

I, Philip Ruddock, Attorney-General of Australia, HAVING REGARD TO:

- the increasing complexity of regulatory regimes which apply to Australian business
- the role of the Commonwealth administrative law system in promoting lawfulness and accountability in government decision making including government decision making relating to business regulation and review; and
- the importance of maintaining the most efficient and effective interaction between the administrative review system and government business regulation,

REFER to the Administrative Review Council for inquiry and report under the *Administrative Appeals Tribunal Act 1975*, the most effective and efficient administrative accountability mechanisms for decisions in areas of complex and specific business regulation.

1. In carrying out its inquiry, having regard to administrative rules and principles, the Council will consider:
  - (a) the circumstances in which administrative review mechanisms should be available for decisions in areas of complex and specific business regulation
  - (b) the adaptations, if any, that may be desirable to merits review processes to maximise the efficiency and effectiveness of such processes in areas of complex and specific business regulation
  - (c) the potential for the development of a framework of national guideline principles for administrative review, including merits review, of decisions in areas of complex and specific business regulation; and
  - (d) any other relevant matters.
2. In carrying out its inquiry, the Council will consult with relevant government agencies, courts and tribunals, their client groups, the legal profession and other interested organisations and individuals.
3. The Council may report in stages or in one report with a first report to be produced by no later than 30 September 2007.

[Signed, Attorney-General, Philip Ruddock] 9/8/2006