

1987

THE

FEDERAL COURT

REPORTS

THE AUTHORISED REPORTS OF DECISIONS OF
THE FEDERAL COURT OF AUSTRALIA

EDITOR
C A SWEENEY QC

ASSISTANT EDITOR
W S F LAWSON-BAKER
Barrister-at-Law

VOLUME 16

THE LAW BOOK COMPANY LIMITED

1988

REPORTER

W S F LAWSON-BAKER

Barrister-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
81 St George's Terrace, Perth, WA

ISSN 0813-7803

© The Law Book Company Limited 1988

Wholly set up and printed by
The Law Book Company Limited, North Ryde, NSW

FEDERAL COURT OF AUSTRALIA

CHIEF JUSTICE

THE HONOURABLE SIR NIGEL HUBERT BOWEN, KBE

JUDGES

THE HONOURABLE RUSSELL WALTER FOX
THE HONOURABLE CHARLES AUGUSTINE SWEENEY, CBE
THE HONOURABLE SIR WILLIAM EDWARD STANLEY FORSTER
THE HONOURABLE SIR ALBERT EDWARD WOODWARD, OBE
THE HONOURABLE PHILLIP GEORGE EVATT, DSC
(retired 28 February 1987)
THE HONOURABLE RAYMOND MOYLE NORTHROP
THE HONOURABLE JOHN AUGUSTINE KEELY
THE HONOURABLE FRANCIS ROBERT FISLER
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 KENNETH JOSEPH JENKINSON
THE HONOURABLE ALAN REGINALD NEAVES
THE HONOURABLE BRYAN ALAN BEAUMONT
THE HONOURABLE MURRAY RUTLEDGE WILCOX
THE HONOURABLE JEFFREY ERNEST JOHN SPENDER
THE HONOURABLE PETER ROSS AWDRY GRAY
THE HONOURABLE MERVYN GEORGE EVERETT
(retired 4 October 1987)
THE HONOURABLE CECIL WILLIAM PINCUS
THE HONOURABLE JAMES CHARLES SHOLTO BURCHETT
THE HONOURABLE JEFFREY ALLAN MILES
THE HONOURABLE DAVID FRANCIS JACKSON
(resigned 26 May 1987)
THE HONOURABLE DONNELL MICHAEL RYAN
THE HONOURABLE WILLIAM MONTAGUE CHARLES GUMMOW
THE HONOURABLE ROBERT SHENTON FRENCH

THE HONOURABLE MARCUS RICHARD EINFELD
THE HONOURABLE TREVOR RUSSELL HARTIGAN
THE HONOURABLE MICHAEL LEADER FOSTER
THE HONOURABLE ALASTAIR BORTHWICK NICHOLSON
THE HONOURABLE MALCOLM CAMERON LEE