1985-1986

FEDERAL COURT REPORTS

THE AUTHORISED REPORTS OF DECISIONS OF THE FEDERAL COURT OF AUSTRALIA

EDITOR

C A SWEENEY

Barrister-at-Law

VOLUME 9

THE LAW BOOK COMPANY LIMITED

1987

REPORTERS

F P CARNOVALE
B A GRAY
C M HENCHMAN

P W NICHOLS R R S TRACEY S M WARD

Barristers-at-Law

Published in Sydney by
The Law Book Company Limited
44-50 Waterloo Road, North Ryde, NSW
389-393 Lonsdale Street, Melbourne, Victoria
40 Queen Street, Brisbane, Queensland
6 Sherwood Court, Perth, WA

ISSN 0085-0462

© The Law Book Company Limited 1987

FEDERAL COURT OF AUSTRALIA

CHIEF JUDGE

THE HONOURABLE SIR NIGEL HUBERT BOWEN, KBE

JUDGES

- THE HONOURABLE SIR REGINALD ALLFREE SMITHERS (retired 30 September 1986)
- THE HONOURABLE RUSSELL WALTER FOX
- THE HONOURABLE SIR RICHARD ARTHUR BLACKBURN, OBE (retired 31 March 1985)
- THE HONOURABLE CHARLES AUGUSTINE SWEENEY, CBE
- THE HONOURABLE SIR WILLIAM EDWARD STANLEY FORSTER
- THE HONOURABLE SIR ALBERT EDWARD WOODWARD, OBE
- THE HONOURABLE ROBERT JAMES ANNING FRANKI (retired 5 September 1986)
- THE HONOURABLE JAMES HENRY MUIRHEAD (retired 4 August 1986)
- THE HONOURABLE PHILLIP GEORGE EVATT, DSC
- THE HONOURABLE ROBERT JAMES BALDWIN ST JOHN (retired 31 March 1985)
- THE HONOURABLE RAYMOND MOYLE NORTHROP
- THE HONOURABLE JOHN AUGUSTINE KEELY
- THE HONOURABLE JOHN LESLIE TOOHEY (resigned 6 February 1987)
- THE HONOURABLE DOUGLAS GORDON PATRICK McGregor (retired 14 June 1985)
- THE HONOURABLE FRANCIS ROBERT FISHER
- THE HONOURABLE JOHN FOSTER GALLOP
- THE HONOURABLE JOHN DARYL DAVIES
- THE HONOURABLE JOHN STANLEY LOCKHART
- THE HONOURABLE IAN FITZHARDINGE SHEPPARD
- THE HONOURABLE JOHN JOSEPH ANTHONY KELLY
- THE HONOURABLE TREVOR REES MORLING
- THE HONOURABLE GERALD EDWARD FITZGERALD (resigned 30 June 1984)
- THE HONOURABLE KENNETH JOSEPH JENKINSON

- THE HONOURABLE ALAN REGINALD NEAVES
- THE HONOURABLE MICHAEL DONALD KIRBY, CMG (resigned 23 September 1984)
- THE HONOURABLE BRYAN ALAN BEAUMONT
- THE HONOURABLE MURRAY RUTLEDGE WILCOX (appointed 17 May 1984)
- THE HONOURABLE JEFFREY ERNEST JOHN SPENDER (appointed 17 May 1984)
- THE HONOURABLE PETER ROSS AWDRY GRAY (appointed 17 May 1984)
- THE HONOURABLE MERVYN GEORGE EVERETT (appointed 27 June 1984)
- THE HONOURABLE CECIL WILLIAM PINCUS (appointed 25 March 1985)
- THE HONOURABLE JAMES CHARLES SHOLTO BURCHETT (appointed 3 June 1985)
- THE HONOURABLE JEFFREY ALLAN MILES (appointed 17 June 1985)
- THE HONOURABLE DAVID FRANCIS JACKSON (appointed 15 November 1985)
- THE HONOURABLE DONNELL MICHAEL RYAN (appointed 29 September 1986)
- THE HONOURABLE WILLIAM MONTAGUE CHARLES GUMMOW (appointed 14 November 1986)
- THE HONOURABLE ROBERT SHENTON FRENCH (appointed 25 November 1986)
- THE HONOURABLE MARCUS RICHARD EINFELD (appointed 18 December 1986)