

AUSTRALIAN JOURNAL OF ADMINISTRATIVE LAW

Volume 16, Number 3

May 2009

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Tribunals and administrative policies: Does the high or low policy distinction help? – *Andrew Edgar*

The Australian administrative law literature identifies a number of factors for allocating weight to administrative policies by merits review tribunals. The primary consideration is the distinction between high policies, those made at the ministerial level, and low policies, those made at the departmental level. This article questions whether the high or low policy distinction assists in allocating weight to administrative policies. It argues that the distinction is problematic and that the scope of flexibility when applying policies should be assessed primarily by reference to considerations drawn from the particular regulatory context.	143
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Security identification cards, background checks and the Administrative Appeals Tribunal – *Trent Glover*

Security identification cards (SICs) are required to be displayed by persons accessing secure areas of critical infrastructure such as airports, marine ports, ships and offshore facilities. This article considers the steps necessary to obtain a SIC, including the requirement that a background check be conducted of an applicant’s criminal history. Whilst it may appear that the regulatory framework relating to SICs may operate harshly in respect of applicants who “fail” a background check, it will be shown that “failing” a background check is not necessarily fatal to a person’s ability to be issued with a SIC. This is because of the operation of the numerous review mechanisms, including merits review by the Administrative Appeals Tribunal, built in to the regime.	157
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SUBSCRIPTION INFORMATION

The *Australian Journal of Administrative Law* comprises four parts a year.

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THOMSON REUTERS

© 2009 Thomson Reuters (Professional) Australia Limited
ABN 64 058 914 668

Lawbook Co.

Published in Sydney

ISSN 1320–7105

Typeset by Thomson Reuters (Professional) Australia Limited, Pyrmont, NSW

Printed by Ligare Pty Ltd, Riverwood, NSW