



**IN THE FEDERAL CIRCUIT COURT  
OF AUSTRALIA  
AT BRISBANE**

**File No:** BRG151/2016

**AUSTRALIAN BUILDING AND CONSTRUCTION COMMISSIONER**  
Applicant

**FOREST MEIERS CONSTRUCTION PTY LTD ACN 159 535 574**  
First Respondent

**WILLIAM MUNRO**  
Second Respondent

**ORDER**

**BEFORE:** JUDGE JARRETT

**DATE:** 20 September 2019

**MADE AT:** BRISBANE

**APPEARANCES:** Mr Duffy of Queen's Counsel with Mr Mackie of Counsel  
appearing on behalf of the Applicant  
Mr Murdoch of Queen's Counsel appearing on behalf of the  
Respondents

**THE COURT ORDERS THAT:**

1. In respect of the first respondent's contravention of s.340 of the *Fair Work Act 2009* (Cth) the subject of declaration 1 made on 17 July, 2019 the first respondent pay a pecuniary penalty of \$32,000;
2. In respect of the first respondent's contravention of s.354 of the *Fair Work Act 2009* (Cth) the subject of declaration 2 made on 17 July, 2019 no pecuniary penalty be imposed upon the first respondent;
3. In respect of the second respondent's contravention of s.340 of the *Fair Work Act 2009* (Cth) the subject of declaration 3 made on 17 July, 2019 the second respondent pay a pecuniary penalty of \$3,000;
4. In respect of the second respondent's contravention of s.354 of the *Fair Work Act 2009* (Cth) the subject of declaration 4 made on 17 July, 2019 no pecuniary



penalty be imposed upon the second respondent;

5. The penalties imposed by orders (1) and (3) hereof be paid to the Commonwealth of Australia within twenty-eight (28) days of the date of these orders.

**By the Court**

**DATE ENTERED: 20 September, 2019**

*Adele Byrne*  
**Registrar**