# 1987-1988

# 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 18

THE LAW BOOK COMPANY LIMITED

1989

## **REPORTERS**

W S F Lawson-Baker N Street

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
81 St George's Terrace, Perth, WA

ISSN 0813-7803

© The Law Book Company Limited 1989

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 (retired 31 January 1989)

THE HONOURABLE CHARLES AUGUSTINE SWEENEY, CBE

THE HONOURABLE SIR WILLIAM EDWARD STANLEY FORSTER

THE HONOURABLE SIR ALBERT EDWARD WOODWARD, OBE

THE HONOURABLE RAYMOND MOYLE NORTHROP

THE HONOURABLE JOHN AUGUSTINE KEELY

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 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 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 LEDER FOSTER

THE HONOURABLE ALASTAIR BOTHWICK NICHOLSON

THE HONOURABLE MALCOLM CAMERON LEE

THE HONOURABLE HOWARD WILLIAM OLNEY

THE HONOURABLE JOHN WILLIAM VON DOUSSA

THE HONOURABLE DONALD GRAHAM HILL (appointed 1 February 1989)