

Table of Cases

- ABC v Lenah Game Meats Pty Ltd (2001) 208 CLR 199: 34
- Abebe v Commonwealth (1999) 197 CLR 510: 12, 33, 203, 207
- Ainsworth v Criminal Justice Commission (1992) 175 CLR 564: 171, 175
- Air Caledonie International v Commonwealth (1988) 165 CLR 462: 217
- Airservices Australia v Canadian Airlines International Ltd (1999) 202 CLR 133: 217
- Alcan (NT) Alumina Pty Ltd v Commissioner of Territory Revenue (2009) 239 CLR 27: 64
- Allan v Transurban City Link Ltd (2001) 208 CLR 167: 25
- Allianz Australia Insurance Ltd v Cervantes [2012] NSWCA 244: 249
- Allianz Australia Insurance Ltd v Shamoun [2013] NSWSC 579: 47
- Allstate Life Insurance Co v Australia and New Zealand Banking Group Ltd (No 6) (1996) 64 FCR 79: 158
- Anderson v Director-General of the Department of Environment and Climate Change (2008) 163 LGERA 400: 244, 249-250
- Anisimic Ltd v Foreign Compensation Commission [1969] 2 AC 147: 43, 48, 196, 200, 208-209
- Annetts v McCann (1990) 170 CLR 596: 147, 202-203
- Ansett Transport Industries (Operations) Pty Ltd v Commonwealth (1977) 139 CLR 54: 257
- Anvil Hill Project Watch Association Inc v Minister for the Environment and Water Resources (2008) 166 FCR 54: 153
- APLA Ltd v Legal Services Commissioner (NSW) (2005) 224 CLR 322: 112
- Arnold (on behalf of Australians for Animals) v Queensland [1987] FCA 148; 73 ALR 607: 185
- Arthur Yates & Co Pty Ltd v Vegetable Seeds Committee (1945) 72 CLR 37: 151
- Associated Provincial Picture House v Wednesbury Corporation [1948] 1 KB 223: 39, 43, 47, 49, 68, 70-74, 76-77, 142-143, 148, 157, 242
- Attorney-General (NSW) v Quin (1990) 170 CLR 1; [1990] HCA 21: 38, 131, 204, 206
- Attorney-General (NT) v Minister for Aboriginal Affairs (1989) 23 FCR 536: 135, 137, 145, 150
- Attorney-General (NT) v Minister for Aboriginal Affairs, Re [1988] FCA 272: 136, 150
- Attorney-General (SA) v Corporation of the City of Adelaide (2013) 295 ALR 197: 74
- Australian and International Pilots Association v Fair Work Australia [2012] FCAFC 65: 152-153
- Australian Broadcasting Tribunal v Bond (1990) 170 CLR 321; [1990] HCA 33: 37, 57, 62, 123, 148-149, 173, 176
- Australian Building Construction Employers' and Builders Labourers' Federation v Commonwealth (1986) 161 CLR 87: 220
- Australian Communist Party v Commonwealth (1951) 83 CLR 1: 10, 108, 132, 220
- Australian Conservation Foundation v Forestry Commission (1988) 19 FCR 127: 255
- Australian Education Union, Re: 110-111 (1995) 184 CLR 188
- Australian Heritage Commission v Mount Isa Mines Ltd (1997) 187 CLR 297: 52, 58-59, 153
- Australian Industrial Relations Commission, Re; Ex parte Smith (2004) 134 IR 316: 129
- Australian Machinery and Investment Co Pty Ltd v Deputy Commissioner of Taxation (No 2) (1945) 20 ALJR 326: 239
- Australian Pesticides and Veterinary Medicines Authority v Administrative Appeals Tribunal (2008) 250 ALR 448: 131
- Australian Railways Union v Victorian Railways Commissioners (1930) 44 CLR 319: 113
- Australian Retailers Association v Reserve Bank of Australia (2005) 148 FCR 446: 135, 141-143, 147-149
- Australian Tape Manufacturers Association Ltd v Commonwealth (1993) 176 CLR 480: 217
- Austral Monsoon Industries Pty Ltd v Pittwater Council (2009) 75 NSWLR 169: 151
- Avon Downs Pty Ltd v Federal Commissioner of Taxation (1949) 78 CLR 353; [1949] HCA 26: 40, 44, 74, 232
- Azeiel v NSW Land and Housing Corporation [2006] NSWCA 372: 131
- Azzopardi v Tasman UEB Industries Ltd (1985) 4 NSWLR 139: 37
- Bailey v Federal Commissioner of Taxation (1977) 136 CLR 214: 234
- Ballantyne v WorkCover Authority of New South Wales [2007] NSWCA 239: 242
- Bank of New South Wales v Commonwealth (1948) 76 CLR 1 (Bank Nationalisation Case): 10, 101-102, 113, 204
- Bankstown Municipal Council v Fripp (1919) 26 CLR 385: 59
- Barnard v National Dock Labour Board [1953] 2 QB 18: 200

TABLE OF CASES

- Barrick Australia Ltd v Williams (2009) 74 NSWLR 733: 17
- Bat Advocacy v Minister for the Environment Protection, Heritage and the Arts (2011) 180 LGERA 99: 246, 252
- Batagol v Federal Commissioner of Taxation (1963) 109 CLR 243: 225
- Begum v Denbigh High School [2007] 1 AC 100: 213
- Belmorgan Property Development Pty Ltd v GPT Re Ltd (2007) 153 LGERA 450: 249-250
- Biyiksiz v Minister for Immigration and Multicultural Affairs [1998] FCA 352: 128
- Bloemen [1978] 2 NSWLR 468: 227, 236-237
- Bluebottle UK Ltd v Deputy Commissioner of Taxation (2007) 232 CLR 598: 225
- Blues v Commissioner of Taxation [2012] FCA 320: 233
- Blue Wedges Inc v Minister for Environment, Heritage and the Arts (2008) 167 FCR 463: 252
- Boddingon v British Transport Police [1999] 2 AC 143: 209
- Bourke v State Bank of New South Wales (1990) 170 CLR 276: 107
- Bradley v Commonwealth (1973) 128 CLR 557: 52
- British American Tobacco Australia Ltd v Western Australia (2003) 217 CLR 30: 114
- British Imperial Oil Co Ltd v Federal Commissioner of Taxation (1925) 35 CLR 422: 230-231
- Brodyn Pty Ltd v Davenport (2004) 61 NSWLR 421: 22
- Bropho [1990] HCA 24; 171 CLR 1: 88
- Brown v Board of Education 347 US 483: 4
- Brown; Deputy Federal Commissioner of Taxation v Brown (1958) 100 CLR 32 : 218-220, 224
- Bruce v Cole (1998) 45 NSWLR 163: 25, 40, 144
- Buck v Bavone (1975) 135 CLR 110: 54-55, 58
- Bungendore Residents Group Inc v Palerang Council (No 3) [2007] NSWLEC 251: 141
- Buzzacott v Minister for Sustainability, Environment, Water, Population and Communities [2013] FCAFC 111: 257-259
- Cabal v Attorney-General (Cth) (2001) 113 FCR 154: 58
- CA Ford Pty Ltd (T/as CA Ford Castors) v Comptroller-General of Customs [1993] FCA 560; 34 ALD 123: 47-48
- Caldera Environment Centre Inc v Tweed Shire Council [1993] NSWLEC 102: 140-141
- Cameron v Cole (1944) 68 CLR 571: 28
- Campbelltown City Council v Vegan [2006] NSWCA 284; 67 NSWLR 372: 40, 221
- Capital Airports Group Pty Ltd v Director General, NSW Department of Planning (No 2) [2011] NSWLEC 83: 145
- Caroona Coal Action Group Inc v Coal Mines Australia Pty Ltd (No 2) (2010) 172 LGERA 25: 117
- Castlemaine Tooheys Ltd v South Australia (1990) 169 CLR 436: 106
- Chancellor Park Retirement Village v Retirement Villages Tribunal [2003] QSC 276: 58
- Chandra v Webber [2010] FCA 705: 135, 146
- Chapman v Tickner (1995) 55 FCR 316: 146
- Chase Oyster Bar Pty Ltd v Hamo Industries Pty Ltd (2010) 78 NSWLR 393; 272 ALR 750: 22, 68
- Chevron USA Inc v Natural Resources Defense Council Inc 467 US 837 (1984): 154
- Chief Executive Officer of Customs v Labrador Liquor Wholesale Pty Ltd (2003) 216 CLR 161: 177
- Church of Scientology v Woodward (1982) 154 CLR 25: 198, 203
- Citizens United v Federal Election Commission 558 US 310 (2010): 3
- City of Joondalup, Re; Ex parte Mullaloo Progress Association Inc [2003] WASCA 293: 57
- Clanwilliam Pty Ltd v Bartlett (23 May 1984) 6 ALN N61: 188
- Clyne v Deputy Commissioner of Taxation (1981) 150 CLR 1: 225
- Clyne v Deputy Commissioner of Taxation (1982) 56 ALJR 857: 237
- Coco v The Queen (1994) 179 CLR 427: 88, 120-122
- Collector of Customs v Agfa-Gevaert Ltd (1996) 186 CLR 389: 155
- Collins v Administrative Appeals Tribunal (2007) 163 FCR 35: 180
- Comcare v Etheridge (2006) 149 FCR 522: 180
- Commissioner for Australian Capital Territory Revenue v Alphaone Pty Ltd (1994) 49 FCR 576: 147
- Commissioner of Police (NSW) v Industrial Relations Commission of New South Wales and Sewell [2009] NSWCA 198: 247
- Commissioner of Police v Ryan (2007) NSWLR 73: 60
- Commissioner of Taxation v AXA Asia Pacific Holdings Ltd (2010) 189 FCR 204: 235
- Commissioner of Taxation v Futuris Corporation Ltd (2008) 237 CLR 146: 11, 16, 33-34, 179, 201, 220, 231
- Commissioner of Taxation v Futuris Corporation Ltd [2012] FCAFC 32: 235
- Commissioner of Taxation v Jackson (1990) 27 FCR 1: 53
- Commonwealth v Fernando [2012] FCAFC 18; 200 FCR 1: 197
- Commonwealth Freighters Pty Ltd v Sneddon (1959) 182 CLR 280: 132
- Cooper v Wandsworth Board of Works (1863) 143 ER 414: 206
- Co-ordinated Construction Co Pty Ltd v Climatech (Canberra) Pty Ltd [2005] NSWCA 229: 34
- Co-ordinated Construction Co Pty Ltd v JM Hargreaves (NSW) Pty Ltd (2005) 63 NSWLR 385: 34
- Copperart Pty Ltd v Commissioner of Taxation (1993) 93 ATC 4779: 232

TABLE OF CASES

- Craig v South Australia [1995] HCA 58; 184 CLR 163: 14, 19, 42, 62, 203
- Croker v Minister for the Department of Finance and Deregulation [2013] FCA 429: 170
- Cunliffe v Commonwealth (1994) 182 CLR 272: 40
- Curragh Queensland Mining Ltd v Daniel (1992) 34 FCR 212: 149
- Currey v Sutherland Shire Council (1998) 100 LGERA 365: 253
- D'Amore v Independent Commission Against Corruption [2013] NSWCA 187: 33, 259
- Darling Casino Ltd v New South Wales Casino Control Authority (1997) 191 CLR 602: 20, 205
- Dasreef Pty Ltd v Hawchar (2011) 243 CLR 588; 277 ALR 611: 134, 143
- Denlay v Commissioner of Taxation (2011) 193 FCR 412: 179, 227
- Denlay v Commissioner of Taxation [2013] FCA 307; 211 FCR 344: 225
- Department of Immigration and Citizenship v SZMDS (2010) 240 CLR 611: 131
- Deputy Commissioner of Taxation v Broadbeach Properties Pty Ltd (2008) 237 CLR 473: 225, 237-239
- Deputy Commissioner of Taxation v Denlay (2010) 80 ATR 109: 239
- Deputy Commissioner of Taxation v Hankins (1958) 100 CLR 566: 219
- Deputy Commissioner of Taxation v Niblett (1965) 83 WN (Pt 1) (NSW) 405: 238
- Deputy Commissioner of Taxation v Truhold Benefit Pty Ltd (1985) 158 CLR 678: 223
- Deputy Commissioner of Taxation (NSW) v Mackey (1982) 45 ALR 284: 239
- Deputy Federal Commissioner of Taxation v Brown (1958) 100 CLR 32: 218, 224
- Deputy Federal Commissioner of Taxation v Richard Walter Pty Ltd (1995) 183 CLR 168: 229, 231-232, 234
- Deputy Federal Commissioner of Taxation v Roma Industries Pty Ltd (1976) 6 ATR 54: 238
- Devic v Motor Accident Authority of NSW [2009] NSWSC 1289: 246
- Dingjan, Re; Ex parte Wagner (1995) 183 CLR 323: 108, 111
- DMW v CGW (1982) 151 CLR 491: 153
- Dodds v Comcare Australia (1993) 31 ALD 690: 252
- Drake-Brockman v Minister for Planning (2007) 158 LGERA 349: 144
- Dranichnikov v Minister for Immigration and Multicultural Affairs [2003] HCA 26; 197 ALR 389: 41
- Dr Bonham's Case (1610) 77 ER 646: 4
- Dunsmuir v New Brunswick [2008] 1 SCR 190: 46
- East Australian Pipeline Pty Ltd v Australian Competition and Consumer Commission (2007) 233 CLR 229: 245
- East Melbourne Group Inc v Minister for Planning (2008) 23 VR 605: 151, 161
- Edelsten v Health Insurance Commission (1990) 27 FCR 56: 175
- Edgington v Fitzmaurice (1885) 29 Ch D 459: 60
- Electrolux Home Products Pty Ltd v Australian Workers Union (2004) 221 CLR 309: 214
- Elias v Federal Commissioner of Taxation (2002) 123 FCR 499: 244
- Enfield v Development Assessment Commission (2000) 199 CLR 135: 17-18, 33, 34, 57, 60-61 152-155, 194, 204, 214
- Evans v Marmont (1997) 42 NSWLR 70: 247
- Evans v Minister for Immigration and Multicultural and Indigenous Affairs (2003) 135 FCR 306: 120
- Evans v New South Wales [2008] FCAFC 130: 88
- Faulkner v Conwell (1989) 21 FCR 41: 146
- Federal Commissioner of Taxation v Administrative Appeals Tribunal (2011) 191 FCR 400: 229
- Federal Commissioner of Taxation v Bayly (1952) 86 CLR 506: 53
- Federal Commissioner of Taxation v Brian Hatch Timber Co (Sales) Pty Ltd (1972) 128 CLR 28: 53
- Federal Commissioner of Taxation v Dalco (1990) 168 CLR 614: 232, 234-236
- Federal Commissioner of Taxation v Futuris (2008) 237 CLR 146: 20, 226-227, 229, 235-236
- Federal Commissioner of Taxation v Hoffnung & Co Ltd (1928) 42 CLR 39: 226
- Federal Commissioner of Taxation v Munro (1926) 38 CLR 153: 230
- Federal Commissioner of Taxation v Peabody (1994) 181 CLR 359: 53
- Federal Commissioner of Taxation v Sleight (2004) 136 FCR 211: 229
- Federal Commissioner of Taxation v Trail Bros Steel & Plastics (2010) 186 FCR 410: 233-235, 228
- FJ Bloemen Pty Ltd v Federal Commissioner of Taxation (1981) 147 CLR 360: 229
- Foley v Padley (1984) 154 CLR 349: 51
- Forge v ASIC (2006) 228 CLR 45: 20
- Fortescue Metals Group Ltd v Commonwealth [2013] HCA 34: 218
- Foster v Minister for Customs and Justice (2000) 200 CLR 442: 144, 243
- Friends of King Edward Park Inc v Newcastle City Council [2012] NSWLEC 113: 140
- Gamaethige v Minister for Immigration and Multicultural Affairs (2001) 109 FCR 424: 68
- Gashi v Commissioner of Taxation (2013) 209 FCR 301; 296 ALR 497: 179
- Gedeon v Commissioner of the New South Wales Crime Commission (2008) 236 CLR 120: 57, 151
- George v Federal Commissioner of Taxation (1952) 86 CLR 183: 234-235
- George v Rockett (1990) 170 CLR 104: 52-53, 55-56
- Gerhardy v Brown (1985) 159 CLR 70: 132
- Giris Pty Ltd v Federal Commissioner of Taxation (1969) 119 CLR 365: 219-220, 222-223
- Glennan v Federal Commissioner of Taxation (2003) 77 ALJR 1195: 221

TABLE OF CASES

- Golden City Car & Truck Centre Pty Ltd v Deputy Commissioner of Taxation (1999) 56 ALD 177: 177
- Gondarra v Minister for Families, Housing, Community Services and Indigenous Affairs [2012] FCA 185: 135, 145-147, 163
- Gouriet's Case [1978] AC 435 (House of Lords): 5
- GPT RE Ltd v Belmorgan Property Development Pty Ltd (2008) 72 NSWLR 647: 119
- GPT RE Ltd v Wollongong City Council [2006] NSWLEC 303: 248
- Graspas v Commissioner of Taxation [2011] FCA 1465: 230
- Gregory v Turner [2003] 1 WLR 1149: 201
- Greiner v Independent Commission Against Corruption (1992) 28 NSWLR 125: 51, 56
- Groenvelt v Burwell (1700) 1 Salk 144; 81 ER 134: 7
- Halpin v Lumley General Insurance (2009) 78 NSWLR 265: 251
- Haucher v Minister for Immigration and Ethnic Affairs (1990) 169 CLR 648: 147
- Haque v Commissioner of Corrective Services (2008) 216 FLR 271: 159
- Harbour Radio Pty Ltd v Australian Communications and Media Authority [2012] FCA 614: 151-152
- Harper v Minister for Sea Fisheries (1989) 168 CLR 314: 217
- Harrington v Lowe (1996) 190 CLR 311: 117-118, 121, 127
- Hastings Point Progress Association Inc v Tweed Shire Council (2008) 160 LGERA 274: 140
- Herald and Weekly Times Ltd v Correctional Services Commissioner [2001] VSC 329: 146
- HIA Insurance Service Pty Ltd v Kostas [2009] NSWCA 292: 26
- Hneidi v Minister for Immigration and Citizenship (2010) 182 FCR 115: 257
- Hockey v Yelland (1984) 157 CLR 124: 158
- Hot Holdings Pty Ltd v Creasy (1996) 185 CLR 149: 175
- Hot Holdings Pty Ltd v Creasy (2002) 210 CLR 438: 255
- House v R [1936] HCA 40; 55 CLR 499: 44, 74-75
- Houssein v Department of Industrial Relations and Technology (1982) 148 CLR 88: 25
- Huddart Parker Ltd v The Commonwealth (1931) 44 CLR 492: 104, 109
- Hughes & Vale Pty Ltd v New South Wales (No 2) (1955) 93 CLR 127: 55
- Huntlee Pty Ltd v Sweetwater Action Group Inc [2011] NSWCA 378: 153
- Industrial Equity Ltd v Deputy Federal Commissioner of Taxation (1990) 170 CLR 649: 151
- Industrial Relations Act Case *see* Victoria v Commonwealth
- INL Group Ltd v Director-General of the New South Wales Department of Planning [2011] NSWLEC 256: 246
- Insurance Australia Ltd trading as NRMA Insurance v Motor Accidents Authority of NSW [2007] NSWCA 314: 247
- Jackson v Commissioner of Taxation (1989) 87 ALR 461: 234
- James v Military Rehabilitation and Compensation Commission [2010] FCAFC 95; 186 FCR 134: 40
- John Holland Pty Ltd v Roads and Traffic Authority (NSW) [2007] NSWCA 19: 34
- Judiciary and Navigation Act, Re (1921) 29 CLR 257: 9
- Kable v Director of Public Prosecutions (NSW) [1996] HCA 24; 189 CLR 51: 38
- Kajewski v Federal Commissioner of Taxation (2003) 258 ATR 455: 231
- Kennedy v Administrative Appeals Tribunal (2008) 168 CLR 566: 237
- Khan v Minister for Immigration and Ethnic Affairs (1987) 14 ALD 291: 144-145, 247-249, 252
- Kindimindi Investments Pty Ltd v Lane Cove Council (2006) 143 LGERA 277: 144, 249
- King v Great Lakes Shire Council (1986) 58 LGRA 366: 141-142
- Kingsway Investments (Kent) Ltd v Kent CC [1971] AC 72: 128
- Kioa v West (1985) 159 CLR 550: 147, 191-192, 206
- Kirk v Industrial Court (NSW) [2010] HCA 1; 239 CLR 531: 7, 11, 13, 19-23, 25, 27-32, 35, 42, 182, 205, 210
- Klein v Domus Pty Ltd (1963) 109 CLR 467: 75
- Kolotex Hosiery (Aust) Pty Ltd v Federal Commissioner of Taxation (1975) 132 CLR 535: 233
- Kordan Pty Ltd v Federal Commissioner of Taxation (2000) 46 ATR 191: 227
- Kostas v HIA Insurance Services Pty Ltd (2010) 241 CLR 390: 26
- Kruger v Commonwealth (1997) 190 CLR 1: 207
- Lafu v Minister for Immigration and Citizenship [2009] FCAFC 140: 246
- Lange v Australian Broadcasting Corporation (1997) 189 CLR 520: 40
- Lansen v Minister for Environment and Heritage (2008) 174 FCR 14: 258
- Lawyers for Forests Inc v Minister for the Environment, Heritage and the Arts (2009) 165 LGERA 203: 248
- Lesnewski v Mosman Municipal Council (2005) 138 LGERA 207: 22
- Liversidge v Anderson [1942] AC 206: 51-53
- Lo v Chief Commissioner of State Revenue [2013] NSWCA 180: 242, 249
- Love v Attorney-General (NSW) (1990) 169 CLR 307: 121
- Lovell v Lovell [1950] HCA 52; 81 CLR 513: 46
- Lu v Minister for Immigration and Multicultural and Indigenous Affairs (2004) 141 FCR 346: 258-259
- Luton v Lessels (2002) 210 CLR 333: 218
- Luu v Renevier (1989) 91 ALR 39: 138

TABLE OF CASES

- LVR (WA) Pty Ltd v Administrative Appeals Tribunal [2011] FCA 1146: 145
- LVR (WA) Pty Ltd v Administrative Appeals Tribunal [2012] FCAFC 90: 246, 253
- McAndrew v Federal Commissioner of Taxation (1956) 98 CLR 263: 232
- McBain, Re; Ex parte Australian Catholic Bishops Conference (2002) 209 CLR 372: 162
- McCormack v Commissioner of Taxation (2001) 114 FCR 574: 137
- MacCormick v Federal Commissioner of Taxation (1984) 158 CLR 622: 218, 220, 222, 224
- MacKanness & Avery Pty Ltd, Ex parte; Re Royce (1943) 43 SR (NSW) 239: 155
- McKinney v University of Guelph [1990] 3 SCR 229: 174
- McKinnon v Secretary, Department of Treasury (2006) 228 CLR 423: 55
- Macks, Re; Ex parte Saint (2000) 204 CLR 158: 28
- Malubel Pty Ltd v Elder (No 2) (1999) 73 ALJR 269: 121
- Mandla v Dowell-Lee [1982] UKHL 7: 5
- Mathews v Chicory Marketing Board (1938) 60 CLR 263: 217
- Media, Entertainment and Arts Alliance, Re; Ex parte Arnel (1994) 179 CLR 84: 130
- Melbourne Corporation v Commonwealth (1947) 74 CLR 31 (Melbourne Corporation Case): 110
- Melbourne Corporation Case *see* Melbourne Corporation v Commonwealth
- Mentink v Minister for Home Affairs [2013] FCAFC 113: 245-246
- Metropolitan Gas Company v Federal Commissioner of Taxation (1932) 47 CLR 621: 53
- Michael, Re; Ex parte Epic Energy (WA) Nominees Pty Ltd (2002) 25 WAR 511: 156-158
- Miller v TCN Channel Nine Pty Ltd (1986) 161 CLR 556: 108
- Minister for Immigration and Multicultural Affairs v SZJSS (2010) 243 CLR 164: 144
- Minister Administering Crown Lands Act v NSW Aboriginal Land Council (2009) 171 LGERA 56: 23
- Minister for Aboriginal Affairs v Peko-Wallsend Ltd [1986] HCA 40; 162 CLR 24: 15, 17, 43, 44, 131, 144, 195, 243, 244, 249, 251
- Minister for Arts, Heritage and Environment v Peko-Wallsend Ltd (1987) 15 FCR 274: 171
- Minister for Home Affairs v Tervonen (2008) 166 FCR 91: 119
- Minister for Home Affairs v Zentai (2012) 246 CLR 213: 221
- Minister for Immigration and Border Protection v MZYTS [2013] FCAFC 114: 252
- Minister for Immigration and Citizenship v Khadgi (2010) 190 FCR 248: 251
- Minister for Immigration and Citizenship v SZGUR (2011) 241 CLR 594: 139, 140
- Minister for Immigration and Citizenship v SZIAI (2009) 83 ALJR 1123: 139, 140, 207
- Minister for Immigration and Citizenship v SZIAI (2009) 259 ALR 429; [2009] HCATrans 165 (28 July 2009): 139-140
- Minister for Immigration and Citizenship v SZIZO (2009) 238 CLR 627: 210
- Minister for Immigration and Citizenship v SZJSS [2010] HCA 48; 243 CLR 164: 41, 131, 145, 248
- Minister for Immigration and Citizenship v SZMDS (2010) 240 CLR 611; [2010] HCA 16: 13, 39, 50, 55, 62, 64-74, 76-77, 142, 196, 198, 202, 204
- Minister for Immigration and Citizenship v SZNPG [2010] FCAFC 51: 245
- Minister for Immigration and Citizenship v SZRKT [2013] FCA 317: 47
- Minister for Immigration and Citizenship v Xiujuan Li [2013] HCA 18; 87 ALJR 618; 297 ALR 255: 15, 35, 42, 44-48, 66, 72-73, 76-77, 143, 184, 197, 207, 213-214, 241, 244
- Minister for Immigration and Ethnic Affairs v Arslan (1984) 4 FCR 73: 159-160
- Minister for Immigration and Ethnic Affairs v Eshetu [1999] HCA 21; 197 CLR 611: 39, 59-60, 67, 70
- Minister for Immigration and Ethnic Affairs v Taveli (1990) 23 FCR 162: 158-161
- Minister for Immigration and Ethnic Affairs v Teo (1995) 57 FCR 194: 52, 59
- Minister for Immigration and Ethnic Affairs v Teoh (1995) 183 CLR 273: 244
- Minister for Immigration and Ethnic Affairs v Wu Shan Liang (1996) 185 CLR 259: 52-53, 131
- Minister for Immigration and Multicultural Affairs v Anthonypillai (2001) 106 FCR 426: 248, 205
- Minister for Immigration and Multicultural Affairs v Bhardwaj (2002) 209 CLR 597: 12
- Minister for Immigration and Multicultural Affairs v Rajamanikkam (2002) 210 CLR 222: 148-149, 184
- Minister for Immigration and Multicultural Affairs v Yusuf [2001] HCA 30; 206 CLR 323: 12, 14, 37, 133, 144, 174, 184, 186, 252
- Minister for Immigration and Multicultural Affairs, Re; Ex parte Applicant S20/2002 (2003) 77 ALJR 1165: 62-63, 65, 69-70
- Minister for Immigration and Multicultural Affairs, Re; Ex parte Miah (2001) 206 CLR 57: 31
- Minister for Immigration and Multicultural and Indigenous Affairs v SGLB (2004) 207 ALR 12; 78 ALJR 992: 24, 62-63, 65, 69-71
- Minister for Immigration and Multicultural and Indigenous Affairs, Re; Ex parte Lam (2003) 214 CLR 1: 201, 208
- Minister for Immigration, Local Government and Ethnic Affairs v Gray (1994) 50 FCR 189: 15
- Minister for Planning v Walker (2008) 161 LGERA 423: 144
- Minister for Primary Industries and Energy v Austral Fisheries Pty Ltd (1993) 40 FCR 381: 141

TABLE OF CASES

- Mitchforce Pty Ltd v Industrial Relations Commission (NSW) (2003) 57 NSWLR 212: 23, 28
- Mount Pritchard & District Community Club Ltd v Commissioner of Taxation (2011) 196 FCR 549: 237
- Muin v Refugee Review Tribunal (2002) 190 ALR 601; 76 ALJR 966: 32
- MZXLD v Minister for Immigration and Citizenship [2007] FCA 1912: 131, 146
- MZXSA v Minister for Immigration and Citizenship (2010) 117 ALD 441: 71
- NAAV v Minister for Immigration and Multicultural and Indigenous Affairs (2002) 123 FCR 298: 23
- NACB v Minister for Immigration and Multicultural and Indigenous Affairs [2003] FCAFC 235: 68
- NAIS v Minister for Immigration and Multicultural and Indigenous Affairs (2005) 228 CLR 470: 248
- NA & J Investments Pty Ltd v Minister Administering Water Management Act 2000; Arnold v Minister Administering Water Management Act 2000 (No 4) [2012] NSWLEC 120: 163
- NATC v Minister for Immigration and Multicultural and Indigenous Affairs [2004] FCAFC 52: 68
- National Australia Bank v Rusu (1999) 47 NSWLR 309: 133, 161
- National Health and Medical Research Council Act 1992 (Cth): 245
- Neat Domestic Trading Pty Ltd v AWB Ltd (2003) 216 CLR 277: 242
- Newcastle and Hunter River Steamship Co Ltd v Attorney-General for the Commonwealth (1921) 29 CLR 357: 104
- New South Wales v Commonwealth (2006) 229 CLR 1: 113
- New South Wales v Kable (2013) 298 ALR 144: 29
- New South Wales v NSW Nurses' Association [2012] NSWCA 179: 196
- Nolan, Re; Ex parte Young (1991) 172 CLR 460: 106
- Norbis v Norbis [1986] HCA 17; 161 CLR 513: 46
- Noroton Holdings Pty Ltd v Friends of Katoomba Falls Creek Valley Inc (1996) 98 LGERA 335: 256
- Northern Suburbs General Cemetery Reserve Trust v Commonwealth (1993) 176 CLR 555: 217-218
- Notaras v Waverly Council [2007] NSWCA 333: 144
- NTD8 v Australian Crime Commission (No 2) (2008) 108 ALD 325: 146
- Offshore Processing Case *see* Plaintiff M61/2010E v Commonwealth
- O'Reilly v Mackman [1983] 2 AC 237: 196, 200, 208
- Oshlack v Richmond River Council (1998) 193 CLR 72: 189-190
- Osland v Secretary to the Department of Justice (2010) 84 ALJR 528: 26
- Padfield v Minister of Agriculture, Fisheries and Food [1968] AC 997: 48, 209
- Pape v Commissioner of Taxation (Cth) (2009) 238 CLR 1: 114
- Parramatta City Council v Hale (1982) 47 LGRA 319: 253
- Parramatta City Council v Pestell (1972) 128 CLR 305: 139
- Pepsi Seven-Up Bottlers Perth Pty Ltd v Commissioner of Taxation (1995) 62 FCR 289: 156
- Percerep v Minister for Immigration and Multicultural Affairs (1998) 86 FCR 483: 146
- Peters v Attorney General (NSW) (1988) 16 NSWLR 24: 121
- Phillips v Commissioner for Superannuation [2005] FCAFC 2: 131
- Phosphate Resources Ltd v Minister for the Environment, Heritage and the Arts (No 2) (2009) 251 ALR 80: 124, 187
- Pidoto v Victoria (1943) 68 CLR 87: 103, 106, 112
- Pilbara Infrastructure Pty Ltd v Australian Competition Tribunal (2012) 246 CLR 379: 255
- Pilkington (Australia) Ltd v Minister for Justice and Customs (2002) 127 FCR 92: 15
- Pittwater Council v Minister for Planning [2011] NSWLEC 162: 144
- Plaintiff M61/2010E v Commonwealth (2010) 243 CLR 319 (Offshore Processing Case): 15, 33, 171, 175-176, 194, 203, 205, 214
- Plaintiff M70/2011 v Minister for Immigration and Citizenship (2011) 244 CLR 144; 280 ALR 18: 18, 153
- Plaintiff M79/2012 v Minister for Immigration and Citizenship (2013) 87 ALJR 682: 126
- Plaintiff S10/2011 v Minister for Immigration and Citizenship (2012) 246 CLR 636: 15
- Plaintiff S134 v Minister for Immigration and Multicultural Affairs (2003) 211 CLR 441: 24
- Plaintiff S157/2002 v Commonwealth (2003) 211 CLR 476: 11-13, 20, 21-25, 166, 192, 199, 202, 204, 208
- Pochi v Macphee (1982) 151 CLR 101: 105
- Poletti v Deputy Commissioner of Taxation (1994) 52 FCR 154: 231
- Potter v Minahan [1908] HCA 63; 7 CLR 277: 88
- Prasad v Minister for Immigration and Ethnic Affairs (1985) 6 FCR 155: 136-140
- Project Blue Sky v Australian Broadcasting Authority [1998] HCA 28; 194 CLR 355: 11, 16-19, 33-34, 41, 45, 61, 90-91, 97, 101, 128, 185, 192, 195, 226, 258
- Public Service Association of South Australia Inc v Industrial Relations Commission (SA) (2012) 289 ALR 1; 86 ALJR 862: 22
- Public Service Board (NSW) v Osmond [1986] HCA 7; 159 CLR 656: 40, 158, 221
- Queanbeyan City Council v ACTEW (2011) 244 CLR 530: 218

TABLE OF CASES

- Queensland Medical Laboratory v Blewett (1988) 84 ALR 615: 246
- R v Alley; Ex parte NSW Plumbers & Gasfitters Employees' Union (1981) 153 CLR 376: 153
- R v Anderson; Ex parte Ipec-Air Pty Ltd (1965) 113 CLR 177: 257
- R v Australian Broadcasting Tribunal; Ex parte 2HD Pty Ltd (1979) 144 CLR 45: 243
- R v Barnet London Borough Council [2004] 2 AC 208: 18
- R v Blakeley; Ex parte Association of Architects, Engineers, Surveyors and Draughtsmen of Australia (1950) 82 CLR 54: 153
- R v Bolton (1841) 1 QB 66: 12
- R v Bowen; Ex parte Federated Clerks Union (1984) 154 CLR 207: 12
- R v Bradford [1908] 1 KB 365: 182
- R v Commissioner of Taxation (WA); Ex parte Briggs (1986) 12 FCR 301: 227
- R v Commonwealth Court of Conciliation and Arbitration; Ex parte Ozone Theatres (Aust) Pty Ltd (1949) 78 CLR 389: 29
- R v Connell; Ex parte Hetton Bellbird Collieries Ltd [1944] HCA 42; 69 CLR 407: 37, 53, 69, 151, 207
- R v Cornwall Country Council and Secretary of State for Education and Science; Ex parte Nicholls [1989] COD 507 (Queen's Bench Division, Crown Office List): 117
- R v District Court; Ex parte White [1966] HCA 69; 116 CLR 644: 37
- R v Federal Court of Australia; Ex parte Pilkington ACI (Operations) Pty Ltd (1978) 142 CLR 113: 151
- R v Gray; Ex parte Marsh (1985) 157 CLR 351: 30
- R v Hickman; Ex parte Fox and Clinton (1945) 70 CLR 598: 19, 23-25, 116
- R v Hughes (2000) 202 CLR 535: 111, 114-115
- R v Hull University Visitor; Ex parte Page [1993] AC 682: 13, 196, 208
- R v Hunt; Ex parte Sean Investments Pty Ltd (1979) 180 CLR 322: 246
- R v Ludeke; Ex parte Queensland Electricity Commission (1985) 159 CLR 178: 153
- R v Metal Trades Employers' Association; Ex parte Amalgamated Engineering Union (1951) 82 CLR 208: 24
- R v Ministry of Defence; Ex parte Smith [1996] QB 517: 213-214
- R v Murray; Ex parte Proctor (1949) 77 CLR 387: 24
- R v Ng (2002) 5 VR 257: 121
- R v Panel on Take-overs and Mergers; Ex parte Datafin [1987] QB 815: 174
- R v Poole; Ex parte Henry (No 2) (1939) 61 CLR 634: 114
- R v Radio Authority; Ex parte Guardian Media Group plc [1995] 1 WLR 334: 131
- R v Secretary of State for the Environment; Ex parte Powis [1981] 1 WLR 584: 134, 146
- R v Secretary of State for the Home Department; Ex parte Brind [1991] 1 AC 696: 214
- R v Secretary of State for the Home Department; Ex parte Bugdaycay [1987] AC 514: 214
- R v Toohey; Ex parte Meneling Station Pty Ltd (1982) 158 CLR 327: 246
- R v War Pensions Entitlement Appeal Tribunal; Ex parte Bott (1933) 50 CLR 228: 12
- R v West Sussex Quarter Sessions; Ex parte Johnson Trust Ltd [1974] 1 QB 24: 134
- R v Wright; Ex parte Waterside Workers' Federation of Australia: 109
- R (G) v Immigration Appeal Tribunal [2005] 1 WLR 1445: 199, 211
- R (HK (Turkey)) v Secretary of State for the Home Department [2007] EWCA Civ 1357: 197
- R (Lumba) v Secretary of State for the Home Department [2012] 1 AC 245: 196-197, 208-209, 212
- R (Nadarajah) v Secretary of State for the Home Department [2005] All ER (D) 283: 197
- R (Sinclair Gardens Investments (Kensington) Ltd) v Lands Tribunal [2006] 3 All ER 650: 212
- R (Sivasubramanian) v Wandsworth County Court [2003] 1 WLR 475: 211-212
- R (SK (Zimbabwe)) v Secretary of State for the Home Department: 197, 200, 209
- Racal Communications Ltd, Re [1981] AC 374: 196
- Rawson Finances Pty Ltd v Deputy Commissioner of Taxation (2010) 189 FCR 189: 177
- RCI Ltd v Commissioner of Taxation [2011] FCAFC 104: 235
- Redgrave, Ex parte; Re Bennett (1946) 46 SR (NSW) 122; 63 WN (NSW) 31: 152
- Refugee Review Tribunal, Re; Ex parte Aala (2000) 204 CLR 82: 13, 194, 259
- Remo Marconi Pty Ltd v Federal Commissioner of Taxation [(1999) 43 ATR 53: 228
- Residual Assco Group Ltd v Spalvins (2000) 202 CLR 629: 28
- Ridge v Baldwin [1964] AC 40: 48
- Ross v Costigan (1982) 59 FLR 184: 123, 175
- Roy Morgan Research Centre Pty Ltd v Commissioner of State Revenue (Vic) (2001) 207 CLR 72: 26
- Roy Morgan Research Pty Ltd v Federal Commissioner of Taxation (2011) 244 CLR 97: 217
- Ruangrong v Minister for Immigration and Ethnic Affairs [1988] FCA 87: 136-137, 145
- Ruddy v Deputy Commissioner of Taxation (1998) 82 FCR 337: 177
- Saeed v Minister for Immigration and Citizenship (2010) 241 CLR 252: 206
- SDAV v Minister for Immigration and Multicultural and Indigenous Affairs (2003) 199 ALR 43: 12
- Sean Investments v MacKellar (1981) 38 ALR 363: 195, 247
- Servos v Repatriation Commission (1995) FCR 377: 131
- SFGB v Minister for Immigration and Multicultural and Indigenous Affairs [2003] FCAFC 231; 77 ALD 402: 184

TABLE OF CASES

- Sharp Corporation of Australia Pty Ltd v Collector of Customs (1995) 59 FCR 6: 25
- Shell Co of Australia Ltd v Federal Commissioner of Taxation (1930) 44 CLR 530: 230
- Shellharbour City Council v Minister for Planning [2011] NSWCA 195: 162
- Shellharbour City Council v Minister for Planning (No 2) [2011] NSWLEC 107: 163
- Singer v Berghouse [1994] HCA 40; 181 CLR 201: 39
- Singh v Minister for Immigration and Multicultural Affairs (2001) 109 FCR 152: 251
- Smith v R (2001) 206 CLR 650: 134
- Snow v Deputy Commissioner of Taxation (1987) 14 FCR 119: 239
- Soliman v University of Technology, Sydney (2012) 207 FCR 277: 252
- South Australia v Tanner [1989] HCA 3; 166 CLR 161: 40
- Southern Cross Airports v Chief Commissioner of State Revenue [2011] NSWSC 349: 163
- Southgate Investment Funds Ltd v Deputy Commissioner of Taxation [2013] FCAFC 10: 238-240
- Sportodds Systems Pty Ltd v New South Wales (2003) 133 FCR 63: 118-119
- SST Consulting Services Pty Ltd v Rieson (2006) 225 CLR 516: 119
- State Superannuation Board v Trade Practices Commission (1982) 150 CLR 282: 111
- Stead v State Government Insurance Commission (1986) 161 CLR 141: 258
- Stenhouse v Coleman (1944) 69 CLR 457: 132
- Stokes v Federal Commissioner of Taxation (1996) 32 ATR 500: 226
- Strickland v Rocla Concrete Pipes (1971) 124 CLR 468: 105-106
- Strictly Stainless Pty Ltd v Deputy Commissioner of Taxation (unreported, Federal Court of Australia, 5 November 1993): 177
- Surinakova v Minister for Immigration, Local Government and Ethnic Affairs (1991) 33 FCR 87: 131
- Sutherland Shire Council v Finch (1970) 123 CLR 657: 153
- Swift v SAS Trustee Corporation [2010] NSWCA 182: 144, 249
- SZBEL v Minister for Immigration and Multicultural and Indigenous Affairs (2006) 228 CLR 152: 131, 147
- SZEHN v Minister for Immigration and Multicultural and Indigenous Affairs [2005] FCA 1389: 252
- Szelagowicz v Stocker (1994) 35 ALD 16: 150
- SZGUW v Minister for Immigration and Citizenship (2009) 108 ALD 108: 131
- SZINB v Minister for Immigration and Multicultural Affairs [2006] FCA 1627: 131
- SZJBD v Minister for Immigration and Citizenship (2008) 102 ALD 622: 146
- SZMDS v Minister for Immigration and Citizenship (2009) 107 ALD 361: 67
- SZQDZ v Minister for Immigration and Citizenship (2012) 200 FCR 207: 176
- SZQGC v Minister for Immigration and Citizenship [2012] FCA 598: 145
- Television Capricornia Pty Ltd v Australian Broadcasting Tribunal (1986) 13 FCR 511: 149
- Telstra Corporation Ltd v Australian Competition and Consumer Commission [2008] FCA 1758; 176 FCR 153: 157, 251
- Telstra Corporation Ltd v Australian Competition and Consumer Commission (No 2) (2008) 251 ALR 372: 126
- Telstra Corporation Ltd v Australian Competition and Consumer Commission (No 3) (2007) 99 ALD 268: 118, 120-121, 129
- Telstra Corporation Ltd v Seven Cable Television Pty Ltd (2000) 102 FCR 517: 157
- Theo Holdings Pty Ltd v Hockey (2000) 99 FCR 232: 137
- Thomas v Mowbray (2007) 233 CLR 307: 132
- Thongraphai v Minister for Immigration and Multicultural Affairs [2000] FCA 1590: 131
- Tickner v Chapman (1995) 57 FCR 451: 245-247, 251, 253
- Timbarra Protection Coalition Inc v Ross Mining NL (1999) 46 NSWLR 55: 12, 57, 151-154
- Tisdall v Webber (2011) 193 FCR 260: 70
- TKWJ v The Queen (2002) 212 CLR 124: 163
- Tobacco Institute of Australia v National Health and Medical Research Council (1996) 71 FCR 265: 245-256, 253
- Trautwein v Federal Commissioner of Taxation (1936) 56 CLR 63: 234-235
- Tuite v Administrative Appeals Tribunal (1993) 40 FCR 483: 181
- ULV v Scott (1990) 19 NSWLR 190: 142
- United Airlines v Secretary, Department of Transport and Communications (1990) 26 FCR 598: 123-125
- Universal Camera Corp v National Labor Relations Board 340 US 474 (1951): 47
- VHAP of 2002 v Minister for Immigration and Multicultural and Indigenous Affairs [2004] FCAFC 82; 80 ALD 559: 208
- Victoria v Commonwealth (1996) 187 CLR 416 (Industrial Relations Act Case): 110, 113-115, 118
- Visa International Service Association v Reserve Bank of Australia (2003) 131 FCR 300: 156-158
- Vodafone Australia Ltd v Australian Competition and Consumer Commission (2005) 147 FCR 203: 156
- VWST v Minister for Immigration and Multicultural and Indigenous Affairs [2004] FCAFC: 68
- W v W (1982) 151 CLR 491: 153
- Walsh v Parramatta City Council (2007) 161 LGERA 118: 144, 243
- Walsh & Johnson, Ex parte; In re Yates (1925) 37 CLR 36: 52

TABLE OF CASES

Warringah Shire Council v Pittwater Provisional Council (1992) 26 NSWLR 491: 151	Wotton v Queensland [2012] HCA 2; 86 ALJR 246: 40
Water Conservation and Irrigation Commission (NSW) v Browning (1947) 74 CLR 492: 243	WR Carpenter Holdings Pty Ltd v Federal Commissioner of Taxation (2006) ATC 4652: 221, 233
Waterford v Commonwealth (1987) 163 CLR 54: 57, 131, 136, 150	WR Carpenter Holdings Pty Ltd v Federal Commissioner of Taxation (2007) 161 FCR 1: 228, 234
Weal v Bathurst City Council (2000) 111 LGERA 181: 245, 247, 249, 253	WR Carpenter Holdings Pty Ltd v Federal Commissioner of Taxation (2008) 237 CLR 198: 224, 233
Williams v Commonwealth (2012) 288 ALR 410 (School Chaplains Case): 172	Yarmirr v Australian Telecommunications Corporation (1990) 96 ALD 739: 18
Williams v Keelty (2000) 111 FCR 175: 121	Zentai v Honourable Brendan O'Connor (No 3) (2010) 187 FCR 495: 158
Williams v Minister for Justice and Customs (2007) 157 FCR 286: 119	Zhang v Canterbury City Council (2001) 51 NSWLR 589: 144, 246-247, 251
Williams v Minister for the Environment and Heritage [2003] FCA 535: 248	
Woolworths Ltd v Pallas Newco Pty Ltd (2004) 61 NSWLR 707: 16-18, 57, 60, 152-153	
Woolworths Ltd v Wyong Shire Council [2005] NSWLEC 400: 141	