

# NOTICE BOARD

## FEDERAL COURT OF AUSTRALIA

I advise that the *Federal Court (Corporations) Amendment Rules 2002 (No 1)* will be published in the Commonwealth Government Gazette on 14 May 2002 as Statutory Rule No 97 of 2002. The amendment commences on 14 May 2002.

An official copy of the Amendment Rules will be available on the Internet from the ScalePlus site at <http://law.agps.gov.au>.

The Amendment Rules amend Schedule 2 of the *Federal Court (Corporations) Rules 2000*. Schedule 2 sets out the powers of the Court that may be exercised by a Registrar. Schedule 2 is amended by inserting the power under subsection 601AH (2) of the *Corporations Act 2001* to order reinstatement of registration of a company.

Philip Kellow  
Deputy Registrar  
8 May 2002

## LAW COUNCIL OF AUSTRALIA PRESS RELEASES

The LCA has issued a number of press releases including the following. (Full versions available from the Law Society)

30 April 2002: Fundamental Rights Removed

The Federal Government has not shown that ASIO needs a power to detain people without charge in order to protect the community from terrorist threats, according to the Law Council of Australia (LCA).

14 May 2002: Law Council Calls for No Compromise on Counter-Terrorism Bills  
The Law Council of Australia today applauded the Legal and Constitutional Committee for its well argued and balanced report on the Counter-Terrorism Bills.

# COURT LIBRARY NOTES

## NT LEGISLATION

Legislative changes in April 2002, notified in the *NT Government Gazette*

### New Acts

3/2002 Police Administration Amendment Act (24.4.02)

4/2002 Criminal Code Amendment Act (8.5.02)

6/2002 Coroners Amendment Act (8.5.02)

7/2002 Anti-Discrimination Amendment Act (24.4.02)

9/2002 Unit Titles Amendment Act (1.5.02)

10/2002 Cullen Bay Marina Amendment Act (1.5.02)

### New Regulations

7/2002 Rules of Professional Conduct and Practice (10.4.02)

8/2002 Supreme Court Rules (24.4.02)

## RECENT ARTICLES

### Aborigines, Aust

Welch, Colleen - South Australian Courts Administration Authority - Aboriginal Court Day and Aboriginal Justice Officers. *Indigenous Law Bulletin* Vol 5(4) 2002 pp: 5-6

Morris, Jackie - Sea country : the Croker Island case Commonwealth of Australia v Yarmirr, *Indigenous Law Bulletin*, Vol 5(4) 2002 pp: 18-20

### Agency

Fridman, GHL - Causation and agency - a study in semantics, *Australian Law Journal*, Vol 76(3) 2002 pp: 195-208

### Arbitration

Lincoln, Bronwyn - The arbitrator as mediator, *Law Institute Journal*, Vol 76(4) 2002 pp: 85-88

### Bankruptcy

Hedge, Jennifer - Federal Court and Federal Magistrates Court, *New Directions in Bankruptcy*, Vol 12(1) 2002 pp: 14-16

Brading, Richard - The Part IX debt trap. *New Directions in Bankruptcy*, Vol 12(1) 2002 pp: 17-18

Robinson, Andrew - 'Garnishment' notices by the ATO and other government creditors, *New Directions in Bankruptcy*, Vol 12(1) 2002 pp: 20-21

### Burial law

Avery, John - Rights to mortuary rites, *Indigenous Law Bulletin*, Vol 5(4) 2002 pp: 15-17

### Capital gains tax

The right recipe - ABN, CGT, GST and income tax, *Bulletin*, Vol 24(3) 2002 pp: 16

### Commercial law

McKeiver, Phil - Advice on tendering for the provision of goods and services - a practical overview of the various issues which in-house lawyers and their commercial counterparts should consider when responding to a tender, *Law Institute Journal*, Vol 76(4) 2002 pp: 81-84

### Compensation

Bracken, Darren - Compensation - The shifting sands of application for compensation for pain and suffering under the Sentencing Act, *Law Institute Journal*, Vol 76(4) 2002 pp: 71-72

Cook, Dominic - Statutory authorities add interest to recovery of compensation payments, *Law Institute Journal*, Vol 76(4) 2002 pp: 73-75

### Computer offences

Steel, Alex - Vaguely going where no one has gone : the expansive new computer access offences, *Criminal Law Journal*, Vol 26(2) 2002 pp: 72-97

### Consumer credit

Norton, Nolan - Credit cards in Australia, *New Directions in Bankruptcy*, Vol 12(1) 2002 pp: 8-9

Tennant, David - Unsolicited credit card offers - what happens to safe and fair treatment of customers when marketing goes mad?, *New Directions in Bankruptcy*, Vol 12(1) 2002 pp: 11-13

### Contracts law

Lombardi, Robert - Procedural and substantive aspects of unconscionability, *Brief*, Vol 29(3) 2002 pp: 28-30

# COURT LIBRARY NOTES

## Conveyancing

Harrington, South - Conveyancing - the risks of acting for both parties, *Bulletin*, Vol 24(3) 2002 pp: 15-17

## Courts

Lawrence, Ruth - Design and implementation of Australia's first drug court, *Australian and New Zealand Journal of Criminology*, Vol 35(1) 2002 pp: 63-78

Welch, Colleen - South Australian Courts Administration Authority - Aboriginal Court Day and Aboriginal Justice Officers, *Indigenous Law Bulletin*, Vol 5(4) 2002 pp: 5-6

Hedge, Jennifer - Federal Court and Federal Magistrates Court, *New Directions in Bankruptcy*, Vol 12(1) 2002 pp: 14-16

## Criminal codes

Colvin, Eric - Criminal responsibility under the South Pacific codes, *Criminal Law Journal*, Vol 26(2) 2002 pp: 98-113

## Criminal law

Ashworth, Andrew = Re-drawing the boundaries of entrapment, *Criminal Law Review*, Vol March 2002 pp: 161-179

Steel, Alex - Vaguely going where no one has gone : the expansive new computer access offences, *Criminal Law Journal*, Vol 26(2) 2002 pp: 72-97

Colvin, Eric - Criminal responsibility under the South Pacific codes, *Criminal Law Journal*, Vol 26(2) 2002 pp: 98-113

## Domestic violence

Kelly, Loretta - Mediation in Aboriginal communities, *Indigenous Law Bulletin*, Vol 5(4) 2002 pp: 7-10

## Evidence

Davies, GL - Exclusion of evidence illegally or improperly obtained, *Australian Law Journal*, Vol 76(3) 2002 pp: 170-185

Travers, Richard - Medical causation, *Australian Law Journal*, Vol 76(4) 2002 pp: 258-268

Edney, Richard - Identification, evidence and police officers, *Law Institute Journal*, Vol 76(4) 2002 pp: 60-63

## Insurance

Davis, Rob - Media distortions in the public

liability debate, *Plaintiff*, Vol 50 2002 April pp: 4-5

Pynt, Greg - Elf down under, *Insurance Law Journal*, Vol 13(2) 2002 pp: 145-162

Stoyef, Robert - Insurance brokers, policy premiums and the insolvent insurer, *Insurance Law Journal*, Vol 13(2) 2002 pp: 172-182

Tay, Christopher - The duty of disclosure and materiality in insurance contracts, *Insurance Law Journal*, Vol 13(2) 2002 pp: 183-204

Kenny, Coralie - Should trustees release medical reports? *Law Institute Journal*, Vol 76(4) 2002 pp: 76-79

## Judges

Nicholson, Alastair - In response to "Towards a more complaint judiciary", *Australian Law Journal*, Vol 76(4) 2002 pp: 231-234

Colbran, Stephen - Judicial performance evaluation - accountability without compliance, *Australian Law Journal*, Vol 76(4) 2002 pp: 235-249

Finn, Chris - Ruling on bias, *Bulletin*, Vol 24(3) 2002 pp: 33-35

## Judgments

Rodger, Lord - The form and language of judicial opinions, *Law Quarterly Review*, Vol 118 2002 pp: 226-247

## Legal ethics

Tranter, Kieran - Pro bono ethics - teaching ethics, *Brief*, Vol 29(3) 2002 pp: 12-13

Harrington, South - Conveyancing - the risks of acting for both parties, *Bulletin*, Vol 24(3) 2002 pp: 15-17

## Liquor law

McGregor, Simon - Tragic yet glamorous: injuries on licensed premises, *Plaintiff*, Vol 50 2002 April pp: 11-16

## Local government

Morrison, A S - The abolition of non-feasance immunity for highway authorities, *Plaintiff*, Vol 50 2002 April pp: 6-10

## Mediation

Kelly, Loretta - Mediation in Aboriginal communities, *Indigenous Law Bulletin*, Vol 5(4) 2002 pp: 7-10

Lincoln, Bronwyn - The arbitrator as

mediator, *Law Institute Journal*, Vol 76(4) 2002 pp: 85-88

## Medical law

Travers, Richard - Medical causation, *Australian Law Journal*, Vol 76(4) 2002 pp: 258-268

## Murder

Padfield, Nicola - Tariffs in murder cases, *Criminal Law Review*, Vol March 2002 pp: 192-204

## Negligence

Morrison, A S - The abolition of non-feasance immunity for highway authorities, *Plaintiff*, Vol 50 2002 April pp: 6-10

McGregor, Simon - Tragic yet glamorous: injuries on licensed premises, *Plaintiff*, Vol 50 2002 April pp: 11-16

Dohrmann, Mark - Slips, trips and falls: sixteen tips to help you better assess liability, *Plaintiff*, Vol 50 2002 April pp: 18-21

Erbacher, Sharon - Unsafe leased residential premises - a landlord's liability in negligence to injured occupants, *Insurance Law Journal*, Vol 13(2) 2002 pp: 134-144

## Occupier's liability

Erbacher, Sharon - Unsafe leased residential premises - a landlord's liability in negligence to injured occupants, *Insurance Law Journal*, Vol 13(2) 2002 pp: 134-144

McGregor, Simon - Tragic yet glamorous: injuries on licensed premises, *Plaintiff*, Vol 50 2002 April pp: 11-16

Dohrmann, Mark - Slips, trips and falls: sixteen tips to help you better assess liability, *Plaintiff*, Vol 50 2002 April pp: 18-21

## Police

Ede, Andrew - Reducing complaints against the police and preventing misconduct - a diagnostic study using hot spots analysis, *Australian and New Zealand Journal of Criminology*, Vol 35(1) 2002 pp: 27-42

## Sentencing

McEwan, Jenny - Previous misconduct at the crossroads : which "way ahead"? *Criminal Law Review*, Vol March 2002 pp: 180-191

Padfield, Nicola - Tariffs in murder cases, *Criminal Law Review*, Vol March 2002 pp: 192-204

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## footy tipping

# Comp hots up in AFL tipping

by Lorelei Fong Lim

There's strong competition in the Law Society's AFL tipping competition with a draw in the lead after round nine.

Topping the scoreboard are Lyn Bond from the Parliamentary Counsel office, Chris Chaplin (Ward Keller) and Elizabeth Morris (Coroner's Office), all on 105 points.

Coming in second is Melanie Little at St Hilary's Chambers on 103.

Then follows: Sean Bowden (Sean Bowden & Associates) on 101, Peter Walker (Peter Walker) on 99, Jennie Radtke (Dept of Justice) on 97 and Katrina Budrikis (Budrikis & McNamara), Glenn Dooley (DPP), Donna Dreier (Cridlands), Mark Johnson, Glenn Miller (NAALAS) and Daynor Trigg (Magistrate) all on 95.

Those who have tipped perfect rounds so far this season are: Lyn Bond, Sean Bowden, Chris Chaplin, Glenn Miller, and Elizabeth Morris.

There are 24 tipsters in the competition. The first place getter will win \$200, second place \$30 and last place will get \$10. May the best tipper win! ☺



# Continuing Legal Education

19/6/02	Damages	David Alerman & Ben O'Loughlin
17/7/02	Family Law	Brian Cassells
21/8/02	Organising and presenting a plea	Jon Tippett QC
18/9/02	Unfair Dismissal	Merran Short
16/10/02	Anti-discrimination	Peter McNab & Matthew Storey
20/11/02	Native Title	Raelene Webb
22/1/03	Intellectual Property Law	Christoph Antons
19/2/03	Bail Applications	Hon Justice Trevor Riley & Office of the DPP
19/3/03	Practice Management	Kriss Will

Please note that the details may change. Changes will be advised by Law Society fax bulletin and website updates.

## BALANCE DEADLINES

Contributions to *Balance* are welcome. We accept letters to the editor, articles, photos, notices and advertisements. Copy should be forwarded to the Law Society no later than the 10th of each month.

Either fax your contributions to the Law Society: 08 8941 1623 or send them via email: [lawsoc@lawsocnt.asn.au](mailto:lawsoc@lawsocnt.asn.au).

Advertising rates can be obtained from the Society on tel: 08 8981 5104 or downloaded from our website: [www.lawsocnt.asn.au](http://www.lawsocnt.asn.au).

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### (continued)

Bracken, Darren - Compensation - The shifting sands of application for compensation for pain and suffering under the Sentencing Act, *Law Institute Journal*, Vol 76(4) 2002 pp: 71-72

#### Statutory authorities

Cook, Dominic - Statutory authorities add interest to recovery of compensation payments, *Law Institute Journal*, Vol 76(4) 2002 pp: 73-75

#### Superannuation funds

Kenny, Coralie - Should trustees release medical reports? *Law Institute Journal*, Vol 76(4) 2002 pp: 76-79

#### Taxation law

The right recipe - ABN, CGT, GST and income tax, *Bulletin*, Vol 24(3) 2002 pp: 16