under the Convention. The Regulations also set out the English text of the Convention and prescribed four countries as Convention countries, in respect of which the Convention had entered into force for Australia. These Regulations came into operation on 1 January 1987, the day on which the Convention entered into force for Australia.

The principal Regulations were amended by five subsequent sets of Regulations, each of which, among other things, added other Convention countries and the date on which the Convention entered into force between Australia and that country, together with any reservations made by a Convention country when acceding to the Convention.

One of these five sets of Regulations, the **Family Law (Child Abduction Convention) Regulations (Amendment), Statutory Rules 1992 No 34**, was made on 31 January 1992 and came into effect on gazettal on 7 February 1992. Among other things, these Regulations prescribed the Socialist Federal Republic of Yugoslavia as a Convention country, with retrospective effect to 1 December 1991.

The **Family Law (Child Abduction Convention) Regulations (Amendment), Statutory Rules 1993 No 358**, were made on 15 December 1993 and came into effect on gazettal on 23 December 1993. Among other things, these Regulations removed the existing reference to the Socialist Federal Republic of Yugoslavia, with effect from 23 December 1993, and substituted references to Bosnia and Herzegovina, Croatia and the former Yugoslav Republic of Macedonia, retrospectively to 1 December 1991. These Regulations were tabled in the Senate on 1 February 1994.

CHAPTER 2

ISSUES FOR THE COMMITTEE

The Committee scrutinised the **Family Law (Child Abduction Convention) Regulations (Amendment), Statutory Rules 1993 No 358**, in the same way as it scrutinises the other approximately 1,600 disallowable instruments of delegated legislation tabled each year in the Senate. This scrutiny ensures that each of these instruments complies with the Committee's high standards of parliamentary propriety and personal rights.

To do this, the Committee applied its four principles, or terms of reference, to the Regulations. These principles, now included in the Standing Orders, are that delegated legislation should be in accordance with the statute, should not trespass unduly on personal rights, should provide appropriate review of the merits of administrative decisions and should not contain matter more appropriate for parliamentary enactment. The four principles may be summarised by saying that the Committee protects personal rights and parliamentary propriety.

As usual, the Committee received a report on the present Regulations from its independent Legal Adviser, Emeritus Professor Douglas Whalan AM, and then considered the instrument at its next meeting. The Committee concluded that the Regulations had important implications for personal rights. Their subject matter concerned the most fundamental rights not only of children, but also of parents and guardians. In this respect there seemed to be a problem with the Regulations. This was that the principal Regulations had provided, with effect from 1 December 1991, for the whole of the Socialist Federal Republic of Yugoslavia to be a Convention country in respect of which the Convention had entered into force for Australia. The present Regulations then removed this status, with effect from 23 December 1993, from whatever territory, if any, which either referred to itself or was recognised by others as the SFRY. Unfortunately, the territories included in the principal Regulations to replace the SFRY as Convention countries did not cover the whole of the area of what was, by then, usually referred to as the former SFRY.

In fact, very substantial areas and populations of the former SFRY were removed from the protection of the Convention. For instance, Serbia, Montenegro and Slovenia all appeared to be no longer covered. These important areas had enjoyed such protection between 1 December 1991 and 23 December 1993 but now it appeared that these territories, whatever their status in international law, were not countries in respect of which the Convention had entered into force for Australia.

This was a disturbing development which concerned the Committee. The application of the Convention to particular countries in this troubled area, from which considerable numbers of people had migrated to Australia, had important implications for personal rights. The Committee was particularly concerned that the present Regulations appeared to remove the protection of the Convention from areas where it had previously applied.

The present Regulations may also have affected parliamentary propriety in that some provisions operated with more than two years retrospectivity. Even where retrospective provisions are not prejudicial to persons other than the Commonwealth or its authorities, and are therefore of no effect under subsection 48(2) of the *Acts Interpretation Act 1901*, the Committee normally asks for an explanation of retrospectivity of this length. Parliament is entitled to know the reasons for substantial retrospectivity provided for in legislation made under the authority of an Act.

Finally, the Committee had previously reported to the Senate on the application of delegated legislation to the former SFRY. The Report of Scrutiny by the Committee of Regulations Imposing United Nations Sanctions, 93rd Report, tabled on 16 December 1992, examined, among other things, the imposition by Australia of United Nations sanctions against the former SFRY and Serbia and Montenegro. These sanctions, relating to air navigation, exports, imports and migration, were all imposed by regulations. That Report scrutinised aspects of those regulations which related to personal rights and parliamentary propriety. Thus, the Committee's scrutiny of the regulations relating to the Child Abduction Convention was important not only for itself, but also because it complemented this earlier work of the Committee.

CHAPTER 3

ACTION BY THE COMMITTEE

After the Committee received the Legal Adviser's report on the present Regulations and discussed the issues it wished to raise, the Chairman wrote to the Minister as follows :

9 February 1994

The Hon Michael Lavarch MP
Attorney-General
Parliament House
CANBERRA ACT 2600

Dear Minister

I refer to the Family Law (Child Abduction Convention) Regulations (Amendment), Statutory Rules 1993 No 358.

Among other things, the regulations omit the Socialist Federal Republic of Yugoslavia from Schedule 2 Convention countries and, retrospectively from 1 December 1991, substitute Bosnia and Herzegovina, Croatia and the former Yugoslav Republic of Macedonia. The SFRY was retrospectively included as a Convention country from 1 December 1991 by Statutory Rules 1992 No 34.

The result of the changes is presumably that from 1 December 1991 to 23 December 1993, the date of the changes made by the present regulations, the whole of the area of the former SFRY was a Convention country in respect of which the Convention had entered into force for Australia. The present regulations, however, do not appear to apply to all of that area. For instance, are Slovenia, Montenegro and Serbia now covered? If there are gaps, are child abductions in these areas to be left in limbo? Finally, what is the basis for the retrospectivity to 1 December 1991 for Bosnia and Herzegovina, Croatia and the former Yugoslav Republic of Macedonia.

Developments in this area are of particular interest to the Committee, which presented a special report to the Senate on its scrutiny of regulations imposing United Nations sanctions. This report was favourably mentioned in the Explanatory Memorandum and second reading speech for the Charter of United Nations Amendment Act 1993.

Accordingly, it would be appreciated if officers of your Department could brief the Committee on the present regulations at its next meeting at 8.30am on Thursday, 24 February 1994, in Committee Room 1S6. The briefing would be quite informal and not recorded by Hansard. The Department could discuss any details with the Committee secretary on 277 3066.

Yours sincerely

Mal Colston
Chairman

The above letter illustrates aspects of the operations of the Committee. One of these is that while it addresses its inquiries directly to the Minister, in important cases the Committee will ask the Minister to nominate departmental officers to brief it on matters of concern.

In this case, after the departmental officers briefed the Committee the Chairman wrote again to the Minister, as follows :

24 February 1994

The Hon Michael Lavarch MP
Attorney-General
Parliament House
CANBERRA ACT 2600

Dear Minister

I refer to my letter of 9 February 1994 about the Family Law (Child Abduction Convention) Regulations (Amendment), Statutory Rules 1993 No 358.

At its meeting of 24 February 1994 the Committee was briefed on the Regulations by Mr Richard Morgan, Mr Bill Campbell and Ms Jenny Degeling of your Department. I would be grateful if you could arrange for our thanks to be conveyed to these officers for their helpful assistance.

The Committee understands that the Department will approach the Hague Conference on Private International Law, the present authorities in Belgrade and the government of Slovenia, with a view to obtaining, as far as is possible, undertakings about coverage by the Convention of all the territory of the former Socialist Federal Republic of Yugoslavia. The Committee would appreciate your advice on the result of these approaches.

In view of the importance of the subject matter of the Regulations and the possible effect upon a considerable number of Australians of restricted application of the Convention, on behalf of the Committee I will give a protective notice of disallowance of the Regulations on 14 March 1994, the

last day on which it is possible to do so. The notice will be for 15 sitting days after that date.

Yours sincerely

Mal Colston
Chairman

The above letter also illustrates aspects of the operations of the Committee. One of these is that the Committee accepts undertakings from Ministers or, as in this case, from officers of the Minister's Department, to amend the legislation or take administration action to meet its concerns. Another is that where a significant matter is not finalised within the time for giving a notice of disallowance, the Committee will give such a notice in order to preserve its option to recommend disallowance to the Senate, should this be considered necessary.

The Minister replied to the Committee as follows :

22 March 1994

Senator Mal Colston
Chairman
Senate Standing Committee on Regulations and Ordinances
Parliament House
CANBERRA ACT 2600

Dear Senator Colston

HAGUE CONVENTION ON CHILD ABDUCTION: STATUS OF YUGOSLAVIA

I refer to your letter of 24 February 1994 concerning the meeting of your Committee with officers of my Department to discuss the Family Law (Child Abduction Convention) Regulations (Amendment), Statutory Rules 1993 No 358. I understand that at that meeting, the Committee expressed concern at the omission of the Socialist Federal Republic of Yugoslavia from the Regulations and its replacement with Croatia, Bosnia and Herzegovina, and Macedonia. The Departmental officers undertook to make further inquiries to ascertain the status of the remaining Yugoslav republics of Serbia and Montenegro, and Slovenia, in respect of the Convention.

The Australian Embassy in Belgrade had advised my Department . . . that the Federal Republic of Yugoslavia (Serbia and Montenegro) "continues to respect, on the basis of its international and legal continuity, international treaties [. . .] to which the former Socialist Federal Republic of Yugoslavia acceded". Furthermore, "the Federal Republic of Yugoslavia continues to exercise its rights and observe its obligations under the [Hague] Convention, without additionally notifying the depositary of the Convention thereof".

The Secretary General of the Hague Conference on Private International Law has advised my Department, that, "in the absence of a notification of continuity, the depositary and the Permanent Bureau [of the Hague Conference] consider that the Federal Republic of Yugoslavia (Serbia and Montenegro) is not a party to the Convention" . . . The Secretary General also advises that, after contact with Slovenian authorities, the accession of Slovenia is expected at some time in the future. However, a cable from the Australian Embassy in Vienna advises that Slovenia regards itself as a party to the Convention, having acceded to it in May 1993.

I am advised that the views expressed by our Embassy in Belgrade are in accordance with international rules of treaty succession, and Australia can recognise the Federal Republic of Yugoslavia (Serbia and Montenegro) as a party to the Convention. Accordingly, I propose the following solution:

i) that another amendment should be made immediately to the Regulations by adding the Federal Republic of Yugoslavia (Serbia and Montenegro). As there is no requirement under the Convention for the deposit of an instrument of succession, it will not be necessary to wait for that notification from the Netherlands Ministry of Foreign Affairs before the Regulations can be amended; and

ii) that a further amendment to the Regulations should be made by adding Slovenia, when official notification of that country's accession is received from the depositary. It is a requirement under Article 38 of the Convention that accession to the Convention is only effective after the deposit of an instrument of accession with the Netherlands Ministry of Foreign Affairs.

In addition, the Department has informed the Hague Conference of the conflicting information that has been received, and requested that the Conference gives further consideration to the advice it provided on the matter on 3 March 1994.

I note that you intend to give a protective notice of disallowance of the Regulations on 14 March 1994. When the steps outlined in (i) and (ii) above have been taken, I hope that you will promptly give consideration to withdrawing the notice of disallowance.

Yours sincerely

Michael Lavarch

The above letter illustrates the cooperation which the Committee receives from Ministers in the course of its scrutiny. In this case, the Committee agreed to accept the Minister's undertaking but to wait until the end of the period during which disallowance was possible, which was up to 31 May 1994, before deciding to remove the notice of disallowance. This was to enable the Committee to receive further

advice on both progress with the proposed regulations referring to the Federal Republic of Yugoslavia (Serbia and Montenegro) and with the official notification of the accession of Slovenia to the Convention. During this period officers of the Department kept the staff of the Committee informed about developments.

The Minister then wrote to the Committee as follows :

23 May 1994

Senator Mal Colston
Chairman
Senate Standing Committee on Regulations and Ordinances
Parliament House
CANBERRA ACT 2600

Dear Senator Colston

HAGUE CONVENTION ON CHILD ABDUCTION: STATUS OF YUGOSLAVIA

I am writing to ask that you give consideration to withdrawing your motion of disallowance of the Family Law (Child Abduction Convention) Regulations (Amendment), Statutory Rules 1993 No 358. I am advised that the last date for withdrawal is 31 May 1994.

In my letter of 22 March 1994 I advised you of the action I proposed to take to ensure that appropriate arrangements were made in relation to the abduction of children from Slovenia and the Federal Republic of Yugoslavia (Serbia and Montenegro).

Slovenia has lodged an instrument of accession to the Child Abduction Convention. The Convention provides that it will apply between Australia and Slovenia three months after Australia notifies its acceptance of Slovenia's accession. I am advised that the Department of Foreign Affairs and Trade is making arrangements for this notification. An amending regulation will be made to include Slovenia in the schedule to the Child Abduction Regulations as soon as the notification is made.

The position in relation to the Federal Republic of Yugoslavia (Serbia and Montenegro) (FRY) is more complex. Further regulations have been drafted to include the FRY in the schedule to the Regulations. However the Department of Foreign Affairs and Trade has expressed concern that the inclusion of FRY in the Family Law Regulations may imply Australian recognition of the FRY. As a matter of foreign policy Australia and many other countries are refusing to recognise the FRY because the FRY claims to continue the statehood of the former Socialist Federal Republic of Yugoslavia.

The question of the recognition of FRY is within the portfolio responsibility of my colleague the Minister for Foreign Affairs, Senator Evans. I am advised that Senator Evans will be giving further consideration to the issue whether as a matter of foreign policy, it is appropriate to include the FRY in the Family Law (Child Abduction) Regulations. In the circumstances I can do no more than give an undertaking to your Committee that regulations will be made to include the FRY as soon as the question of Australia's recognition of the FRY is resolved.

There are two matters which I suggest should be taken into account in deciding whether the notice of disallowance should be withdrawn.

The first is that disallowance will not achieve the Committee's objective of ensuring that children abducted to or from the former Socialist Federal Republic of Yugoslavia will be covered by the regulations and the Convention. For the purpose of the law in Australia that State no longer exists because Australia does not recognise the FRY as continuing the statehood of the former Socialist Republic. There is no Central Authority in Belgrade with which the Australian Central Authority could deal in relation to child abductions.

Secondly the effect of the disallowance of Statutory Rules 1993 No 358 would be to create confusion in the minds of family law practitioners and others who use the Family Law (Child Abduction) Regulations. If the Statutory Rules are disallowed many practitioners would assume that the Convention and regulations would no longer apply in relation to the States mentioned in the Statutory Rules (Bosnia and Herzegovina, Croatia, Macedonia, Mauritius, Monaco, Poland, Romania). They may fail to take action under the regulations to deal with any abductions. In law the regulations and the Convention would continue to apply because regulation 10 defines a "Convention country" as any country in respect of which the Convention has entered into force for Australia. We could try to explain to practitioners through legal publications why those States were no longer listed in the schedule to the regulations but there would still be considerable confusion. I do not think this sort of confusion would be in the public interest.

For these reasons, and in the light of my undertaking to proceed as soon as possible with the abovementioned amending regulations, I ask that you now give consideration to withdrawing your motion of disallowance of the Family Law (Child Abduction Convention) Regulations (Amendment), Statutory Rules 1993 No 358.

Yours sincerely

Michael Lavarch

The above letter raised fresh issues for the Committee. In the event, however, these were overtaken by advice in a letter from a departmental officer, as follows :

24 May 1994

Senator Mal Colston
Chairman
Senate Standing Committee on Regulations and Ordinances
Parliament House
CANBERRA ACT 2600

Dear Senator Colston

DISALLOWANCE OF FAMILY LAW (CHILD ABDUCTION CONVENTION) REGULATIONS

Further to the Attorney-General's letter to you of 23 May 1994 requesting that you withdraw your motion of disallowance of the Family Law (Child Abduction Convention) Regulations (Amendment), Statutory Rules 1993 No 358, I wish to advise of the latest developments in relation to Australia's recognition of the Federal Republic of Yugoslavia (Serbia and Montenegro).

We have been advised that the Minister for Foreign Affairs and Trade has agreed that Australia should accept that the Federal Republic of Yugoslavia (Serbia and Montenegro) has succeeded to the Hague Convention on Child Abduction. Furthermore, the Minister for Foreign Affairs and Trade agrees that the Family Law (Child Abduction Convention) Regulations should include a reference to the Federal Republic of Yugoslavia (Serbia and Montenegro) as the name used in UN sanctions resolutions, with an asterisk noting that "The Federal Republic of Yugoslavia (Serbia and Montenegro) has declared its intention to be bound by the obligations under the Convention. This reference does not amount to recognition of that entity by Australia."

I am currently preparing drafting instructions for an amendment to the Regulations which reflects the position agreed to by the Minister for Foreign Affairs and Trade. Draft Regulations for this purpose will be submitted to the Minister and Executive Council at the earliest possible time.

Yours sincerely

Richard Morgan
Senior Government Counsel
Family and Administrative Law Branch

The Committee considered the above two letters and agreed that they met its concerns. Accordingly, the Chairman withdrew the protective notice of disallowance upon the Regulations and wrote to the Minister as follows :

2 June 1994

The Hon Michael Lavarch MP
Attorney-General
Parliament House
CANBERRA ACT 2600

Dear Minister

I refer to your letter of 23 May 1994 about the Family Law (Child Abduction Convention) Regulations (Amendment), Statutory Rules 1993 No 358. The Committee considered the letter at its meeting of 2 June 1994.

The Committee congratulates you on the way in which this matter has been handled. The result will considerably strengthen the personal rights of Australian children, their parents and guardians. The importance of the Child Abduction Convention was emphasised by the Chief Justice of the Family Court in an Address to the Annual General Meeting of International Social Service, Australian Branch, on 31 May 1994. In this context, the Committee was pleased to receive the advice in the letter of 24 May 1994 from the Senior Legal Counsel, Family and Administrative Law Branch, which finally allowed the Committee to conclude its scrutiny of the present Regulations.

Yours sincerely

Mal Colston
Chairman

This completed the scrutiny by the Committee of the present Regulations. The Committee will, however, also monitor the undertakings given by the Minister to make regulations to meet its concerns.

CHAPTER 4

CONCLUSIONS

The main conclusion from the Committee's scrutiny of the present Regulations is its effectiveness in improving the technical quality of Commonwealth delegated legislation, in this case the protection of personal rights. The present Regulations were a serious diminution of the rights of Australians, reducing the countries or geographic areas in respect of which the Convention had entered into force for Australia and consequently removing significant safeguards which had been in force for two years. The importance of these safeguards was emphasised by the Chief Justice of the Family Court of Australia, Justice Alastair Nicholson, in an address to the Annual General Meeting of International Social Service, Australian Branch, on 31 May 1994. Among other things, the Chief Justice said :

> *Child abduction and particularly international child abduction, is one of the most heart rending aspects of family law. It is not difficult to imagine the heartache suffered by a parent whose child has been spirited away to some unknown destination, possibly never to be seen again and to be brought up in some entirely alien culture.*
>
> *Similarly, it is not difficult to imagine the anguish of a child in such circumstances, particularly if he or she has been torn away from the primary caregiver and also to imagine the effect upon the child of adopting false names and living in hiding, as all too often happens in such cases.*
>
> *It is no doubt because of these sorts of considerations that many countries, including Australia, have signed the Hague Convention on the Civil Aspects of International Child Abduction of 1980 . . .*
>
> *Although the Convention has its weaknesses, overall it operates for the benefit of children and their parents and, in my view, the Australian Government and other signatories should bring more diplomatic pressure to bear on non-signatory nations than is presently the case to accede to the Convention.*

With the cooperation of the Attorney-General, action by the Committee has resulted in administrative action and undertakings to make new Regulations which will have the effect of restoring the protection removed by the present Regulations.

Another conclusion is that action by the Committee would have been more effective if it was legally possible to disallow part of an individual regulation. Under

subsection 48(4) of the *Acts Interpretation Act 1901*, as interpreted by the Federal Court of Australia, either House of Parliament may disallow any one of the serially numbered groups of words into which delegated legislation is divided by the legislator. In the present case the Committee had no objection to another provision of the Regulations which added other countries, not connected with the former SFRY, to the list of Convention countries. The Committee, therefore, had no reason to disallow this provision. Nevertheless, it was obliged to include this provision in its notice of disallowance because the numbering of the present Regulations did not allow the provision to be severed from those that the Committee considered were defective. The Committee has long supported proposals for inclusion of a power of partial disallowance in the Acts Interpretation Act.

Finally, the Committee's methods of scrutiny of individual instruments appear to result in satisfactory outcomes. In the present case the Committee first received a report on the Regulations from its independent Legal Adviser, Emeritus Professor Douglas Whalan AM, which pointed out possible deficiencies. It then discussed the report at its next meeting and wrote to the Minister. As usual, the Minister responded in a prompt and courteous fashion, directing officers of the Department to brief the Committee. The Committee was assisted by the briefing, but still gave a protective notice of disallowance of the Regulations, in order to preserve its options for further action. The departmental officers also kept the Committee staff informed of developments leading to the final written advice which enabled the Committee to conclude its scrutiny of the Regulations.

The Committee is pleased to report to the Senate on its actions in respect of these Regulations, which resulted in undertakings to remedy a substantial defect, affecting personal rights, in Commonwealth legislation.

Mal Colston
Chairman