

Wayde v New South Wales Rugby League Ltd (1985) 180 CLR 459

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Facts

- The NSW Rugby League's board decided at a 3 September 1984 meeting to reduce the number of competing clubs from 13 to 12 and refuse applications for entry from the Wests Football Club (Wests).
- Wayde, Wests' representative, obtained an order for restraining the League from implementing this decision on the grounds of oppression.
- The League appealed and won. Wayde appealed to the High Court.

Issues

- Was the League's decision oppressive?

Held

- No, it was not oppressive.
- The League's Articles of Association conferred the power to decide what clubs could compete.
- Mason ACJ, Wilson, Deane and Dawson JJ held that, given the special expertise and experience of the League's board, the bona fide and proper exercise of the power in pursuit of the purpose which that power was conferred and the caution which the Court needs to exercise in these kinds of applications, Wayde had to prove that the decision was oppressive.
- There was nothing to suggest unfairness save the inevitable prejudice and discrimination against Wests.

Full Text

The full text is available here: <https://jade.io/summary/mnc/1985/HCA/68>

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