

## APPENDIX A

## Summary of Law Reform Commissioner's Reports

No.	Subject	Report Tabled	Progress Towards Implementation
1	Review of Road Safety (Alcohol and Drugs) Act 1970	10.9.75	Implemented by the Road Safety (Alcohol and Drugs) Act (No. 2) 1975.
2	Review of the Criminal Process (Bodily Descriptions) Bill 1974	10.9.75	Implemented by the Criminal Process (Identification and Search Procedures) Act 1976
3	Unclaimed Charitable Funds	23.9.75	Implemented by the Variation of Trusts Act 1994
4	Review of the Evidence Bill 1975 (Microfilm and Other Reproductions)	16.5.76	Implemented by the Evidence Act (No.2) 1976 and by the Evidence Amendment Act (No.3) 1976
5	Taking of Evidence on Commission	30.3.76	Implemented by the Evidence Amendment (Evidence on Commission) Act 1987
6	The Law and Procedures in Rape Cases: Mitigation of Embarrassment and Harassment of Complaints	30.3.76	Implemented by the Criminal Code Act (No.2) 1976 and by the Evidence Amendment Act (No.3) 1976
7	Simplification of Procedures in Action Involving Deceased Driver Where No Estate Proven	1.4.76	Implementation by the Motor Accidents (Liabilities and Compensation) Act (No.3) 1977
8	Proof of Boundaries, Crown Lands, Townships and Other Specified Areas	1.11.76	Implemented by the Evidence Amendment Act (No.2) 1982
9	Rehabilitation of Offenders	14.2.77	No action proposed
10	Decriminalisation of Offences of Drunkenness and Vagrancy	14.2.77	Further Reference issued (Police Offences)
11	Powers of Arrest, Search and Bail	14.2.77	Implemented in part by the Bail Act 1994
12	De facto Relationships	3.8.77	Implemented by the Fatal Accidents Amendment Act 1994, the Motor Accidents (Liabilities and Compensation) Amendment Act 1994 and the Workers Compensation (De Facto Spouses) Amendment Act 1994
13	Discrimination on the Grounds of Sex	27.9.77	Implemented in part by the Sex Discrimination Act 1994
14	Forfeiture of Things used in the Illegal Taking of Fish	7.9.77	Department of Primary Industry responsibility
15	Competence and Compellability of Spouses	14.2.77	Implemented by the Evidence Amendment Act 1981 and the Evidence Amendment Act 1987
16	Competence and Compellability of Spouses: Subsequent Submissions by Marriage Guidance Council on which report requested	14.2.77	As above
17	Admissibility of Computer Data in Evidence	4.4.78	Implemented by the Evidence Amendment Act 1981
18	Education Course for Drivers Convicted of Drink/Driving Offences	12.4.78	Implemented by the Road Safety (Alcohol and Drugs) Act 1978
19	Residential Tenancies	4.4.78	Report under consideration

20	Civil Disabilities of Convicted Persons	5.4.78	Implemented by the Prisoners (Removal of Civil Disabilities) Act 1991
21	Corroboration	12.4.78	Implemented in part by the Criminal Code Amendment (Sexual Offences) Act 1987
22	Reform of Civil Procedure	19.4.78	Implemented in part by the Court of Requests (Small Claims Division) Act 1985 and Civil Process Act 1985
23	The Disposal of Uncollected and Found Goods	15.4.78	No action proposed
24	Entitlements of Persons Re-employed Following Imprisonment	21.9.78	Implemented by Long Service Leave Amendment Act 1982
25	Review of Second-Hand Dealers Act 1905	29.3.79	Implemented by the Second-Hand Dealers and Pawnbrokers Act 1994
26	Repeal of the Common Law Procedure Act 1854	18.12.80	Implemented by the Common Law Procedure Repeal Act 1985
27	Animals Straying Upon the Highway	18.12.80	Implemented by the Law of Animals Amendment Act 1985
28	Consumer Claims and Small Debts	22.6.82	Implemented by the Court of Requests (Small Claims Division) Act 1985
29	The Rule in Holligton v. Hewthorn	12.11.82	Report under consideration in context of Evidence Reference
30	Tranquilliser Guns	12.11.82	Implemented in part by the Dog Control Act 1987
31	Rape and Allied Sexual Offences	15.12.82	Implemented by the Criminal Code Amendment (Sexual Offences) Act 1987
32	Law and Procedure Relating to the Sale of Land by Instalments	6.12.83	Department of Environment and Land Management responsibility
33	Exclusion Clauses and Implied Obligations in Contracts for the Supply of Goods and Services	6.12.83	Report under consideration
34	Perpetuities and Accumulations	6.12.83	Implemented by the Perpetuities and Accumulations Act 1993
35	Wills	21.3.84	Implemented by the Wills Amendment Act 1985 and the Wills Act 1992
36	Fifteen Conveyancing Matters	21.3.84	Department of Environment and Land Management responsibility
37	Boundary Fences Act 1908	18.4.84	Under consideration by Department of Environment and Land Management
38	Variation of Charitable Trusts	11.9.84	Implemented by the Variation of Trusts Act 1994
39	Powers of Attorney	5.12.84	Implemented by the Power of Attorney Amendment Bill 1987
40	Workers' Compensation Act 1927 Section 9(7) (8) and (9)	12.3.85	Implemented by the Workers' Compensation Amendment Act 1986
41	Pecuniary Penalties	3.6.85	Implemented by the Penalty Units and Other Penalties Act 1987 and the Justices Amendment (Fine Defaulters) Act 1993

42	Access to Neighbouring Land	3.6.85	Implemented by the Access to Neighbouring Land Act 1992
43	Succession Rights on Intestacy	3.6.85	Legislation prepared
44	Interest on pre and Post-Judgement	20.8.85	Implemented in part by the Magistrates Court (Civil Division) Act 1992
45	Local Courts	1.10.85	Implemented by the Magistrates Court (Small Claims Division) Act 1989 and the Magistrates Court (Civil Division) Act 1992
46	Workers' Compensation	15.4.86	Implemented by Workers' Compensation Act 1988
47	Computer Misuse	16.9.86	Implemented by Criminal Law Amendment Act 1990
48	Minor's Contracts	21.7.87	Implemented by the Minors Contracts Act 1988
49	Burden of Proof	23.9.87	Implemented as Government policy
50	Law of Suretyship and Guarantee	23.9.87	Report under consideration
51	Variation of Private Trusts	23.9.87	Implemented by the Variation of Trusts Act 1994
52	Motor Vehicle Accident Compensation	26.11.87	No action proposed
53	Occupiers' Liability	21.4.88	Legislative implementation no longer necessary since High Court Judgement in <i>Zaharna's</i> case (1987) 167 CLR 479
54	Dishonestly Acquiring a Financial Advantage - S.252A Criminal Code	29.11.88	Implemented by the Criminal Code Amendment (Financial Advantage) Act 1989
55	Appeal Books - S.408 of the Criminal Code Act 1924 (Tas.)	9.3.89	Implemented by the Criminal Law Amendment Act 1990
56	Commercial Arbitration Act 1986 (Tas.)	9.3.89	Implemented by Justice Legislation (Miscellaneous Amendments) Act 1990
57	Appeal Costs Fund Act	3.4.89	Implemented by Appeal Costs Fund Amendment Act 1990
58	Special Juries in Civil and Criminal Trials	28.6.89	Implemented by Jury Amendment Act 1991
59	Road and Safety (Alcohol and Drugs) Act 1970 and Regulations	29.6.89	Department of Police and Emergency Services responsibility
60	Murder - S.157 (1)(c) of the Criminal Code Act 1924 (Tas.)	29.6.89	Report under consideration in context of Model Criminal Code
61	Insanity, Intoxication and Automatism	26.9.89	Report under consideration in context of Model Criminal Code
62	Child Witnesses	3.4.90	Implemented by Evidence Amendment (Child and Special Witnesses) Act 1995
63	Alternative Methods of Trial in Complex Criminal Cases	10.4.90	Report under consideration
64	Police Powers of Interrogation and Detention	3.4.90	Implemented by Criminal Law( Detention and Interrogation) Act 1995
65	Subpoena in the Criminal Jurisdiction	3.4.90	Implemented by Criminal Procedure( Attendance of Witnesses) Act 1996

66	Hearsay Exception for Documentary Evidence: S.81B Evidence Act 1910	3.4.90	Report considered in context of Uniform Evidence Laws Report 74
67	Damages for Personal Injury	10.4.91	Report under consideration
68	Dishonest Retention of Payments Mistakenly Made	10.4.91	No action proposed
69	Limitation of Actions for Latent Personal Injuries	12.8.92	No action proposed
70	Procedural Aspects of Royal Commissions	5.8.93	Implemented by Commissions of Inquiry Act 1995
71	Harsh and Unconscionable Contracts	15.2.94	Report under consideration
72	Retirement Villages and Other Types of Older Persons' Accommodation	13.9.94	Report under consideration
73	Adverse Possession and Other Possessory Claims to Land	20.6.95	Report under consideration
74	The Evidence Act and its Introduction	29.6.96	Report under consideration
75	Public Fundraising by Charitable Institutions	1.12.96	Report under consideration
76	Police Offences Act, 1935	16.4.95	Report under consideration
77	Debt Recovery (Interim)	31.5.97	Referred to Director of Law Reform