

## Table of Cases

- A v Australia (No 560/1993) 3 April 1997, UN Doc CCPR/C/59/D/560/1993, 108, 260
- Abouloff v Oppenheimer & Co (1882) 10 QBD 295, 461, 463
- A-G In and For the United Kingdom v South China Morning Post Ltd [1988] HKLR 143, 457
- Air Attention WA Pty Ltd v Seeley International Pty Ltd (unreported, Supreme Court of Western Australia, Walsh J, 3 September 1996), 450
- Ali Aqsar Bakhtiyari and Roqaiha Bakhtiyari v Australia Communication No 1069/2002 UN Doc CCPR/C/79/D/1069/2002 (2003), 297
- Al-Kateb v Godwin (2004) 78 ALJR 1099, 115, 121, 122, 126
- AMS v AIF (1999) 199 CLR 160, 114, 115
- Anderton v Enterprising Global Group [2003] WASC 67, 450, 451
- Appellant S395/2002 v Minister for Immigration and Multicultural Affairs [2003] HCA 71, 120, 275
- Appellant v Secretary of State for the Home Department [2003] UKIAT 00023, 169
- Applicant A & Anor v MIEA & Anor (1997) 190 CLR 225, 168
- Artukovic v Rison 784 F 2d 1354 (9th Cir 1986), 32
- Atkins v Virginia 536 US 304 (2002), 116
- Attorney-General (UK) v Heinemann Publishers Australia Pty Ltd (1988) 165 CLR 30, 457
- Attorney-General (UK) v Wellington Newspapers Ltd [1988] 1 NZLR 129, 457
- Attorney-General (WA) v Marquet (2003) 78 ALJR 105, 114
- Attorney-General for the Commonwealth v Tse Chu-Fai (1998) 153 ALR 128, 7
- Attorney-General for Western Australia v Marquet [2003] HCA 67; (2003) 202 ALR 333, 266
- Attorney-General v Observer Newspapers Ltd, The Guardian and Others [1990] 1 AC 109, 457
- Austin v Commonwealth of Australia [2003] HCA 3; (2003) 215 CLR 185, 265
- Australian Broadcasting Corp v Lenah Game Meats Pty Ltd (2001) 208 CLR 199, 449
- Australian Broadcasting Tribunal v Bond (1990) 170 CLR 321, 13
- Australian Securities Commission v Marlborough Gold Mines Ltd (1993) 177 CLR 485, 450
- Aydin v Turkey (1998) 25 EHRR 251, 177
- B and B v Minister for Immigration and Multicultural Affairs (2003) 199 ALR 604, 297
- Barapind v Reno 225 F 3d 1100, 1106 (9th Cir 2000), 33
- Behrooz v Secretary of the Department of Immigration and Multicultural and Indigenous Affairs (2004) 78 ALJR 1056, 120, 121
- Belize v France Judgment (20 April 2001), 250
- Bergensbanken ASA v The Ship 'Aliza Glacial' [1998] 1642 FCA, 212
- Blunden v Commonwealth (2003) 203 ALR 189, 283, 451
- Borch v Answer Products Inc [2000] QSC 379, 448
- Bou-Simon v Attorney-General (Cth) (unreported, Federal Court, 8 September 1998), 14

- Bowers *v* Hardwick 478 US 186 (1986), 118
- Brear *v* James Hardie & Coy Pty Ltd (2000) 50 NSWLR 388, 452
- Cabal *v* United Mexican States (2001) 108 FCR 311, 23, 27, 28, 34
- Cabal *v* United Mexican States (No 2) (2000) 172 ALR 743, 27
- Cabal *v* United Mexican States (No 3) (2000) 186 ALR 188, 24, 25
- Camouco (Panama *v* France) [2000] ITLOS 1, 148
- Canada (Attorney-General) *v* Ward [1993] 2 SCR 689, 168
- Carlos Cabal and Marco Pasini Bertran *v* Australia Communication No 1020/2001 UN Doc CCPR/C/78/D/1020/2001 (2003), 302
- Case CCT 23/04, judgment of 4 August 2004, 82
- Case Concerning Maritime Delimitation and Territorial Questions between Qatar and Bahrain (Jurisdiction: Second Phase) [1995] ICJ Rep 6; 102 ILR 1, 211
- Case Concerning the Arrest Warrant of 11 April 2000 (Democratic Republic of Congo *v* Belgium) Order of 13 December 2000; [2002] ICJ Rep 1, 41 ILM 536, 202, 203, 204
- Case Concerning the Barcelona Traction, Light and Power Company (Belgium *v* Spain) [1970] ICJ Rep 44, 80, 81, 87, 88, 153
- Case Concerning the Temple of Preah Vihear (Cambodia *v* Thailand) (Merits) [1962] ICJ Rep 6, 209
- Certain Expenses of the United Nations [1962] ICJ Rep 151, 155
- Chaplin *v* Boys [1971] AC 356, 453
- Chow Hung Ching *v* R (1948) 77 CLR 449, 113, 114, 272
- Chu Kheng Lim *v* Minister for Immigration (1992) 176 CLR 1, 114
- Chung Chi Cheung *v* R [1939] AC 160, 114, 272
- CME Czech Republic BV Arbitrations, 235
- Coleman *v* Power (2004) 78 ALJR 1166, 114, 123
- Commercial FSA *v* Council of Ministers (1992) 88 ILR 694, 82
- Commissioner of Inland Revenue *v* Medical Council of New Zealand [1997] 2 NZLR 297, 232
- Commonwealth Bank *v* White; Ex parte Lloyd's [1999] 2 VR 681, 448, 462
- Corenjo-Barreto *v* Seifert 218 F 3d 1004 (9th Cir 2000), 33
- Corfu Channel Case (United Kingdom *v* Albania) (Merits) [1949] ICJ Rep 4, 94, 95, 104
- Dallal *v* Iran (1983) 3 Iran-US Claims Tribunal Reports 23, 86
- Daniels Corporation International Pty Ltd *v* Australian Competition and Consumer Commission (2002) 113 CLR 543, 114
- David Rogerson *v* John Pfeiffer Pty Limited [1997] ACTSC 26, 453
- David Syme & Co Ltd *v* Grey (1992) 38 FCR 303, 446
- De Born Case, Annual Digest and Reports of Public International Law Cases 1925-26, case No 205, 86
- De Bruyn *v* Ellison [2004] FCA 880, 18
- De Bruyn *v* Republic of South Africa (1999) 96 FCR 290, 23, 34
- De L *v* Director-General, NSW Department of Community Services (1996) 187 CLR 640, 456
- de Santis *v* Russo [2002] 2 Qd R 230, 459
- Dickson Car Wheel Company *v* United Mexican States 4 UNRIAA 678 (1931), 89, 90
- Dietrich *v* R (1992) 177 CLR 292, 113
- Distillers Co (Biochemicals) Ltd *v* Thompson [1971] AC 458, 454
- DJL *v* The Central Authority (2000) 201 CLR 226, 456
- Douglas *v* Philip Parbury & Associates [1999] WASC 15, 450

- Dow Jones & Co Inc *v* Gutnick (2002) 210 CLR 575, 443, 445, 446, 462
- DPP *v* Kainhofer (1995) 185 CLR 528, 13, 15, 17, 18, 19, 20
- Dranichnikov *v* Minister for Immigration and Multicultural Affairs [2003] HCA 26; (2003) 197 ALR 389, 274
- Dudgeon *v* The United Kingdom (1981) 4 EHRR 149, 118
- Dutton *v* O'Shane (2003) 200 ALR 710, 27, 28
- Dutton *v* O'Shane (unreported, Supreme Court NSW, 20 November 2002), 24
- Dutton *v* Republic of South Africa (1999) 62 ALR 625, 19
- Edward Young *v* Australia Communication No 941/2000 UN Doc CCPR/C/78/D/941/2000 (2003), 300
- Emami *v* United States District Court for the Northern District of California 834 F 2d 1354 (9th Cir 1986), 32
- Esfahanian *v* Bank Tejarat (1983) 21 Iran-US Claims Tribunal Reports 166; case No A/18 (1984) 5 Iran-US Claims Tribunal Reports 251, 87
- Evans & Associates *v* Citibank Ltd [2003] NSWSC 204, 457, 459, 460
- Evans *v* European Bank Ltd [2004] NSWCA 82, 459
- Federal Republic of Germany *v* Ebke [2001] NTSC 17 (SC Northwest Territories), 32
- Federal Republic of Germany *v* Parker (1998) 101 A Crim R 234, 16, 18, 19, 20
- Fibartiga *v* Pena-Irala 630 F.2d 876 (1980), 254
- Fisheries Jurisdiction Case (Spain *v* Canada) [1995] ICJ Rep 87, 240
- Flegenheimer Case (1958) 25 ILR 148, 85
- Forsyth *v* United Kingdom (unreported, Federal Court of Australia, 19 August 2003), 18
- Foster *v* Driscoll [1929] 1 KB 470, 455
- Foster *v* Minister for Customs and Justice (1999) 164 ALR 357, 14, 18
- Fullerton Nominees Pty Ltd *v* Darmago [2000] WASCA 4, 454
- Gabcíkovo-Nagymaros (Hungary *v* Slovakia) (1997) 37 ILM 162, 206
- Glucksman *v* Henkel 221 US 508 (1911), 33
- Government of Canada *v* Aronson [1990] 1 AC 579, 23
- Grand Prince Cases (Belize *v* France) [2001] ITLOS Case No 8, 148
- Great Britain *v* Spain (1925) 2 RIAA 615, 203
- Grutter *v* Bollinger 539 US 306, 344 (2003); 123 S Ct 2325, 117, 118
- Hagan *v* Trustees of the Toowoomba Sports Ground Trust [2000] FCA 1615, 308
- Hagan *v* Trustees of the Toowoomba Sports Ground Trust [2001] FCA 123, 308
- Harris *v* Attorney-General of the Commonwealth (1994) 52 FCR 386, 15
- Henry *v* Henry (1996) 185 CLR 571, 447
- HLR *v* France (1997) 26 EHRR 29, 177, 178
- HMHK *v* the Netherlands (1994) 94 ILR 342, 82
- Horta *v* Commonwealth (1994) 181 CLR 183, 286
- Hungary *v* Slovakia [1997] ICJ Rep 7, 227
- Iran-US, Case No A/18 (1984) 5 Iran-UN Claims Tribunal Rep 251, 153
- Italian-United States Conciliation Commission, Mergé Claim (1955) 22 ILR 456, 86
- Jacobs *v* Beaver (1908) 17 OLR 496, 461
- James Hardie & Co *v* Barry (2000) 50 NSWLR 357, 450
- Japan – Measures Affecting the Importation of Apples WT/DS245/AB/R World Trade Organisation Appellate Body, 211, 294
- John K Love et al *v* Australia Communication No 983/2001 UN Doc CCPR/C/77/D/983/2001 (2003), 306

- John Pfeiffer Pty Ltd v Rogerson (1997) 142 FLR 183, 453
- John Pfeiffer Pty Ltd v Rogerson (2000) 203 CLR 503, 443, 451, 453, 454, 463
- John Pfeiffer Pty Ltd v Rogerson (unreported, Federal Court of Australia, O'Connor, Higgins, Cooper, Finn and Merkel JJ, 9 July 1998), 453
- Jong Kim Koe v Minister for Immigration and Multicultural Affairs (1997) 143 ALR 695, 172
- Joyce v DPP [1946] AC 347, 48
- Kainhofer v DPP (No 2) (1996) 70 FCR 184, 16
- Kartinyeri v The Commonwealth (1998) 195 CLR 337, 115, 121, 122
- Kasky v Nike Inc 45 P.3d 243 (2002), 255
- Keele v Findley (1990) 21 NSWLR 444, 461
- LaGrand Case (Germany v USA) [2001] ICJ Rep 466, 147
- Land Reclamation Case ITLOS (8 October 2003) Case No 12, 9, 211
- Lawrence v Texas 539 US 558 (2003), 118, 120
- Lay Kon Tji v Minister for Immigration and Ethnic Affairs [1998] 1380 FCA, 172
- Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion of 9 July 2004, 203, 204, 206, 209
- Legality of the Threat or Use of Nuclear Weapons Case Advisory Opinion [1996] ICJ Rep 226, 197
- Legality of Use of Force (Serbia and Montenegro v Belgium) 15 December 2004, 251
- Legality of Use of Force (Serbia and Montenegro v Canada) 15 December 2004, 251
- Legality of Use of Force (Serbia and Montenegro v France) 15 December 2004, 251
- Legality of Use of Force (Serbia and Montenegro v Germany) 15 December 2004, 251
- Legality of Use of Force (Serbia and Montenegro v Italy) 15 December 2004, 251
- Legality of Use of Force (Serbia and Montenegro v Netherlands) 15 December 2004, 251
- Legality of Use of Force (Serbia and Montenegro v United Kingdom) 15 December 2004, 251
- Liechtenstein v Guatemala [1955] ICJ Rep 24, 76, 84, 85
- Loizidou v Turkey (Preliminary Objections) Series A, No 310 (1995) 103 ILR 621, 211
- M/V 'Saiga' (No 2) (St. Vincent and the Grenadines v Guinea) (1999) ITLOS, 38 ILM 1323, 90, 206
- Mabo v Queensland [No 2] (1992) 175 CLR 1, 113
- Mabo v Queensland [No 2] (1992) 175 CLR 1, 109
- Marquet v Attorney-General of Western Australia [2002] WASCA 277, 267
- Martin v Warden, Atlanta Pen 993 F 2d 824 (11th Cir 1993), 33
- Matter of Extradition of Strunk 293 F Supp 2d 1117 (ED Cal 2003), 32
- Matter of the Extradition of Cervantes 268 F Supp 2d 758 (SD Tex 2003), 32
- Matusevitch v Telnikoff, 877 F Supp 1 (D DC 1995); 159 F 3d 636 (D C Cir, 1998); [1992] 2 AC 343), 446
- Mavrommatis Palestine Concessions Case (Jurisdiction) [1924] PCIJ (ser A) No 2, 112, 76, 79, 91
- McCrea v Minister for Customs & Justice [2004] FCA 1273, 18
- McKain v RW Miller & Co (SA) Pty Ltd (1991) 174 CLR 1, 453
- Mercantile Mutual Insurance (Australia) Ltd v Neilson (2004) 28 WAR 206, 454
- Mergé Claim (1955) 22 ILR 456, 87
- Milani Claim 10 UNRIAA 591, 85
- Minister for Foreign Affairs v Magno (1992) 37 FCR 298, 114

- Minister for Immigration and Ethnic Affairs v Teoh (1995) 183 CLR 273, 109, 113, 114, 121, 123, 268, 269
- Minister for Immigration and Multicultural and Indigenous Affairs v Al Masri [2003] FCAFC 70; (2003) 198 ALR 241, 278
- Minister for Immigration and Multicultural and Indigenous Affairs v B [2004] HCA 20, 124, 273
- Minnie Stevens Eschauzier v Mexican State claim, 5 UNRIAA 209, 85
- Miss AB v Secretary of State for the Home Department (2003) Immigration Appellate Authority Decision CC/64057/2002, 169
- MOX Plant Case (Ireland v United Kingdom) [2001] ITLOS Case No 10, 151
- Mullins Investments Pty Ltd v Elliot Exploration Co Pty Ltd [1990] WAR 531, 450
- NAFG v Minister for Immigration and Multicultural and Indigenous Affairs [2003] FCAFC 152; (2003) 200 ALR 252, 281
- Neilson v Overseas Projects Corporation of Victoria [2002] WASC 231, 454
- New South Wales v Commonwealth (1990) 169 CLR 482, 455
- New York Oceanic Exploration, et al v Conoco Phillips, Inc. et al, Ni 1:04-cv-00332-EGS (DDC), 212
- Nike Inc v Kasky (2003) 539 US 654, 255
- Nottebohm Case (Second Phase) [1955] ICJ Rep 4, 41, 42
- Nulyarimma v Thompson (1999) 165 ALR 621, 213
- NZ v Japan; Australia v Japan, Request for provisional measures (1999) 38 ILM 1624, 146
- Oates v Attorney-General (Commonwealth) [2003] HCA 21; (2003) 214 CLR 496, 282
- Oceanic Sun Line Special Shipping Co Inc v Fay (1988) 165 CLR 197, 447
- Omar Sharif Baban v Australia Communication No 1014/2001 UN Doc CCPR/C/78/D/1014/2001 (2003), 304
- Papazoglou v Republic of the Philippines (1997) 74 FCR 108, 18, 19, 21
- Paper Products Pty Ltd v Tomlinsons (Rochdale) Ltd (No 2) (1993) 44 FCR 485, 447
- Petrotimor Companhia de Petroleos S.A.R.L. v Commonwealth of Australia [2003] FCFCA 3; 197 ALR 461, 285
- Phillips v Eyre (1870) LR 6 QB 1, 453
- Plaintiff S 157/2002 v The Commonwealth (2002) 211 CLR 476, 114
- Platz v Lambert (1994) 12 WAR 319, 450
- Polites v The Commonwealth (1945) 70 CLR 60, 51, 115, 122
- Printz v The United States 521 US 898 (1997), 116
- Prosecutor v Akayesu, Case No ICTR-96-4-T, ICTR T ch I, 1998, 597, 177
- R (Daly) v Secretary of State for the Home Department [2001] 2 AC 532, 30
- R (on the application of Abbasi and Another) v Secretary of State for Foreign and Commonwealth Affairs [2002] EWCA Civ 1598 [2002] All ER (D) 70, 82
- R v Bow Street Metropolitan Stipendiary Magistrate [No 3] [1999] 1 AC 147, 114
- R v Debot (1986) 30 CCC (3d) 207, 219 (Ont CA), (1989) 52 CCC (3d) 193, 213 (SC Canada), 32
- R v Disun [2003] WASCA 47, 271
- R v Horseferry Road Magistrates' Court; Ex parte Bennett [1994] 1 AC 42, 14
- R v Secretary of State for the Home Department; Ex Parte Ramda [2002] EWHC 1278, 31
- R v Thon [1991] BCJ No 205 (BCSC); R v Chan (2001) BCSC 831, 32
- Rainbow Warrior Arbitration (New Zealand v France) Special Arbitration

- Tribunal (1990) 82 ILR 499, 206, 227, 228
- Ramsey v Vogler [2000] NSWCA 260, 447
- Re Colonel Aird; Ex parte Alpert [2004] HCA 44, 124
- Re Extradition of Howard 996 F 2d 1320 (1st Cir 1993), 33
- Re Extradition of Mironescu 296 F Supp 2d 632, 636-37 (MDNC 2003), 33
- Re Minister for Immigration and Multicultural Affairs; Ex parte Hieu Trung Lam [2003] HCA 6; (2003) 214 CLR 1, 268
- Re Minister for Immigration and Multicultural Affairs; Ex parte Lam (2003) 114 CLR 1, 109
- Re Overseas Food Importers & Distributors Ltd and Brandt (1981) 126 DLR (3d) 422 (BC CA), 460
- Re Wakim; Ex parte McNally (1999) 198 CLR 511, 120, 125, 449, 455
- Regazzoni v KC Sethia (1944) Ltd [1958] AC 301, 455
- Regie National des Usines Renault SA v Zhang (2002) 210 CLR 491, 443, 445, 451, 454, 462, 463
- Reinsurance Australia Corporation Ltd v HIH Casualty and General Insurance Ltd (in liquidation) [2003] FCA 56, 447, 448, 462
- Reparation for injuries suffered in the Service of the United Nations [1949] ICJ Rep 174, 80
- Riley v Commonwealth (1985) 159 CLR 1, 7, 24
- Riley v Evans (1983) 80 FLR 219, 13
- Ruddock v Vadarlis [2001] FCA 1329, 212
- Salem Claim (1932) 2 UNRIAA 1188, 86
- Samuel Kaunda and Others v President of the Republic of South Africa and Others, Case CCT 23/04, judgment of 4 August 2004, (2005) 44 ILM 173, 82
- Sanko Steamship Co Ltd. v Sumitomo Australia Ltd (1995) 183 CLR 628, 7
- Schlieske v Federal Republic of Germany (No.1) (1987) 71 ALR 215, 7
- Schlieske v Federal Republic of Germany (No.2) (1988) 84 ALR 719, 7
- Schnabel v Lui [2002] NSWSC 15, 460, 461
- SDAQ v Minister for Immigration and Multicultural and Indigenous Affairs [2003] FCAFC 120; (2003) 199 ALR 265, 280
- Secretary of State for the Home Department v Dzhygun (2000) Immigration Appeal Tribunal Decision 00TH00728, 169
- Seychelles v France Judgment (18 December 2000), 250
- Shapiro v Ferrandina 478 F 2d 894 (2nd Cir 1973), 33
- Shukuru Juma v Australia Communication No 984/2001 UN Doc CCPR/C/78/D/984/2001 (2003), 299
- Smith and Grady v United Kingdom (1999) 29 EHRR 493, 31
- Society of Lloyd's v White (M101/1999) [2000] High Court Bulletin No 1 (11 February 2000), 448
- Society of Lloyd's v White [2004] VSCA 101, 448
- Soering v United Kingdom (1989) 11 EHRR 439, 177
- Southern Bluefin Tuna (2000) 119 ILR 508, 8, 145, 146, 147, 149, 152, 157, 235, 249, 250
- Spiliada Maritime Corp v Cansulex Ltd [1987] 1 AC 460, 447, 450
- Stanton v DPP (unreported, Federal Court of Australia, 12 January 1993), 18
- Stephen Hagan v Australia Communication No 26/2002 UN Doc CERD/C/62/D/26/2002 (2003), 308
- Stevens v Head (1993) 176 CLR 433, 453
- Stevenson claim 9 UNRIAA 494, 85
- Stewart v Abraham 275 F 3d 220, 229-230 (3rd Cir 2001), 32
- Sue v Hill and Another (1999) 163 ALR 648, 40

- Swissbrough Diamond Mines *v* President of the Republic of South Africa (unreported), 82
- Texaco Overseas Petroleum Co and California Asiatic Oil Co *v* Libya (1977) 53 ILR 389; reprinted in (1978) 17 ILM 1, 209
- Thai-Europe Tapioca Service *v* Government of Pakistan [1975] 1 WLR 1485, 114
- The Monte Confurco Case (Seychelles *v* France) [2000] ITLOS Case No 2, 148
- The Pioneer Container [1994] 2 AC 324, 448
- The State *v* Ratu Timoci Silatolu and Josefa Nata, 26 March 2002, High Court of Fiji, Criminal action no misc HAM 002 (2002) (unreported), 49
- Timar *v* Republic of Hungry (unreported, Federal Court of Australia, 5 November 1999), 34
- Toben *v* Jones [2003] FCAFC 137; (2003) 199 ALR 1, 270
- Todhunter *v* Attorney-General (Cth) (1994) 52 FCR 228, 32
- Todhunter *v* United States of America (1995) 57 FCR 70, 13, 32
- Tomoya Kawakita *v* United States, 343 US 717, 72 S. Ct. 950 (1952), 45, 56
- Toonen *v* Australia Case No 488/1992 UN Doc CCPR/C/50/D/488/1992 (1994), 118, 302
- Trendtex Trading Corporation Ltd. *v* Central Bank of Nigeria [1977] QB 529, 156
- Truong *v* The Queen (2004) 205 ALR 72, 20, 22
- Turner *v* Grovit [2002] 1 WLR 107, 449
- United Mexican States *v* Cabal (2001) 209 CLR 165, 20, 32
- United States of America *v* Manno (1996) 112 CCC (3d) 544, 14
- Van Damme Case, NRC Handelsblad 5 January 2000, 82
- Verano claim 25 ILR 464, 86
- Volga Case (Russian Federation *v* Australia) ITLOS Case No 11, 23
- December 2002 (2003) 42 ILM 159, 8, 145, 147, 148, 153, 155, 157, 250
- Volga Case (Russian Federation *v* Australia), Prompt Release (2003) International Tribunal for the Law of the Sea Case No 11, 143, 144
- Von Wyl *v* Engeler [1998] 3 NZLR 416, 460
- Voth *v* Manildra Flour Mills Pty Ltd (1990) 171 CLR 538, 447, 450, 454
- Wentworth *v* Rogers (No 5) (1986) 6 NSWLR 534, 461
- Western Australia *v* Ward (2002) 113 CLR 1, 114
- Whyalla Refiners Pty Ltd *v* Grant Thornton (a firm) (2001) 182 ALR 274, 450
- Wiest *v* DPP (1988) 23 FCR 472, 7, 19
- Williams *v* Society of Lloyd's [1994] 1 VR 274, 448
- World Firefighters Games Brisbane *v* World Firefighters Games Western Australia Inc (2001) 161 FLR 355, 450
- Yoon *v* Young Dung Song (2000) 158 FLR 295, 461
- Zoeller *v* Federal Republic of Germany (1988) 19 FCR 64, 23
- Zoeller *v* Federal Republic of Germany (1989) 23 FCR 282, 13, 22, 23, 24