



Queensland
Law Reform Commission

Annual Report

2013-14

October 2014

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**Queensland
Law Reform Commission**

**Annual Report
2013–14**

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Commission members¹

Chairperson:	The Hon Justice RG Atkinson
Part-time members:	Mr JK Bond QC Mr BJ Herd Mrs SM Ryan QC Ms RM Treston QC

Secretariat

Director:	Ms CE Riethmuller²
Assistant Director:	Mrs CA Green
Commission Secretary:	Mrs JA Manthey
Legal Officers:	Ms AL Galeazzi Ms PL Rogers
Administrative Officer:	Ms KS Giles

¹ The terms of all then members expired on 20 December 2013. On 1 August 2014, the following new members were appointed to the Commission:

- The Hon Justice David Jackson (Chair)
- The Hon Ms Margaret Wilson QC
- Mr Peter Hastie QC
- Dr Peter McDermott RFD
- Ms Samantha Traves

² Until 4 April 2014. On 14 April 2014 Mr DK Groth was appointed as Acting Director on a 12 month secondment.

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24 October 2014

The Honourable Jarrod Bleijie MP
Attorney-General and Minister for Justice
Level 18, State Law Building
50 Ann Street
BRISBANE QLD 4000

Dear Attorney

I present to you the Commission's Annual Report for the financial year ending 30 June 2014.

The reporting period for this report relates to a period prior to my appointment, on 1 August 2014, as Chair of the Commission. During the reporting period, the Commission completed work on two reviews: a review of the *Trusts Act 1973* (Qld) and a review of 29 Acts relating to specified religious and community organisations.

The other newly appointed members of the Commission and I look forward to continuing the Commission's reputation for producing high quality work.

Yours sincerely

David Jackson
Chair

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Overview of the Commission

Constitution of the Commission

The Queensland Law Reform Commission is an independent statutory body, and is constituted under the *Law Reform Commission Act 1968* (Qld).

Function of the Commission

The function of the Commission, as provided in section 10(1) of the *Law Reform Commission Act 1968* (Qld), is to review the law applicable to Queensland with a view to its systematic development and reform, including, in particular:

- (a) the codification of such law; and
- (b) the elimination of anomalies; and
- (c) the repeal of obsolete and unnecessary enactments; and
- (d) the reduction of the number of separate enactments; and
- (e) generally the simplification and modernisation of the law.

Organisational objectives

The Commission aims to meet the needs of the Queensland community by reviewing areas of the law in need of reform, and making recommendations for reform. These recommendations are based on extensive research, public consultation, and the principles of impartiality, equity and social justice. The Commission's recommendations are published in its final reports, which are presented to the Attorney-General for tabling in Parliament in accordance with the requirements of section 16 of the *Law Reform Commission Act 1968* (Qld).

Commission members and staff of the Secretariat

Commission members

Members of the Commission are appointed by the Governor in Council on the advice of the Attorney-General. The *Law Reform Commission Act 1968* (Qld) provides that the Commission must consist of at least three members, who may be full-time or part-time members.

Each person appointed to be a Commission member must be a person appearing to the Governor in Council to be suitably qualified by the holding of judicial office or by experience as a barrister or as a solicitor or as a teacher of law in a University.

The Commission has five part-time members (including the Chair).

Secretariat

The Secretariat of the Queensland Law Reform Commission is comprised of the Director, the Assistant Director, two Legal Officers, a part-time Commission Secretary and a part-time Administrative Officer. Staff are employed by the Department of Justice and Attorney-General under the *Public Service Act 2008* (Qld).

The staff of the Secretariat have the day-to-day responsibility for the carriage of the Commission's reviews. The Secretariat also provides the Commission with administrative and secretarial support. This includes the management of corporate governance, human resources and financial matters relating to the Commission and the staff of the Secretariat.

Organisational chart

An organisational chart of the Commission and the Secretariat is included in Appendix 1 to this Annual Report.

The work of the Commission

The Commission reviews areas of the law referred to it by the Attorney-General. During the reporting period, the Commission undertook work on the following reviews:

- a review of the *Trusts Act 1973* (Qld); and
- a review of religious and certain other community organisation Acts.

These reviews are discussed in greater detail later in this Annual Report.

Recent publications of the Commission

During the reporting period, the Commission completed the following publications:

- Report 71, *A Review of the Trusts Act 1973 (Qld)*, December 2013;
- Report 70, *A Review of religious and other community organisation Acts*, December 2013.

A list of all of the Commission's Reports, Working Papers and Miscellaneous Papers is available on its website at <<http://www qlrc.qld.gov.au/publications.htm>>. Copies of the Commission's recent publications, and most of its older publications, are also available on its website.

Meetings of the Commission

During the reporting period, the Commission held 10 Commission meetings.

Remuneration

The remuneration for the part-time members of the Commission during the reporting period was \$20 856 per annum.¹

Right to Information Act 2009 (Qld)

In accordance with the requirements of the *Right to Information Act 2009 (Qld)*, the Commission's website includes a Publication Scheme. That scheme describes and categorises the information that is routinely available from the Commission and the terms on which it will make the information available.

Public Sector Ethics Act 1994 (Qld)

During the reporting period, all officers of the Secretariat attended the training course 'Workplace Ethics'.

¹

The Chair of the Commission, as a judicial member, does not receive remuneration for holding the office of Chair.

Recently-completed reviews

Review of the *Trusts Act 1973* (Qld)

In January 2012, the Commission received terms of reference to review the *Trusts Act 1973* (Qld), and, if necessary, to prepare draft legislation based on its recommendations. The terms of reference required the Commission to review:

- whether the Act provides an adequate, effective and comprehensive framework for the regulation of trusts (including charitable trusts) in Queensland;
- opportunities for the Act to be modernised, simplified, clarified or updated, including in light of developments in case law and current trust practices and usage;
- whether any other relevant State legislation pertaining to the law of trusts should be amended for consistency with, or as a consequence of, any recommended amendments to the Act; and
- streamlining the law with respect to deciding disputes in relation to the terms of the administration of trusts, including the appropriate court or tribunal which is to have jurisdiction over less complex matters and disputes involving lower monetary values.

The Commission completed its final report on 20 December 2013, following the release of an interim report in June 2013. One of the principal recommendations in the interim report was for the enactment of new legislation to replace the current Act. Accordingly, the Commission's final report included a draft *Trusts Bill 2013* and a clause-by-clause commentary on that Bill.

The draft *Trusts Bill 2013*:

- does not attempt to codify the law of trusts, but substantially redrafts, modernises and simplifies the trusts legislation for Queensland;
- omits, in whole or in part, over 40 provisions of the current *Trusts Act* that are now obsolete or no longer appropriate in modern trusts legislation, or that confer powers that are no longer needed; and
- introduces a number of new or substantially changed provisions to streamline the legislation, meet modern needs, and address existing gaps in the current Act.

The key additions and changes include the following:

- a new statement of trustees' general management powers, conferring on trustees, in relation to the trust property, all the powers of an absolute owner of the property, subject to the trustees' duties (clause 59);

- a new statement of trustees' minimum or 'core' duties that apply generally in administering a trust (clauses 40–45), including:
 - a general duty of care that imposes a higher standard of care on professional trustees and trustees who have, or hold themselves out as having, special knowledge or experience in administering a trust;
 - a duty to act honestly and in good faith; and
 - duties to keep trust accounts and make them available to beneficiaries upon request;
- a new power for a person who is the administrator or attorney (for financial matters) of a last continuing trustee who has impaired capacity for administering the trust to appoint a replacement trustee or trustees without recourse to the court (clause 16);
- clarification that nothing in the provision based on existing section 33(1)(l) relating to appropriation affects any power of appropriation conferred under the trust instrument (clause 63);
- a new power for a trustee to authorise another person to exercise the trustee's investment powers (clause 67);
- changes to a trustee's power to delegate the administration or exercise of the trusts, powers, authorities and discretions vested in the trustee (clauses 68–76), including:
 - a new limitation of 12 months on the duration of a delegation; and
 - an extension of the circumstances in which a delegation may be made to allow a delegation in anticipation of the trustee becoming temporarily incapable of performing the duties of a trustee because of impaired capacity for administering the trust;
- an increase in the amount of capital that may be applied by a trustee for the maintenance, education or advancement of a beneficiary from \$2000 or half the capital, whichever is the greater, to \$100 000 or half the capital to which the beneficiary is entitled, whichever is the greater (clause 99);
- the conferral of additional statutory powers on the court, in particular:
 - a new power to disqualify a person from being appointed as a trustee of any trust for a stated period (clause 129);
 - a new power to remove and replace office holders, other than trustees, who have been appointed under the trust instrument (clause 130); and
 - a new power to review and reduce the amount of a trustee's remuneration (clause 146);
- the conferral of jurisdiction on the District Court so that the District Court may, within its jurisdictional monetary limit, exercise the same powers that are conferred on the Supreme Court under the Draft Bill (Dictionary, definition of 'court'); and

- new provisions to enable trustees of charitable trusts, where the total value of the trust property does not exceed the monetary limit of the District Court, to apply to the Attorney-General for the approval of *cy pres* schemes, in lieu of making an application to the court (clauses 160–166).

The Draft Bill also retains, in substance, a number of provisions of the current Act that remain relevant. However, those provisions have been substantially redrafted in a more modern style to bring Queensland's trusts legislation into the modern era, and to make it more accessible. Given the increasing use in modern times of the trust (particularly the family trust) as a vehicle for arranging private commercial or other financial interests, this will be of particular assistance to nonprofessional trustees.

The Commission's comprehensive report and draft Trusts Bill are being considered by the Attorney-General.

Review of religious and certain other community organisation Acts

In June 2012, the Commission received terms of reference to review 29 Acts relating to specified religious and community organisations. The Commission was asked to recommend whether:

- any of the Acts are obsolete and can be repealed;
- any of the Acts still required can be consolidated to reduce the number of separate Acts;
- the drafting of any of the Acts still required can be simplified and modernised; and
- particular provisions of the Acts can be repealed or can refer to laws of general application, such as the *Associations Incorporation Act 1981* and the *Trusts Act 1973*.

The Commission completed its final report on 20 December 2013.

The Commission recommended the repeal of 10 Acts in their entirety, and the repeal of a further four Acts following the relocation of provisions of those Acts to other related Acts. Those 14 Acts are:

- *All Saints Church Lands Act 1924*;
- *Anglican Church of Australia Act 1895 Amendment Act 1901* (following its amendment and the relocation of its remaining provisions to the *Anglican Church of Australia Act 1895*);
- *Anglican Church of Australia Act 1977* (following the relocation of its substantive provisions to the *Anglican Church of Australia Constitution Act 1961*);
- *Anglican Church of Australia (Diocese of Brisbane) Property Act 1889*;
- *Ann Street Presbyterian Church Act 1889*;

- *Boonah Show Ground Act 1914*;
- *Chinese Temple Society Act 1964*;
- *Presbyterian Church of Australia Act 1971* (following its amendment and the relocation of its remaining provisions to the *Presbyterian Church of Australia Act 1900*);
- *Queensland Congregational Union Act 1967*;
- *Roman Catholic Church (Corporation of the Sisters of Mercy of the Diocese of Cairns) Lands Vesting Act 1945*;
- *Roman Catholic Church (Northern Lands) Vesting Act 1941* (following its amendment and the relocation of its remaining provisions to the *Roman Catholic Church Lands Act 1985*);
- *Roman Catholic Relief Act 1830*;
- *Wesleyan Methodists, Independents, and Baptists Churches Act 1838*; and
- *Wesleyan Methodist Trust Property Act 1853*.

Of the remaining Acts, the Commission recommended the repeal, in whole or part, or amendment of a number of provisions to remove obsolete provisions or outdated or incorrect references.

For the most part, the Acts and provisions that have been recommended for repeal have become obsolete simply with the effluxion of time and in the events that have occurred, rather than, as raised in the terms of reference, because of other legislation such as the *Associations Incorporation Act 1981* or the *Trusts Act 1973*.

The Commission's report is being considered by the Attorney-General.

Who's who at the Commission

Commission members

The Hon Justice RG Atkinson BA (Hons) BEd St LLB (Hons)—Chairperson 1 January 2002–20 December 2013

Justice Atkinson was admitted to the Bar in 1987 and had a broad general public and private litigation practice in courts and tribunals including constitutional, administrative, corporate and industrial cases.

While in practice at the Bar, her Honour was also the first member, and then the first President, of the Queensland Anti-Discrimination Tribunal, a member, and then Deputy Chairperson, of the Queensland Law Reform Commission, a Hearing Commissioner for the Human Rights and Equal Opportunity Commission, and a member of the Social Security Appeals Tribunal.

Her Honour was appointed a Judge of the Supreme Court of Queensland on 3 September 1998, and has served as Chair of the Commission since 2002.

Mr JK Bond QC BCom LLB (Hons) 17 March 2005–20 December 2013

Mr Bond was admitted to the Queensland Bar in 1987. He has been in private practice at the Queensland Bar since then. He was appointed as a Senior Counsel for the State of Queensland in 1999. He has also been admitted to practice in New South Wales, South Australia, Western Australia and the Northern Territory. He is entitled to practise in the Federal and High Courts.

Mr Bond's practice is in the area of commercial litigation and advice. Within that context, areas in which he has advised or appeared have concerned, inter alia, administrative law, arbitration, banking and finance, building and construction contracts, constitutional law, contract law, corporations law, insurance, leases, mining, native title, professional liability, trade practices, trusts and equity.

Mr BJ Herd BA LLB (Hons) 15 November 2002–20 December 2013

Mr Herd was admitted as a solicitor in 1983 and has been in private practice since then.

For many years he has practised in the area of commercial law and litigation but has, in the last few years, concentrated on the area of elder law, or law for older people, encompassing estate and life planning, guardianship and administration, family and business succession and lifestyle options, including aged care and retirement.

He has prepared and presented numerous papers and seminars on aspects of elder law and is Chair of the Queensland Law Society's Elder Law Committee and a member of the National Academy of Elder Law Attorneys of America.

Mrs SM Ryan QC BCom LLB (Hons)

21 December 2010–20 December 2013

Mrs Ryan was admitted as a barrister in 1991, and practises mainly in criminal law. She has worked as a Crown Prosecutor at the Office of the Director of Public Prosecutions and as counsel at Legal Aid Queensland. In 2010, Mrs Ryan entered private practice.

Mrs Ryan taught evidence for several years at the University of Queensland and is one of the current authors of *Carter's Criminal Law of Queensland*. In 2008, Mrs Ryan assisted the Queensland Law Reform Commission in its review of the excuse of accident and the defence of provocation.

Ms RM Treston QC LLB (Hons)

28 June 2013–20 December 2013

Ms Treston was admitted as a solicitor in 1991. In 1996, she was admitted to the Queensland Bar, where she has remained in private practice ever since. She is entitled to practise in the Federal and High Courts, and is also admitted to practice in the ACT and Vanuatu.

Ms Treston's practice is in civil litigation and advice. In particular, she specialises in estate litigation, insurance, contractual and commercial disputes, professional liability, trusts and equity, and personal injuries.

Ms Treston has presented numerous papers on succession and estate litigation and personal injuries litigation. She was a member of the Queensland Bar Council in 2001 and 2002.

Ms Treston also served as a part-time member of the Commission from 21 December 2007 to 20 December 2010.

Secretariat

Claire Riethmuller BA LLB (Hons)—Director

Ms Riethmuller graduated with First Class Honours in Law from the University of Queensland in 1986, and was admitted to practice as a solicitor of the Supreme Court of Queensland in 1988.

She worked as a solicitor at Minter Ellison, practising in the areas of commercial litigation and professional indemnity litigation.

In 1994, Ms Riethmuller was appointed as the Commission's Principal Legal Officer and, in 2005, as Director.

David Groth BA LLB—Acting Director

Mr Groth graduated with a Bachelor of Laws degree from the University of Queensland in 1990. He was admitted to practice as a barrister of the Supreme Court of Queensland in 1992. He also holds a Bachelor of Arts degree from the University of Queensland.

Mr Groth has performed previous roles as Director of Legal Services Coordination in the Department of Justice and Attorney-General (most recently), Secretary of the Bundaberg Hospitals Commission of Inquiry/Queensland Hospitals Commission of Inquiry, Court Administrator of the Supreme and District Courts, and Research Director of the Parliamentary Criminal Justice Committee.

Mr Groth has also performed senior policy roles in both the Department of the Premier and Cabinet and Department of Justice and Attorney-General.

Mr Groth has previously performed senior roles in the Office of the Director of Public Prosecutions including Manager of the Sentencing Unit.

Mr Groth commenced a 12 month secondment as Acting Director of the Commission on 14 April 2014.

Cathy Green BSc LLB—Assistant Director

Mrs Green graduated with a Bachelor of Laws degree from the Queensland University of Technology in 1996. She was admitted to practice as a barrister of the Supreme Court of Queensland in 1996. Mrs Green also holds a Bachelor of Science degree from the University of Queensland.

Mrs Green served two periods of secondment at the Commission before being appointed as a Legal Officer on a permanent basis in 2002. In 2005, Mrs Green was appointed as the Commission's Principal Legal Officer and, in 2008, as the Commission's Assistant Director. She is also the Commission's Right to Information and Information Privacy Officer.

Mrs Green previously worked as a research scientist at the Queensland Institute of Medical Research, in the Office of the Director of Public Prosecutions and as a research officer at the Queensland Parliamentary Library.

Anita Galeazzi BA LLB (Hons) GDLP—Legal Officer

Ms Galeazzi graduated with Honours in Law from the University of Queensland in 2006.

Ms Galeazzi worked as a research officer at the Supreme Court of Queensland Library, before completing the Graduate Diploma in Legal Practice through the

Australian National University. She was admitted to the legal profession in Queensland as a lawyer in 2010.

Ms Galeazzi commenced work at the Commission in January 2011.

Paula Rogers BA LLB (Hons)—Legal Officer

Ms Rogers graduated with First Class Honours in Law from Griffith University in 2003, having been awarded the University Medal and the Arts Medal, and was admitted as a legal practitioner of the Supreme Court of Queensland in January 2005.

Ms Rogers worked as a Judge's Associate at the Supreme Court of Queensland in 2003. She completed her articles of clerkship at Allens Arthur Robinson during 2004, where she worked in the energy and resources practice group.

Ms Rogers commenced work at the Commission in 2005.

Jenny Manthey BSc (Hons) Cert III Bus (Office Admin)—Commission Secretary

Mrs Manthey graduated with a Bachelor of Science from the University of Queensland in 1993. She worked as a Scientific Technician from 1992 to 1995 at CSIRO Long Pocket Laboratories, and completed her Honours degree in 1998.

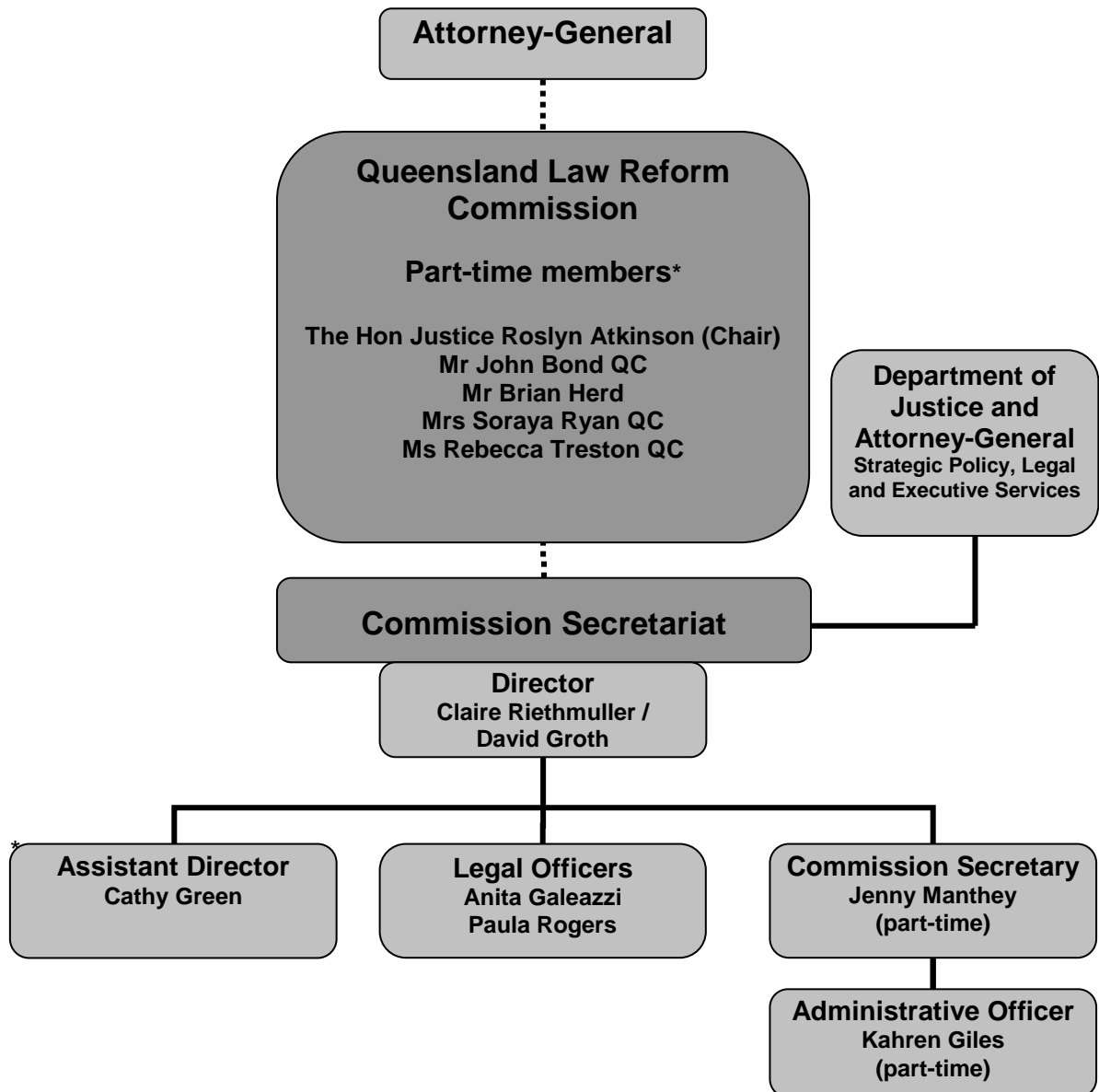
After gaining qualifications in Office Administration in 2000, Mrs Manthey was employed in a variety of administrative roles before commencing work at the Commission in January 2004.

Kahren Giles BA—Administrative Officer

Ms Giles is responsible for a wide range of secretarial and administrative functions within the Commission.

Appendix 1

Organisational chart



Appendix 2

Legislative action on reports

No.	Title	Date of Report	Date Report Tabled	Background Papers	Implementation of the Commission's Recommendations (in whole, in part, or with alterations)
R 69	A Review of the Law in Relation to the Final Disposal of a Dead Body	December 2011	27.01.12	WP 58 2004	
R 68	A Review of Jury Selection	February 2011	01.07.11	WP 69 2010	
R 67	A Review of Queensland's Guardianship Laws, vols 1-4	September 2010	12.11.10	WP 68 2009 WP 65 2008 WP 64 2008	<i>Guardianship and Administration and Other Legislation Amendment Act 2012, Part 2</i>
R 66	A Review of Jury Directions, vols 1-2	December 2009	14.04.10	WP 66 2009 WP 67 2009	Supreme Court of Queensland, Practice Direction No 6 of 2013, <i>Case Management in Complex Criminal Trials</i>
R 65	Administration of Estates of Deceased Persons: Report of the National Committee for Uniform Succession Laws to the Standing Committee of Attorneys General, vols 1-4	April 2009	07.07.09	WP 55 2001 MP 37 1999	
R 64	A review of the excuse of accident and the defence of provocation	September 2008	01.10.08	WP 63 2008 WP 62 2008	<i>Criminal Code and Other Legislation Amendment Act 2011</i>

No.	Title	Date of Report	Date Report Tabled	Background Papers	Implementation of the Commission's Recommendations (in whole, in part, or with alterations)
R 63	A review of the <i>Peace and Good Behaviour Act 1982</i> , vols 1–2	December 2007	25.08.08	WP 59 2005	
R 62	Public Justice, Private Lives: A New Approach to Confidentiality in the Guardianship System, vol 2 Public Justice, Private Lives: A New Approach to Confidentiality in the Guardianship System, vol 1	July 2007 June 2007	12.10.07	WP 62 2006 WP 61 2006 WP 60 2006 MP 38 2006 MP 39 2006	<i>Guardianship and Administration and Other Acts Amendment Act 2008</i>
R 61	Wills: The Anti-lapse Rule — Supplementary Report to the Standing Committee of Attorneys General	March 2006	22.06.06	MP 29 1997 R 52 1997	<i>Succession Amendment Act 2006</i>
R 60	A Review of the Uniform Evidence Acts (Report on the Australian Law Reform Commission's preliminary proposals for reform of the Uniform Evidence Acts)	September 2005	28.10.05	Nil	Not applicable.
R 59	The Abrogation of the Privilege Against Self-incrimination	December 2004	08.03.05	WP 57 2003	
R 58	Family Provision: Supplementary Report to the Standing Committee of Attorneys General	July 2004	22.09.04	MP 28 1997 WP 47 1995	
R 57	Damages in an Action for Wrongful Death: The effect of entering into, or the prospect of entering into, a financially supportive cohabitation relationship, and the effect of the likelihood of divorce or separation on the assessment of damages in a wrongful death claim	November 2003	19.12.03	WP 56 2002	<i>Justice and Other Legislation Amendment Act 2004, Part 24</i>
R 56	Vicarious Liability	December 2001	11.04.02	WP 48 1995	<i>Justice and Other Legislation Amendment Act 2004, Part 19</i>

No.	Title	Date of Report	Date Report Tabled	Background Papers	Implementation of the Commission's Recommendations (in whole, in part, or with alterations)
R 55	The Receipt of Evidence by Queensland Courts: The Evidence of Children (Part 2) The Receipt of Evidence by Queensland Courts: The Evidence of Children (Part 2A) — Summary of Recommendations	December 2000	05.04.01	WP 53 1998	<i>Evidence (Protection of Children) Amendment Act 2003</i>
R 55	The Receipt of Evidence by Queensland Courts: The Evidence of Children (Part 1)	June 2000	03.07.00	WP 53 1998	<i>Criminal Law Amendment Act 2000</i>
R 54	The Role of Justices of the Peace in Queensland	December 1999	31.05.00	WP 51 1998 WP 54 1999	
R 53	Review of the <i>Limitation of Actions Act 1974</i> (Qld)	September 1998	22.12.98	WP 49 1997 WP 50 1997	
R 52	The Law of Wills	December 1997	23.12.97	MP 10 1994 WP 46 1995	<i>Succession Amendment Act 2006</i>
R 51	Consent to Health Care of Young People, vols 1–3	December 1996	30.04.97	MP 2 1993 MP 6 1993 MP 7 1993 WP 42 1994 MP 14 1995 WP 44 1995 WP 44A 1995 MP 17 1996	
R 50	Minors' Civil Law Capacity	December 1996	25.03.97	WP 45 1995	<i>Residential Tenancies Amendment Act 1998</i>

No.	Title	Date of Report	Date Report Tabled	Background Papers	Implementation of the Commission's Recommendations (in whole, in part, or with alterations)
R 49	Assisted and Substituted Decisions: Decision-Making by and for People with a Decision-Making Disability, vols 1–3	June 1996	07.08.96	WP 43 1995 WP 43A 1995 WP 38 1992 MP 1 1991	<i>Powers of Attorney Act 1998</i> <i>Guardianship and Administration Act 2000</i>
R 48	De Facto Relationships: Claims by Surviving De Facto Partners under the <i>Common Law Practice Act 1867</i> for Damages for Wrongful Death	November 1994	25.11.94	MP 8 1994	<i>Common Law Practice and Workers' Compensation Amendment Act 1994</i>
R 47	Female Genital Mutilation	16.09.94	18.10.94	MP 7 1993 WP 42 1994	<i>Criminal Law Amendment Act 2000</i>
R 46	The <i>Freedom of Information Act 1992</i> Review of Secrecy Provision Exemption	22.03.94	22.03.94	MP 3 1993	<i>Freedom of Information (Review of Secrecy Provisions Exemption) Amendment Act 1994</i>
R 45	The Assessment of Damages in Personal Injury and Wrongful Death Litigation: <i>Griffiths v Kerkemeyer</i> , Section 15C <i>Common Law Practice Act 1867</i>	08.10.93	16.11.93	MP 4 1993 MP 5 1993	No changes recommended
R 44	De Facto Relationships	30.06.93	15.07.93	WP 36 1991 WP 40 1992	<i>Property Law Amendment Act 1989</i>
R 43	The <i>Bail Act 1980</i>	28.06.93	15.07.93	WP 35 1991 WP 41 1993	
R 42	Intestacy Rules	07.06.93	15.07.93	WP 37 1992	<i>Succession Amendment Act 1997</i>
R 41	The Protection of Statements Made to Religiously Ordained Officials	02.04.91	09.04.91	Nil	

No.	Title	Date of Report	Date Report Tabled	Background Papers	Implementation of the Commission's Recommendations (in whole, in part, or with alterations)
R 40	Consolidation of <i>Real Property Acts</i>	March 1991	07.04.91	WP 32 1990	<i>Land Title Act 1994</i>
R 39	Henry VIII Clauses	29.06.90	05.12.90	WP 33 1990	<i>Legislative Standards Act 1992</i>
R 38	Report on the <i>Oaths Act</i>	31.03.89	07.06.90	WP 31 1988	
R 37	Report on a Bill to Amend the <i>Property Law Act 1974</i>	17.09.87	07.06.90	WP 30 1986	<i>Property Law Act Amendment Act</i>
R 36	Report on a Bill to Alter the Civil Jurisdiction of the District Court of Queensland	20.12.85	07.06.90	WP 29 1985	<i>District Courts Act and Other Acts Amendment Act 1989</i>
R 35	Report on a Bill to Amend and Reform the <i>Jury Act</i> , the <i>Justices Act</i> and the Criminal Code insofar as those Acts Relate to Committal Proceedings and Trial by Jury in Criminal Courts	25.10.85	07.06.90	WP 28 1984	
R 34	Report on a Bill to Establish Limited Liability Partnerships	22.01.85	07.06.90	WP 27 1984	<i>Partnership (Limited Liability) Act 1988</i>
R 33	Report on a Bill to Prevent the Avoidance of Civil Liability in Cases of Death or Personal Injury Caused by Negligence	26.10.84	07.06.90	WP 26 1984	
R 32	Report on a Bill to Consolidate, Amend and Reform the <i>Supreme Court Acts</i> and Ancillary Acts Regulating Civil Proceedings in the Supreme Court	1982	07.06.90	WP 24 1982	
R 31	Report on an Examination of the Imperial Statutes in Force in Queensland	23.09.81	07.06.90	WP 23 1979	<i>Imperial Acts Application Act 1984</i>

No.	Title	Date of Report	Date Report Tabled	Background Papers	Implementation of the Commission's Recommendations (in whole, in part, or with alterations)
R 30	Report on a Draft Associations Incorporation Act	01.02.80	07.06.90	WP 22 1978	<i>Associations Incorporation Act 1981</i>
R 29	Report on A Bill to Repeal <i>The Second-Hand Wares Act of 1921</i> and to Update Legislation Concerning Dealers and Collectors	03.01.80	07.06.90	WP 21 1978	<i>Second Hand Dealers and Collectors Act 1984</i>
R 28	Report on Matters Arising out of the Report of the Committee of Inquiry into the Enforcement of the Criminal Law in Queensland (The Lucas Inquiry)	17.05.79	07.06.90	Nil	
R 27	Proposals to Amend Practices of Criminal Courts	08.12.78	07.06.90	WP 19 1977	
R 26	Report on an Examination of the Procedure and Practice in Children's Courts and on a Bill to Amend the <i>Children's Services Act 1965–1977</i>	30.08.78	07.06.90	WP 15 1976	
R 25	Report on an Examination of the Law Relating to Bail in Criminal Proceedings	10.08.78	20.09.78	WP 20 1978	<i>Bail Act 1980</i>
R 24	Report on the Law Relating to Actions Against the Crown	17.04.78	12.09.79	WP 17 1977	<i>Crown Proceedings Act 1980</i>
R 23	Report on a Review of the <i>Pawnbrokers Act 1849–1971</i>	24.02.78	13.03.79	WP 16 1976	<i>Pawnbrokers Act 1984</i>
R 22	Report on the Law Relating to Succession	24.02.78	09.10.79	WP 14 1975	<i>Succession Act 1981</i>
R 21	Reform of the Law of Rape	13.08.76	07.06.90	Nil	
R 20	Report on the Law of Succession and Other Allied Considerations in Relation to Illegitimate Persons	18.12.75	11.03.76	Nil	<i>Status of Children Act 1978</i>

No.	Title	Date of Report	Date Report Tabled	Background Papers	Implementation of the Commission's Recommendations (in whole, in part, or with alterations)
R 19	Report on the Law Relating to Evidence	14.11.75	11.03.76	WP 13 1975	<i>Evidence Act 1977</i>
R 18	The Commission's Third Report on Statute Law Revision	17.03.75	22.03.75	Nil	<i>Acts Repeal Act 1975</i>
R 17	Report on a Bill to Amend the Criminal Code in Certain Particulars	19.12.74	27.02.75	WP 12 1974	<i>The Criminal Code and the Justices Act Amendment Act 1975</i>
R 16	Report on a Bill to Consolidate, Amend and Reform the Law Relating to Conveyancing, Property, and Contract and to Terminate the Application of Certain Imperial Statutes	28.02.73	07.06.90	WP 10 1972	<i>Property Law Act 1974</i>
R 15	The Commission's Second Report on Statute Law Revision	22.12.72	20.03.73	Nil	<i>Acts Repeal Act 1973</i>
R 14	Report on a Bill to Amend and Consolidate the Law Relating to Limitation of Actions	02.10.72	20.03.73	WP 11 1972	<i>Limitation of Actions Act 1974</i>
R 13	Report on a Bill to Consolidate and Amend the Law Relating to Money Lending	24.04.72	09.08.72	WP 8 1971	<i>The Money Lenders Act 1916 was repealed (from May 1989) by the Credit Act 1987</i>
R 12	Report on a Bill to Establish an Appeal Costs Fund	21.04.72	09.08.72	Nil	<i>Appeal Costs Fund Act 1973</i>
R 11	Report on Statute Law Revision	21.04.72	09.08.72	Nil	<i>New South Wales (Termination of Application) Acts 1973</i>
R 10	Report in Relation to an Examination of the Law Relating to Interest on Damages	10.09.71	09.08.72	WP 6 1971	<i>Common Law Practice Act Amendment Act 1972</i>

No.	Title	Date of Report	Date Report Tabled	Background Papers	Implementation of the Commission's Recommendations (in whole, in part, or with alterations)
R 9	Report in Relation to an Examination of the Provisions of the <i>Fatal Accidents Acts</i> with a View to the Elimination of Anomalies	10.09.70	09.08.72	WP 7 1971	<i>Common Law Practice Act Amendment Act 1972</i>
R 8	Report on the Law Relating to Trusts, Trustees, Settled Land and Charities	16.06.71	09.08.72	WP 5 1970	<i>Trusts Act 1973</i>
R 7	Report on the Law Relating to Perpetuities and Accumulations	24.05.71	26.08.71	WP 9 1971	<i>Perpetuities and Accumulations Act 1972</i> (later incorporated into the <i>Property Law Act 1974</i>)
R 6	Report on a Review of: <i>The Statute of Frauds, 1677</i> (29 Car II c 3); <i>The Statute of Frauds Amendment Act, 1828</i> (9 Geo IV c 14); <i>The Statute of Frauds and Limitations of 1867</i> (Qld) (31 Vic No 22); <i>The Sale of Goods Act of 1896</i> (Qld) (60 Vic No 6) (Sect 7)	08.06.70	26.08.71	WP 4 1970	<i>Statute of Frauds 1972</i> (later incorporated into the <i>Property Law Act 1974</i>)
R 5	Report on a Bill to Make Provision for the Abatement of Litter and Other Purposes	08.06.70	07.06.90	Nil	<i>Litter Act 1971</i>
R 4	Report on a Bill to Consolidate the Law Relating to Arbitration	08.06.70	26.08.71	WP 2 1969	<i>Arbitration Act 1973</i>
R 3	<i>The Common Law Practice Acts, 1867 to 1964</i> (Section 2): Illegitimate Children	20.03.70	08.09.70	Nil	<i>Common Law Practice Act Amendment Act 1970</i>
R 2	Abolition of the Distinction between Wilful Murder and Murder	16.03.70	08.09.70	WP 3 1969	<i>The Criminal Code and the Offenders Probation and Parole Act Amendment Act 1971</i>

No.	Title	Date of Report	Date Report Tabled	Background Papers	Implementation of the Commission's Recommendations (in whole, in part, or with alterations)
R 1	Report on the Law Relating to Relief from Forfeiture of Leases and to Relief from Forfeiture of an Option to Renew and Certain Aspects of the Law Relating to Landlord and Tenant	26.02.70	07.06.90	WP 1 1969	

Appendix 3

Holders of office under the *Law Reform Commission Act 1968*¹

Chairpersons

The Honourable Mr Justice WB Campbell (later Chief Justice of the Supreme Court of Queensland and Governor of Queensland)	01.03.69–01.03.73
The Honourable Mr Justice GL Hart	01.03.73–15.05.73
The Honourable Mr Justice DG Andrews (later Chief Justice of the Supreme Court of Queensland)	26.05.73–17.09.82
The Honourable Mr Justice BH McPherson CBE*	20.09.82–31.12.91
The Honourable Justice RE Cooper*	01.01.92–30.06.93
The Honourable Justice GN Williams*	01.07.93–30.06.96
The Honourable Justice P de Jersey (later Chief Justice of the Supreme Court of Queensland)	12.07.96–19.03.98
The Honourable Justice JDM Muir	20.03.98–19.03.01 15.06.01–31.12.01
The Honourable Justice RG Atkinson*	01.01.02–20.12.13

Full-time members

Dr JM Morris	01.06.73–30.06.80
Prof KW Ryan CBE QC* (later the Honourable Mr Justice KW Ryan CBE)	01.11.80–31.10.82
Mr FJ Gaffy QC*	01.10.83–16.10.84 10.12.84–31.05.89
Mr AA Preece	05.01.87–30.06.90
Ms L Willmott*	17.09.90–31.10.92

¹ An asterisk indicates that the member has been appointed to more than one Queensland Law Reform Commission position.

Ms C Richards	24.09.90–24.04.92
Mr WG Briscoe*	04.01.93–04.06.99
Mr J Herlihy	04.01.93–10.09.93
Ms PA Cooper	09.05.94–31.07.97
Assoc Prof PJM MacFarlane	10.01.00–28.12.01
Ms RA Hill	30.09.02–10.03.05
Dr BP White*	05.09.05–02.11.07
Mr IP Davis	17.07.08–15.05.10
Assoc Prof TCM Hutchinson	01.02.11–07.03.12

Part-time members

Mr BH McPherson QC* (later the Honourable Mr Justice BH McPherson CBE)	01.03.69–31.12.81
Sir John Rowell CBE	01.03.69–31.12.89
Mr PR Smith	01.03.69–08.07.76
Sir John Nosworthy CBE	01.01.76–31.12.87
Mr GN Williams QC* (later the Honourable Justice GN Williams)	09.08.76–06.04.82 17.01.83–16.03.89
Prof KW Ryan CBE QC* (later the Honourable Mr Justice KW Ryan CBE)	05.07.80–31.10.80 01.11.82–10.02.84
Mr RE Cooper QC* (later the Honourable Justice RE Cooper)	14.06.82–02.02.89 03.02.89–31.12.89
Mr MO Klug	01.01.88–31.12.89
Mr FJ Gaffy QC*	01.06.89–30.09.89
Ms H O'Sullivan (later Her Honour Judge H O'Sullivan)	01.05.90–08.04.91 09.04.91–29.08.94
Ms RG Atkinson* (later the Honourable Justice RG Atkinson)	01.05.90–30.06.96
Mr PA Keane QC (later the Honourable Justice PA Keane of the High Court)	01.05.90–12.02.92

Mr WA Lee	01.07.90–30.06.96
Mr RS O'Regan QC	11.05.92–23.11.92
Ms L Willmott*	15.03.93–15.03.94
Dr JA Devereux	29.08.94–28.08.97
Mr PD McMurdo QC (later the Honourable Justice PD McMurdo)	22.05.95–21.05.01
Mrs DA Mullins SC (later the Honourable Justice DA Mullins)	12.07.96–11.07.99 01.10.99–30.09.02
Mr PM McDermott RFD	12.07.96–11.07.99
Prof WD Duncan	26.09.97–25.09.00
Ms SC Sheridan	26.09.97–25.09.00
Mr WG Briscoe*	04.02.00–30.08.01
Mr PDT Applegarth SC (later the Honourable Justice PDT Applegarth)	21.12.01–20.12.04
Ms A Colvin	21.12.01–31.12.05
Mr GW O'Grady	21.12.01–20.12.07
Dr HA Douglas	21.12.01–20.12.07
Mr BJ Herd	15.11.02–20.12.13
Mr JK Bond QC	17.03.05–20.12.13
Ms RM Treston QC	21.12.07–20.12.10 28.06.13–20.12.13
Assoc Prof BP White*	21.12.07–20.12.10
Prof BF Fitzgerald	21.12.10–01.05.13
Mrs SM Ryan QC	21.12.10–20.12.13