

Freedom of interstate trade and commerce

Commonwealth v Bank of New South Wales [1950] AC 235 - Bank Nationalisation Case, individual rights

Cole v Whitfield (1988) 165 CLR 360 - crayfish, economic free trade notion

Bath v Alston Holdings Pty Ltd (1988) 165 CLR 411 - tobacco, difference over use of Whitfield

Castlemaine Tooheys Ltd v South Australia (1990) - beer containers

Barley Marketing Board (NSW) v Norman (1990) 171 CLR 182 - State run marketing boards

Excise duties

Peterswald v Bartley (1904) 1 CLR 497 - base definition of excise

Matthews v Chicory Marketing Board (Vic) (1938) 60 CLR 263 - extended excise slightly

Parton v Milk Board (Vic) (1949) 80 CLR 229 - introduction of broad approach

Dennis Hotels Pty Ltd v Victoria (1960) 104 CLR 529 - criterion of liability

Bolton v Madsen (1963) 110 CLR 264 - broad approach, criterion of liability

Anderson's Pty Ltd v Victoria (1964) 111 CLR 353 - broad, reject criterion of liability

Dickenson's Arcade Pty Ltd v Tasmania (1974) 130 CLR 177 - franchise fee exceptions

Hematite Petroleum Pty Ltd v Victoria (1983) 151 CLR 599 - pipeline fees case, rejection of narrow view

Gosford Meats Pty Ltd v New South Wales (1985) 155 CLR 368

Ha v New South Wales (1997) 189 CLR 465 - adoption of broad view, franchise fee discussion

Taxation and grants

R v Barger (1908) 6 CLR 41 - taxes on agricultural machinery, before Engineers

Fairfax v Commissioner of Taxation (1965) 114 CLR 1 - superannuation, still a law about tax

State Chamber of Commerce and Industry v Commonwealth (the Second Fringe Benefits Tax Case) (1987) 163 CLR 329 - accept Kitto from Fairfax

Northern Suburbs General Cemetery Reserve Trust v Commonwealth (1993) 176 CLR 555 - training of employees

Air Caledonie v Commonwealth (1988) 165 CLR 462 - Migration Act amendments

Australian Tape Manufacturers Association Ltd v Commonwealth (1993) 176 CLR 480 -
compensate copyright owners, not going into public body

Luton v Lessels (2002) 210 CLR 333 - child support scheme

Airservices Australia v Canadian Airlines International Ltd (2000) 202 CLR 133 -
Compass airlines, relationship between fee and service

Harper v Minister for Sea Fisheries (1989) 168 CLR 314 - abalone

South Australia v Commonwealth (the First Uniform Tax Case) (1942) - 4 Acts relating
to tax

Victoria v Commonwealth (1957) (the Second Uniform Tax Case) (1957) 99 CLR 575 -
extensions to previous case

Attorney-General (Vic) (Ex rel Black) v Commonwealth (the DOGS case) (1981) 146
CLR 559 - religious schools, s116

Deputy Federal Commissioner of Taxation (NSW) v W R Moran Pty Ltd (1939) 61 CLR
735 - section 96 limited by section 99, wheat/flour

W R Moran Pty Ltd v Deputy Federal Commissioner of Taxation (NSW) [1940] AC 838
- Privy Council for previous case

P J Magennis Pty Ltd v Commonwealth (1949) 80 CLR 382 - acquisition of property

Pye v Renshaw (1951) 84 CLR 58 - as above

Incidental power, purpose and proportionality

Nationwide News Pty Ltd v Wills (1992) 177 CLR 1 - freedom of interstate intercourse,
political communication, proportionality, AIRC case

Leask v Commonwealth (1996) 187 CLR 579 - financial reporting, proportionality

Constitutional rights

Street v Queensland Bar Association (1989) 168 CLR 461

ACTV v Commonwealth (1992) 177 CLR 106

Lange v Australian Broadcasting Corporation (1997) 189 CLR 520 - NZ PM

Theophanous v Herald & Weekly Times Ltd (1994) 182 CLR 104

Stephens v West Australian Newspapers (1994) 182 CLR 211

ABC v Lenah Game Meats Pty Ltd (2001) 208 CLR 199

Coleman v Power (2004) 220 CLR 1 - Shopping centre accusing policy of being corrupt

Levy v Victoria (1997) 189 CLR 579

Leeth v Commonwealth (1992) 174 CLR 455 - non-parole periods, legal equality

Kruger v Commonwealth (1997) 190 CLR 1 - Stolen Generations

Polyukhovich v Commonwealth (1991) 172 CLR 501

Kable v Director of Public Prosecutions (NSW) (1996) 189 CLR 51 - detaining one individual

John Fairfax Publications Pty Ltd v Attorney-General (NSW) (2000) 181 ALR 694

Fardon v Attorney-General (Qld) (2004) 210 ALR 50 - separation of powers

Union Steamship Co of Australia Pty Ltd v King (1988) 166 CLR 1

Durham Holdings Pty Ltd v NSW (2001) 205 CLR 399

Judicial review; Engineers revisited

Marbury v. Madison (1803) 5 US (1 Cranch) 137 US case

Amalgamated Society of Engineers v Adelaide Steamship Co. Ltd. (Engineers' Case) (1920) 28 CLR 129

Victoria v Commonwealth (1971) (the Payroll Tax Case) (1971) 122 CLR 353 - application of Melbourne Corp, payroll tax affecting States

Intergovernmental immunity

Melbourne Corporation v Commonwealth (the State Banking Case) (1947) 74 CLR 31

Queensland Electricity Commission v Commonwealth (1985) 159 CLR 192 - Commonwealth intervening in electricity dispute, doctrine of rational discrimination

Re Australian Education Union (1995) 184 CLR 188 - AIRC hearing Victoria in particular

Victoria v Commonwealth (the Industrial Relations Act Case) (1996) 187 CLR 416

Austin v Commonwealth (2003) 215 CLR 185 - Judges in States, affecting structural integrity