

might have some doubt as to the validity of any statistical conclusion which can be drawn from the results. Finally, in Chapters 8, 9 and Appendix B the author expresses views concerning the desirability for further legislative intervention in relation to exemption clauses.

The work does not purport to be a text book or an exhaustive statement of the law or collection of authorities and legislation concerning exemption clauses and obligations implied by statute. The work originated in the author's report to the Law Reform Commission of Tasmania on a reference on "Exclusion Clauses and Implied Obligations in Contracts Relating to the Supply

of Goods and Services". The approach and content of the book reflect that origin and the author does not attempt to set down an exposition of the law as it is in any particular jurisdiction. For that reason, it will be of limited value to practitioners. On the other hand, it may be a useful starting point for research. Some Courts today have a tendency to seek the policy considerations involved in a question before them (the foreword was written by the President of the Court of Appeal), and there are to be found in the work lucid, helpful and compelling observations as to such matters.

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## ABC Guide to the Federal Court of Australia

By Matthew Smith.

Pages i-xvii, 1-230. 1986. Australia: The Law Book Co. Ltd. Price: (soft cover) \$29.50

This book, by a member of the Sydney Bar, is the third recent publication using an alphabetical format to deal with a particular area of law; the earlier two volumes being Bartley and Brahe's **The ABC of Evidence** and Bartley, Brahe, Swanson and Foggo's **The ABC of Liquor Law in New South Wales**. Smith's book, as were the earlier two "ABC's", is a book designed for the practitioner.

The author's aim in producing the book is summarised in the opening sentence of his preface:-

"In this book, I have attempted a short encyclopaedic guide to the jurisdiction and procedure of the Federal Court of Australia."

Law Book Company publicity avoids the author's oxymoron by describing the book thus:-

"A concise, reliable and up-to-date guide to the complex body of rules governing the jurisdiction of the Federal Court and its procedure . . . The work thus provides short but authoritative answers to most questions which concern practitioners who deal with the court."

The book commences with a quite useful table of contents which, as one would expect, is arranged alphabetically. Where the particular topic is dealt with under several sub-topics (as about half of them are) the table lists the sub-topics. For example, the table contains the following entry as to "Supplementary Jurisdiction":-

### "SUPPLEMENTARY JURISDICTION

1. Accrued jurisdiction
2. Associated jurisdiction
3. Incidental powers
4. Inherent powers"

The actual topics are then dealt with and range, alphabetically, from "**Aboriginal and Torres Strait Islander Heritage (Interim Protection) Act 1984**" to "**Written submissions — see Appeals**". There is extensive use of cross-referencing both in the major articles or items and also by way of short inserts alphabetically arranged between major articles providing the reader with an indication of the major articles which deal with the particular subject matter. For example, at page 165, between the major articles entitled "**National Health Act 1953**" and "**Ombudsman Act 1976**" are the following one line cross-references:

"**Next Friend** — see Disability

**New trial** — see Appeals

**Notice of produce** — see Discovery; Evidence

**Oath** — see Affidavits; Evidence"

The book seems to be accurately described as concise, reliable and up-to-date and, again returning to the author's preface, his hope that he has given quick answers to most questions encountered in dealing with the Court is justified.

For example, major articles such as those entitled "**Commencement of Proceedings**", "**Industrial Proceedings**", "**Interim Orders**", "**Judicial Review**" and "**Jurisdiction**" fulfil these criteria and are readable and informative.

The arrangement and cross-referencing results in a most comprehensive picture of the jurisdiction, procedure etc. of the Court and usefully indexes the relevant topics. It is not inappropriate, however, to identify one or two apparent omissions. For example, although the grant of jurisdiction to the Federal Court made by the addition of Section 39B of the **Judiciary Act** in 1983 is usefully dealt with as the second sub-topic under the item "**Judicial Review**", one looks in vain for headings or cross-reference entitled "**Prerogative Writs**", "**Officer or Officers of the Commonwealth**" or "**Commonwealth — Officer or Officers**". Even though there are cross-references to the topic "**Judicial Review**" against the terms "**Mandamus**", "**Prohibition**" and "**Injunction**", and "**Writ**", inclusion of these headings, with appropriate cross-references, would enhance a future edition.

Similarly, one would have thought that in sub-topic 4 "**Inherent Powers**" of the topic "**Supplementary Jurisdiction**", it would have been appropriate to have a cross-reference to the topic "**Security For Costs**", where there is reference to a specific head of inherent power.

Since the author sees the work as being a useful research tool (and that it no doubt is) it could have been usefully improved, at minimal increase in production costs, by the addition of tables of cases, statutory provisions and Rules of Court. Perhaps another matter for the next edition?

Apart from these very minor criticisms, the **ABC Guide to the Federal Court** is a most useful addition to the material available in relation to the Federal Court. It will be of real use to any member of the Bar practising in that Court, although undoubtedly of more use to newer practitioners. It is a book which will justify the production of relatively frequent new editions brought about by decisions of the Court and by likely statutory changes which will enlarge, and probably complicate, the jurisdiction of the Federal Court.

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