

Table of Cases

Abacus Funds Management v Davenport [2003] NSWSC 935	179
Aberdeen Railway Co v Blaikie Bros (1854) 1 Macq 461 at 471; [1843-60] All ER 249	117
ACCC v Shell (1999) 161 ALR 686	104
ACCC v Z-Tek Computer Pty Ltd (1997) 148 ALR 339	154
Adams v ETA Foods Ltd (1987) 78 ALR 611	233
Alaska Airlines Inc v United Airlines Inc [1991] 2 Trade Cases 69,624	203
Albert D Gaon & Co v Societe Interprofessionelle des Oleagineux Fluides Alimentaires [1960] 2 QB 334	289
Allstate Explorations NL v Beaconsfield Gold NL [1999] NSWSC 832.....	121
Amey v Long (1808) 9 East 473	100
Anaconda Nickel Ltd v Tarmoola Australia Pty Ltd (2000) 22 WAR 101	260
Andar Transport Pty Ltd v Brambles Ltd (2004) 206 ALR 387	143
Ankar Pty Ltd v National Westminster Finance (Aust) Ltd (1987) 162 CLR 549	142
Ansett Transport Industries Ltd v Commonwealth (unreported, SC (Vic) Marks J, No 268/87, 3 April 1987).....	108
Application by Epic Energy South Australia Pty Ltd [2003] A Comp T5	395, 396
Application by GasNet Australia (Operations) Pty Ltd [2003] A Comp T6	398
Armitage v Nurse [1997] 3 WLR 1046	132, 133
Army v Pacific Hotel Pty Ltd [1944] St R Qd 112	570
Aroni Colman (a firm) v WF Titchener & Co Pty Ltd (unreported, SC (Vic), Kellam J, No 5710/98, 10 July 1998)	111
Arthur v Department of Natural Resources and Mines and Western Metals Copper Ltd [2003] QLRT 100.....	253
Artifakts Design Group Ltd v NP Rigg Ltd [1993] 1 NZLR 196.....	117
Asia Pacific Resources Pty Ltd v Forestry Tasmania (No 2) (1998) Aust Contract R 90-095	300
Astley v Austrust (1999) 197 CLR 1.....	122, 138, 143, 155
Atcor Ltd v Continental Energy Marketing Ltd 38 Alta LR (3d) 229.....	292, 308
Athens Maritime Enterprises Corporation v Hellenic Mutual War Risks Association (Bermuda) Ltd (The Andreas Lemos) [1982] 2 Lloyd's Rep 483.....	319
Atomic Skifabrik Alois Rohrmoser v The Register of Trade Marks, Re (1987) 7 IPR 551	297, 298
Attorney-General (NSW) v Quin (1990) 170 CLR 1.....	27
Attorney-General v Blake [2001] 1 AC 268	123
Auag Resources Ltd v Waihi Mines Ltd [1994] 3 NZLR 571	117, 130
Australia National Airlines Commission v The Commonwealth of Australia (1975) 132 CLR 582	100
Australian Broadcasting Commission v Parish (1980) 29 ALR 228.....	107
Australian Competition and Consumer Commission v Daniels Corporation International (2001) 182 ALR 114.....	91, 95
Australian Energy Limited v Lennard Oil NL [1988] 2 Qd R 230	247
Australian European Finance Corporation Ltd v Sheahan (1993) 60 SASR 187	551, 557, 560
Australian Union of Students, Re [1997] ATPR 41-573	182
B & S Contracts and Design Ltd v Victor Green Publications Ltd [1984] ICR 419	294, 295
B&I Line plc v Sealink Harbours Ltd & anor (1992) 5 CMLR 255	201, 204
Bailey v Beagle Management Pty Ltd (2001) 105 FCR 136.....	104

Baker v Campbell (1983) 153 CLR 52	90
Bakhash v Monize [2003] QLRT 133; 134	567
Bank Line Ltd v Arthur Capel and Co [1919] AC 435	291
Bank of New Zealand v New Zealand Guardian Trust Co Ltd [1999] 1 NZLR 664	125, 128
Bank of NSW v Withers (1981) 35 ALR 21	102
Banque Brussels Lambert SA v Australian National Industries Ltd (1989) 21 NSWLR 502	548, 557
Beckhaus Civil Pty Ltd v Council of the Shire of Brewarrina [2002] NSWSC 960	168
Bell, Re; Ex parte Lees (1980) 30 ALR 489	97
Bengong v Bougainville Copper (1971) 124 CLR 47	566
BHP Petroleum Pty Ltd v Balfour (1987) 180 CLR 474	10
Bolkiah v KPMG [1999] 2 AC 222	118
Bond v BCC (No 2) [2002] QLRT 61	567
Bowring & Walker Pty Ltd v Jacksons Corio Meat Packing (1965) Pty Ltd [1972] 1 NSWLR 277	307
Brambles v Davenport [2004] NSWSC 120	179
Brauer & Co (Great Britain), Ltd v James Clark (Brush Materials), Ltd [1952] 2 All ER 497	295
Breen v Williams (1996) 186 CLR 71	119
Bremer Handelsgesellschaft mbH v Continental Grain Co [1983] 1 Lloyd's Rep 269	308
Bremer Handelsgesell-Schaft mbH v Vanden Avenne-Izegem PVBA [1978] 2 Lloyd's Rep 109	310
Breskvar v Wall (1971) 126 CLR 376	518
Brickenden v London and Loan Savings Co [1934] 3 DLR 465	128
Bristol and West Building Society v Mothew [1998] Ch 1; [1996] 4 All ER 698	125, 128
Brooktech Pty Ltd v Lumocol Australia Pty Ltd (unreported, Tamberlin J, 23 October 1996)	146
Bropho v Tickner (1993) 40 FCR 165	498
Bryan v Maloney (1995) 182 CLR 609	526, 527, 528, 529
Buchanan Borehole Collieries Pty Ltd v New South Wales Compensation Review Tribunal (1997) 9 BPR 16,253	261
Calvey v Chief Constable of Merseyside [1989] AC 1228	488
Campomar Sociedad, Limitada v Nike International Ltd (2000) 202 CLR 45	145
Canada Steamship Lines Ltd v The King [1952] AC 192	144
Canson Enterprises Ltd v Broughton & Co (1991) 85 DLR (4th) 129	122, 126, 133
Caribbean Broadcasting System Ltd v Cable & Wireless plc 148 F 3rd 1080 (1998)	202, 203
Carriage v Duke Australia Operations Pty Ltd [2000] NSWSC 239	486
Centaur Mining & Exploration Ltd v Anaconda Nickel Ltd (2001) 19 ACLC 1,375	312
Chan v Cresdon Pty Ltd (1989) 168 CLR 242	143
Chan v Zacharia (1984) 154 CLR 178	117
Chapman v Luminis Pty Ltd (2001) FCA 1106	485, 488
Charlick Trading Pty Ltd v Australian National Railways Commission (1997) 149 ALR 647	104
Clark Equipment Australia Ltd v Covcat Pty Ltd (1987) 71 ALR 367	145
Claude Neon Ltd v Hardie [1970] Qd R 93	291
Coastal Estates Pty Ltd v Bass Shire Council [1993] 2 VR 566	570
Cobelfret (UK) Ltd v Austin & Butta (Sales) Pty Ltd (unreported 24 February 1988)	308

Codelfa Construction Pty Ltd v State Rail Authority of New South Wales (1982) 149 CLR 337	288, 289
Cole v Miles BC200202580; [2002] NSWCA 150.....	127
Commissioner of Taxation of the Commonwealth of Australia v Australia and New Zealand Banking Group Ltd (1979) 143 CLR 499.....	88
Commissioner of Taxation v Pratt Holdings Pty Ltd (2003) 195 ALR 717.....	91, 92
Commonwealth Bank of Australia v TLI Management Pty Ltd [1990] VR 510.....	550, 557
Commonwealth of Australia v WMC Resources Ltd [1998] HCA 8	10
Commonwealth v John Fairfax & Sons Ltd (1980) 147 CLR 39	118
Commonwealth v Tasmania (Tasmanian Dams Case) (1983) 158 CLR 1.....	484, 485
Como Investments Pty Ltd (in liq) v Yenald Nominees Pty Ltd (1997) ATPR 41-550.....	151, 155
Compagnie Financiere Et Commerciale Du Pacifique v Peruvian Guano Co [1882-3] 11 QBD 55	106
Compass Airlines Pty Ltd v ANOP Research Services Pty Ltd (unreported, SC (Vic) Beach J, No 3272/90, 1 May 1991).....	111
Comptoir Commercial Anversois v Power, Son and Company [1920] 1 KB 868	295
Consul Ltd v Transco Energy Co [1986] 2 Trade Cases 67,347	203
Container Handlers Pty Ltd v Insurance Commission of Western Australia (2001) 25 WAR 42	148
Coomber, Re; Coomber v Coombe [1911] 1 Ch 723	117, 118
Corowa and Anor v Water Administration Ministerial Corporation and Anor (2001) 118 LGERA 1	433, 434
Daniel v State of Western Australia [2004] FCA 849.....	517, 523
Daniel v Western Australia [2003] FCA 666	524
Daniels Corporation International Pty Ltd v Australian Competition and Consumer Commission (2002) 192 ALR 561.....	91
Darling Casino Ltd v NSW Casino Control Authority (1997) 191 CLR 602	27
Darlington Futures Ltd v Delco Australia Pty Ltd (1986) 161 CLR 500.....	134, 141, 142, 143, 144
Davis Contractors Ltd v Fareham Urban District Council [1956] AC 696.....	288
Davis v Pearce Parking Station Pty Ltd (1954) 91 CLR 642.....	143, 144
Dawson, Re (dec'd) [1966] 2 NSWLR 211; (1966) 84 WN (Pt 1) (NSW) 399	125, 127, 129
Day v Mead [1987] 2 NZLR 243, 443	126, 128
De Martin & Gasparini v Energy Australia [2002] NSWCA 330.....	168
Deposit & Investment Co Ltd (receivers appointed) v Peat Marwick Mitchell & Co (1996) 39 NSWLR 267	104
Deta Nominees Pty Ltd v Viscount Plastic Products Pty Ltd [1979] VR 167	119
DHL International (NZ) Ltd v Richmond Ltd [1993] 3 NZLR 10	119
Directory Sales Management Corp v The Ohio Bell Telephone Co [1986] 2 Trade Cases 67,250.....	203
Don King Productions In. v Warren [1998] 2 All ER 608; affirmed [1999] 2 All ER 218	264
Douglas v Minister for Aboriginal and Torres Strait Islander Affairs (1994) 34 ALD 192	493
Doyle & Ors v Jeebropilly Collieries Pty Ltd, Re [2001] QLRT 83.....	567
DSE (Holdings) Pty Ltd v InterTAN (2003) 203 ALR 348	91, 92
Duke Eastern Gas Pipeline Pty Ltd, Re [2001] ACompT2.....	183, 204, 213, 310, 390, 392, 398, 404
Duke Group (in liq) v Pilmer (1999) 73 SASR 64.....	138
Duncan v Minister for Education [1969] VR 362	570
Dunlop Pneumatic Tyre Co Ltd v New Garage and Motor Co Ltd [1915] AC 79	354

East Australian Pipeline Ltd [2004] ACompT8.....	214, 216, 220, 221, 400
Edwards v Skyways Ltd 1964] 1 All ER 494.....	548
Eighth Oupan Pty Ltd v Deputy Commissioner of Taxation (1986) 10 FCR 559.....	88
Empresa Exportadora de Azucar v Industria Azucarera Nacional SA (The Playa Larga) [1983] 2 Lloyd's Rep 171	291
Environment Protection Authority v Caltex Refining (1993) 178 CLR 477.....	89, 90, 92
Esso Australia Resources v Federal Commissioner of Taxation (1999) 201 CLR 49	91
European Bank Ltd v Citibank Ltd [2004] NSWCA 76.....	302
Ex parte Adamson (1878) 8 Ch D 807	125, 128
Exportelisa SA v Rocco Giuseppe & Figli Soc Coll [1978] 1 Lloyd's Rep 433	301
Faccenda Chicken v Fowler [1987] Ch 117.....	119
Faywin Investments Pty Ltd v FTC (1989) 89 ALR 599.....	204
Federal Commissioner of Taxation v Sherritt Gordon Mines Ltd (1997) 137 CLR 612	248
Film Bars Pty Ltd v Pacific Film Laboratories (1979) 1 BPR 9251	557
Fordham and the State of Victoria v Evans (13 November 1987), No VG428 of 1986.....	11, 26
Foxtel Management Pty Ltd v Seven Cable Television Pty Ltd (2000) 22 ATPR 41-784.....	204
FTC v Rochester (1933) 50 CLR 225.....	204
Gate Gourmet Australia Pty Ltd v Gate Gourmet Holding AG [2004] NSWSC 149	546, 552, 560
Gates v City Mutual Life Assurance Society Ltd (1986) 160 CLR 1.....	152, 153
George Wills and Sons, Ltd v R S Cunningham, Son and Company, Ltd [1924] 2 KB 220.....	301
GIO Australia Holdings Ltd v Marks (1997) ATPR 41-544.....	145
Glebe Island Terminals Pty Ltd v Continental Seagram Pty Ltd (1993) 40 NSWLR 206.....	143
Gould v Vaggelas (1985) 157 CLR 215	151
Green and Clara Pty Ltd v Bestobell Industries Pty Ltd [1982] WAR 1	127
Greer v Downs Supply Co [1927] 2 KB 28.....	117
Grimes Holdings Pty Ltd v Keith Scegh (unreported, 20 August 1993)	257
Hadid v Lenfest Communications Inc (1996) 70 FCR 403.....	104
Hadley v Baxendale (1854) 9 Ex 341	149
Hamersley Iron Pty Ltd v National Competition Council & Ors (1999) 164 ALR 203; [1999] FCA 867	187, 188, 191, 192, 193, 195, 204, 205, 223
Hancock Prospecting Pty Ltd & Ors v BHP Minerals Pty Ltd. & Ors [2003] WASA 259.....	194
Hayes v Northern Territory [1999] FCA 1248.....	516, 519
Hecht v Pro-Football, Inc [1977] 2 Trade Cases 61,773.....	203
Helix Milling Co v Terminal Flour Mills Co [1975] 2 Trade Cases 60,554.....	203
Henderson v Merrett Syndicates Ltd [1995] 2 AC 145	122, 123
Henjo Investments Pty Ltd v Collins Marrickville Pty Ltd (1987) 79 ALR 83; (1988) 39 FCR 546	145, 146
Henville v Walker (2001) 206 CLR 459.....	148, 151, 155
Home Office v Harman [1982] 1 All ER 532; [1983] 1 AC 280.....	106, 112
Hong Guan & Co Ltd v R Jumabhoy & Sons Ltd [1960] AC 684.....	305, 306, 308
Hookham v The Queen (1994) 181 CLR 450	232
Hope Downs Management Services Pty Ltd v Hamersley Iron Pty Ltd & Ors [2000] ATPR 41-733	192

Hospital Products Ltd v United States Surgical Corp (1984) 156 CLR 41	116, 117, 118, 119, 122, 130
Hospitality Group Pty Ltd v Australian Rugby Union Ltd (2001) 110 FCR 157	123
Howard v the Minister (1939) 14 LGR 74.....	566
Huddart, Parker & Co Pty Ltd v Moorehead (1908) 8 CLR 330	89
HW Thompson Building Pty Ltd v Allen Property Services Pty Ltd (1983) 48 ALR 667	147
I&L Securities Pty Ltd v HTW Valuers (Brisbane) Pty Ltd (2002) 210 CLR 109	148
Idoport v NAB [2000] NSWSC 63	113
In re Thornett & Fehr and Yuillis Ltd [1921] 1 KB 219	300
In re Wait [1927] 1 Ch 606	117
In the matter of the Gurubana-Gunggandji Peoples Native Title Determination Application French J (1995) 123 FLR 462	515
Inala Plaza Discount Smokes Pty Ltd v Maembe Pty Ltd (unreported, FCA, Cooper J, No QG67/94, 18 June 1996)	111
Industrial Equity Ltd v Deputy Commissioner of Taxation (1990) 170 CLR 649	88
Inglebrae v Coal Pty Ltd re New South Wales Coal Compensation Board [2003] NSWCA 285	260
Inspector Dell v Vidler, IRC of NSW, 14 August 2003	235
Inspector Glass v Arides Nolasco (unreported, CIMC (NSW), Staunton IM, 97/1729, 18 December 1998).....	233
Inspector Green v Bloodsworth, IRC of NSW, November 2003	235
Inspector Mansell v Robert Josef, IRC of NSW, Curtis AJ, October and November 2003	235
Inspector Patton v Orest Peter Sywak, IRC of NSW, Schmidt J, 6 August 2003	235
Intergraph Corp v Intel Corp [1999] 2 Trade Cases 72,697.....	203
Intertraded SA v Lesieur-Tourteaux SARL [1978] 2 Lloyd's Rep 509	307
IOOF Australia Trustees (NSW) Ltd v Tantipecth (1998) 156 ALR 470	145, 146, 147
Jemzone v Trytan [2002] NSWSC 395	168, 170
Jervis v Harris [1996] Ch 195	125
JLW (Vic) Pty Ltd v Tsiloglou [1994] 1 VR 237	148
Johnson v Perez (1988) 166 CLR 351	152
Kabwand Pty Ltd v National Australia Bank Ltd (1989) ATPR 40-950.....	151
Karawi Constructions Pty Ltd v Bonefind Pty Ltd (1993) ATPR 41-265	146
Karmot Auto Spares Pty Ltd v Dominelli Ford (Hurstville) Pty Ltd (1992) 35 FCR 560	145, 146
Keen Mar Corporation Pty Ltd v Labrador Park Shopping Centre Pty Ltd (1989) ATPR (Digest) 46-048	146
Kelly v Cooper [1993] AC 205	118
Kembla Coal & Coke v Select Civil [2004] NSWSC 628	179
Kennedy v Wallace [2004] FCA 332	97, 98
Kleinwort Benson Ltd v Malaysia Mining Corp Bhd [1988] 1 All ER 714, 785	547, 548, 549, 551, 557
Lac Minerals Ltd (Lac) v International Corona Resources Ltd (1989) 61 DLR (4th) 14.....	121, 124
Leda Holdings Pty Ltd v Oraka Pty Ltd (1997) ATPR 41-601	145, 151
Leeds and Hanley Theatres of Varieties Ltd, Re [1902] 2 Ch 809	125
Leinung v Mann [2000] QLRT 6.....	567
Lindsay-Owen v Associated Dairies Pty Ltd [2000] NSWSC 1095	289
Lucchiti v Tolco [2003] NSWSC 1070	179

M O'Neil Supply Co, Inc, v Petroleum Heat & Power Co, Inc, 280 NY 50, 19 N E 2d 676 (1939), motion denied 280 NY 687, 21 N E 2d 196	327
Mabo v Queensland (No 2) (1992) 175 CLR 1	481, 482, 513
Mackay Sugar Co-operative Assn Ltd v CSR Ltd (1996) 63 FCR 408.....	113
Macquarie Generation v Coal and Allied Industries Ltd [2001] FCA 1349.....	113
Magbury Pty Ltd v Hafele Australia Pty Ltd (2002) 210 CLR 181.....	312
Magellan v Sagasco [1994] 2 Qd R 37.....	113
Maguire & Anor v Makaronis & Anor (1997) 188 CLR 449.....	126, 127
Mainland Holdings Ltd v Szady [2002] NSWSC 699.....	123
Mamidoil-Jetoil Greek Petroleum Co SA and Moil-Coal Trading Co Ltd v Okta Crude Oil Refinery AD (No 2) [2003] 2 Lloyd's Rep 635	296
Manchester Trust v Furness [1895] 2 QB 539.....	117
Mansard Developments Pty Ltd v Tilley Consultants Pty Ltd [1982] WAR 161.....	124
March v Stramare (1991) 171 CLR 506	136, 150, 155, 156
Marks v GIO Australia Holdings (1998) 196 CLR 494.....	148, 153, 154
Marshall v Director General (2001) 205 CLR 603	566, 569
Max Cooper & Sons v M & E Booth & Sons (2003) 202 ALR 680.....	170
MCI Communications Corp v AT&T [1982-3] Trade Cases 65,137	203
Medlin v State Government Insurance Commission (1995) 182 CLR 1.....	150
Melbourne Steamship Company Ltd v Moorehead (1912) 15 CLR 333	89
Members of the Yorta Yorta Aboriginal Community v Victoria (2002) 194 ALR 558	482
Merchants' and Manufacturers' Insurance Company Ltd v Davies [1937] 3 All ER 767	106
Merci convenzionali porto di Genova SpA v Siderurgica Gabrielli SpA [1991] ECR I-5889.....	204
Metropolitan Water Board v Dick, Kerr & Co Ltd [1918] AC 119.....	291
Michael, Re; Ex parte Epic Energy (WA) Nominees Pty Ltd [2002] 25 WAR 511; [2002] WASCA 231	204, 221, 393, 394, 396, 412
Minister for Aboriginal and Torres Strait Islander Affairs v Western Australia (1996) 149 ALR 78	488
Minister for Immigration and Ethnic Affairs v Teoh (1995) 183 CLR 273.....	27
Minister for Indigenous Affairs v Catanach [2001] WASC 268.....	499
Mobil Oil Australia Ltd v Guina Developments Pty Ltd (Mobil Oil) [1996] 2 VR 34.....	94, 112, 113, 114
Monto Coal 2 Pty Ltd & Ors v Dredge & Ors [2003] QLRT 27	431
Morris Communications Corp v PGA Tour Inc [2000] 2 Trade Cases 73,117	203
National Building Society v Balmer Radmore (a firm) [1999] PNLR 606.....	126, 138
National Carriers Ltd v Panalpina (Northern) Ltd [1981] AC 675.....	288
National Executors and Trustees Co-Op of Tasmania Ltd v Edwards [1957] Tas SR 182.....	249
Neowarra v WA [2003] FCA 1402.....	518, 510, 523
New South Wales v Commonwealth (1975) 135 CLR 337.....	32, 33
New Zealand Netherlands Society "Oranje" Inc v Kuys [1973] 1 WLR 1126.....	118
Nick Kritharas Holdings Pty Ltd v (in liq) v Gatsios Holdings Pty Ltd (2001) 38 ACSR 57.....	132, 134
Nissho Iwai Australia Ltd v Malaysian International Shipping Corporation (Berhad) (1989) 167 CLR 219.....	142, 144
Nocton v Lord Ashburton [1914] AC 932.....	125
Noranda Australia Ltd v Lachlan Resources NL (1988) 14 NSWLR 1	119, 123, 130, 131
Norvill v Chapman (1995) 57 FCR 451.....	488
O'Reilly v Commissioners of the State Bank of Victoria (1983) 153 CLR 1	91
O'Halloran v RT Thomas & Family Pty Ltd (1998) 45 NSWLR 262	128

Ohio Oil Co v Sharp 135 F 2d 303 (1943)	124
O'Sullivan v Herdmans Ltd [1987] 1 WLR 1047	108
Otter Tail Power Co v United States 410 US 366 (1973)	203
Oxbara v Geotech [2002] ACTSC 116	170
Pacific Power and Elcom Collieries v Cumnock No 1 Colliery Pty Ltd [2001]	
NSWSC 1100	261
Paladin Associates Inc v Montana Power Co [2000] 1 Trade Cases 72,909	203
Parkdale Custom Built Furniture Pty Ltd v Puxu Pty Ltd (1982) 149 CLR 191	145
Patera Pty Ltd v EAJ Pty Ltd (1984) 7 FCR 375	145
Pendal Nominees Pty Ltd v Lednez Industries (Australia) Ltd (1996)	
40 NSWLR 282	142
Penrith Rugby League Football Club Ltd v Fittler (1996) 40 AILR 5-087	289
Permanent Building Society (in liq) v Wheeler (1994) 11 WAR 187;	
14 ACSR 109	118, 122, 128
Perre v Apand Pty Ltd (1999) 164 ALR 606	530, 531, 532
Petrolite Pty Ltd v Hong Kong Bank Ltd (unreported, SC (Vic), Cummins J,	
No 13747/91, 10 February 1992)	111
Phosphate Resources Ltd v Western Stevedores Pty Ltd [2003] WASC 84	120
Pilmer v Duke Group Ltd (in liq) (2001) 207 CLR 165; (2001) 180 ALR 249	126, 138
PJ Van Der Zijden Wildhandel NV v Tucker & Cross Ltd [1975]	
2 Lloyd's Rep 240	301
Polly Peck International PLC v Nadir (No 2) [1992] 4 All ER 769	117
Pool Shipping Co, Ltd v London Coal Co of Gibraltar, Ltd [1939] 2 All ER 432	307
Pratt Holdings Pty Ltd v Commissioner of Taxation [2004] FCAFC 122	92
Produce Brokers Ltd v Weiss and Co (1918) 18 The Law Times 111	295
Project Blue Sky v ABA [1998] HCA 28	519, 521
Pyneboard Pty Ltd v TPC (1983) 152 CLR 328	92
Queensland Coal Pty Ltd v Arco Resources Ltd (2002) 2 Qd R 288	312
Queensland Wire Industries Pty Ltd v Broken Hill Proprietary Co Ltd (1989)	
167 CLR 177	201
R v Denbo Pty Ltd (1994) 6 VIR 157	239
R v Secretary of State for Trade and Industry; Ex parte Greenpeace Ltd (No 2) [2000]	
2 CMLR 94	10
Rail Access Corp v New South Wales Minerals Council Ltd (1998) 158 ALR 323;	
87 FCR 517	190, 204
Reader v Fried [2001] VSC 495	133
Reardon Smith Line Ltd v Ministry of Agriculture, Fisheries and Food [1962]	
1 QB 42	298, 299, 300
Reebok v SOCOG [2000] NSWSC 295	113, 114
Reference re Mineral and Other Natural Resources of the Continental Shelf (1983)	
145 DLR (3d) 9 (Nfld CA)	32
Reference re Offshore Mineral Rights of British Columbia [1967] SCR 792,	
62 WWR 21, 65 DLR (2d) 353	32
Reference re the Seabed and Subsoil of the Continental Shelf Offshore	
Newfoundland (1984) 5 DLR (4th) 384	32
Rural and Industries Bank of Western Australia v Hamilton (unreported, Leonara	
Warden's Court, 19 December 1989), noted (1990) 9 AMPLA Bulletin 61	258
Russell Kumar & Sons Pty Ltd (in liq) & Anor v Bienstein & Ors	
(unreported, SC (Vic) Murphy J, No 12786/90, 2 August 1991)	110
SA Brewing v Baxt (1989) 89 ALR 105; ATPR 40-967	87
Sageinvest Aktiengesellschaft v Western Metals Copper Ltd [2003] NSWSC 490	262

Santos Ltd v Pipelines Authority of SA (1996) 66 SASR 38.....	101
Scanlan's New Neon Ltd v Tooheys Ltd (1943) 67 CLR 169.....	289
Schenker & Co (Aust) Pty Ltd v Maplass Equipment & Services Pty Ltd [1990] VR 834	142
Seven Network Ltd v News Ltd (No 3) [2004] FCA 836.....	113
Simmons Ltd v Hay [1964-65] NSW 416	291
Slivak v Lurgi (Australia) Pty Ltd (2001) 204 CLR 304	231
Soleimany v Soleimany [1999] QB 785	54
South Australian Brewing Co Pty Ltd v Carlton & United Breweries Ltd (2001) 185 ALR 719	145
Southern Resources Ltd v Technomin Australia NL [1990] WAR 72.....	259, 260
Stanton v Federal Commissioner of Taxation (1955) 92 CLR 630.....	248
State Government Insurance Commission v Sinn Fein Pty Ltd (1996) 15 WAR 434	148
State of Illinois v Panhandle Eastern Pipe Line Co [1991] 1 Trade Cases 69,455.....	203
State Pollution Control Comm v Kelly (1991) 5 ACSR 607	233
Sullivan v Oil Company of Australia Ltd & Anor [2000] QLRT 3.....	563
Sullivan v Oil Company of Australia Ltd & Anor [2001] QCA 252	563
Sullivan v Oil Company of Australia Ltd & Anor [2003] QLRT 2.....	563
Sullivan v Oil Company of Australia Ltd and Santos Petroleum Operations Pty Ltd [2003] QCA 570.....	562
Summons v Victoria and Ors (2003) 176 FLR 1	491, 496
Swan Resources Ltd v Southern Pacific Hotel Corporation Energy Pty Ltd [1983] WAR 39.....	257
Swidler & Berlin v United States 524 US 399 (1998).....	95
Swindle v Harrison [1997] 4 All ER 705.....	126
Sybron Corporation v Barclays Bank Plc [1984] 3 WLR 1055	106
Tantipech v IOOF Australia Trustees (NSW) Ltd (1998) ATPR 41-614	146
Target Holdings Ltd v Redfems (a firm) [1996] AC 421	127, 128
Tate v Pacific Gas & Electric Co [2002] 2 Trade Cases 73,873.....	203
Technomin Australia NL v Southern Resources (unreported, 13 Nov 1989, Supreme Court of Western Australia).....	248
Tennants (Lancashire) Ltd v CS Wilson & Company Ltd [1917] AC 495	306, 307
Tesco Supermarkets Pty Ltd v Natrass [1972] AC 153	228, 237
Thomas Borthwick (Glasgow), Ltd v Faure Fairclough, Ltd [1968] 1 Lloyd's Rep 16.....	303
Thors v Weekes (1989) 92 ALR 131	291
Tickner v Bropho (1989) Environmental and Planning Law Journal 214	492
Tickner v Chapman (1995) 57 FCR 451	485, 489
Timber Engineering Co Pty Ltd v Anderson [1980] 2 NSWLR 488.....	124
TNT Australia Pty Ltd v Fels (1992) ATPR 41-190.....	87
Tooma v Eaton [2002] NSWSC 514	170
Toomelah Boggabilla Local Aboriginal Land Council v Minister for Aboriginal and Torres Strait Islander Affairs (1996) 140 ALR 620.....	492
TPC v Arnotts Ltd (No 2) (1989) 21 FCR 306.....	103
Trade and Transport Incorporated v Iino Kaiun Kaisha Ltd (The Angelia) [1973] 1 WLR 210.....	299, 300
Transcanada Pipelines Ltd v Northern & Central Gas Corp Ltd (1981) 128 DLR (3d) 633.....	314, 315
Transcanada Pipelines Ltd v Northern & Central Gas Corp Ltd (1983) 146 DLR (3d) 293	314
Trident General Insurance Co Ltd v McNiece Bros Proprietary Ltd (1988) 165 CLR 107	559
Tsakiroglou & Co Ltd v Noble Thorl GmbH [1962] AC 93	289

UAL Pty Ltd v Majestic Resources NL (2001) 19 AMPLJ 106, 195	253
United Dominions Corp Ltd v Brian Pty Ltd (1985) 157 CLR 1	118, 120
United States v California, 332 US 19 (1947)	32
United States v Louisiana, 339 US 699 (1950)	32
United States v Terminal Railway Association 224 US 383 (1912)	201, 202, 203
United States v Texas, 339 US 707 (1950)	32
Universal Telecasters (Qld) Ltd v Guthrie (1978) ALR 532	233
Vokes v Heather (1945) 62 RPC 135	119
WA Pines Pty Ltd v Bannerman (1980) 30 ALR 559	87
Waind v Hill & National Mutual Employers' General Association Ltd [1978]	
1 NSWLR 372	101
Walker v Shire of Flinders [1984] VR 409	495
Walter Construction Group v CPL (Surry Hills) [2003] NSWSC 266	168, 170
Waltip Pty Ltd v Calpalaba Park Shopping Centre Pty Ltd (1989) ATPR 40-975	146
Wamba Wamba Local Aboriginal Council v Minister Administering the Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (1989) 23 FCR 239	492
Wandarang v Northern Territory [2000] FCA 923	517
Ward v WA [2002] HCA 29	520, 521
Wardley Australia Ltd v Western Australia (1992) 175 CLR 514	150, 151
Warman International Ltd v Dwyer (1995) 182 CLR 544	127
Warner Lambert Co v Glaxo Laboratories (1975) RPC 354	113
Weiner v Harris [1910] 1 KB 285	120
Western Australia v Thomas (1996) 133 FLR 124	485
Western Australia v Ward (2002) 191 ALR 1	481, 482
Western Australia v Ward (2000) 99 FCR 316	518, 510
Western Power Corp v Normandy Power Pty Ltd [2001] WASC 202	289
Western Power Corporation v Woodside Petroleum Development Pty Ltd (unreported, SC (WA), Wheeler J, ARB 4/97, 27 June 1997)	114
Westfälische Central-Genossenschaft GmbH v Seabright Chemicals Ltd	308
Wilkins v Hogg (1861) 31 LJ Ch 41	133
Wollondilly Shire Council v Picton Power Lines Pty Ltd (1994) 33 NSWLR 551	264
Wong Lai Ying v Chinachem Investment Co Ltd (1979) 13 BLR 81	291
Woolcock Street Investments Pty Ltd v CDG Pty Ltd [2004]	
HCA 16	526, 528, 529, 530, 532, 533
WorkCover Authority (Insp Dawson) v Waugh [1995] NSWIRComm 14	233
WorkCover Authority (Insp Dowling) v Coster [1997] NSWIRComm 154	233
WorkCover Authority (Insp Gordon) v Abyss Electrical [1998]	
NSWIRComm 161	233
WorkCover Authority of NW (Insp Egan) v Atco Controls Pty Ltd (1998)	
82 IR 80	241
World Series Cricket Pty Ltd v Parish (1977) 16 ALR 181	153
Youyang Pty Ltd v Minter Ellison Morris Fletcher (2003)	
212 CLR 484	125, 126, 127, 128, 129, 137

return to AMPLA 2004 Table of Contents