



Federal Court of Australia

District Registry: Western Australia

Division: Fair Work

No: WAD360/2015

DIRECTOR OF THE FAIR WORK BUILDING INDUSTRY INSPECTORATE

Applicant

CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION and others named in
the schedule

Respondents

ORDER

JUDGE: JUSTICE BARKER

DATE OF ORDER: 29 July 2016

WHERE MADE: Perth

THE COURT ORDERS THAT:

1. The orders made on 26 July 2016 be reissued with an endorsement pursuant to R 41.06 of the *Federal Court Rules 2011* (Cth), as follows.

NOTICE UNDER RULE 41.06 OF THE FEDERAL COURT RULES 2011

TAKE NOTICE that you will be liable to imprisonment, sequestration of property or punishment for contempt if:

- (a) the order requires you to do an act or thing and you neglect or refuse to do the act or thing within the time specified in the order; or
- (b) the order requires you not to do an act or thing and you disobey the order.

THE COURT ORDERS THAT:

2. Pursuant to R 1.34 of the *Federal Court Rules 2011* (Cth), the requirement to serve this application on the 3rd, 6th, 7th, 8th, 11th, 12th, 14th, 21st, 34th, 38th, 40th, 44th, 49th and 50th respondents be dispensed with.



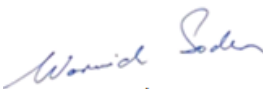
THE COURT DECLARES THAT:

3. The 3rd, 6th, 7th, 8th, 10th, 11th, 12th, 14th, 21st, 34th, 38th, 40th, 44th, 49th and 50th respondents contravened s 417(1)(a) of the *Fair Work Act 2009* (Cth), as alleged in [34] of the amended statement of claim filed 13 June 2016.

THE COURT FURTHER ORDERS THAT:

4. Pursuant to R 5.23(2)(c) of the *Federal Court Rules 2011* (Cth), judgment be entered in favour of the applicant against the 3rd, 6th, 7th, 8th, 10th, 11th, 12th, 14th, 21st, 34th, 38th, 40th, 44th, 49th and 50th respondents.
5. Pursuant to s 546(1) of the *Fair Work Act 2009* (Cth), there be a pecuniary penalty imposed on each of the 3rd, 6th, 7th, 8th, 10th, 11th, 12th, 14th, 21st, 34th, 38th, 40th, 44th, 49th and 50th respondents for contravening s 417(1)(a) of the *Fair Work Act 2009* (Cth) in the sum of \$1,000.
6. Pursuant to s 546(3)(a) of the *Fair Work Act 2009* (Cth), the pecuniary penalties be paid to the Commonwealth.

Date that entry is stamped: 29 July 2016


Registrar



Schedule

No: WAD360/2015

Federal Court of Australia
District Registry: Western Australia
Division: Fair Work

| | |
|--------------------------|-------------------|
| Second Respondent | JOSEPH MCDONALD |
| Third Respondent | TATE BRISLEY |
| Fifth Respondent | DONAL CRONIN |
| Sixth Respondent | MARK DRURY |
| Seventh Respondent | PAUL FOX |
| Eighth Respondent | DENIS LUCEY |
| Ninth Respondent | THOMAS HERANGI |
| Eleventh Respondent | PAUL STROTHER |
| Twelfth Respondent | KEN TAHA |
| Thirteenth Respondent | FILIP TEKATA |
| Fourteenth Respondent | ANDREW BOURNE |
| Fifteenth Respondent | RICHARD BECK |
| Sixteenth Respondent | PETER CUNNINGHAM |
| Seventeenth Respondent | MICHAEL DAMIR |
| Eighteenth Respondent | SIMEON GUILLORME |
| Nineteenth Respondent | MICHAEL HOGAN |
| Twentieth Respondent | NICHOLAS JEAKINGS |
| Twenty First Respondent | RODNEY LANE |
| Twenty Second Respondent | GRAHAM LAWRENCE |



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|---------------------------|---------------------|
| Twenty Third Respondent | CHRISTOPHER LAWLESS |
| Twenty Fourth Respondent | THOMAS MILLS |
| Twenty Fifth Respondent | SOREN SKODT |
| Twenty Sixth Respondent | GLENN ADAMS |
| Twenty Seventh Respondent | PAUL BROWN |
| Twenty Eighth Respondent | MURRAY RAMSDEN |
| Twenty Ninth Respondent | SCOTT WOLFENDEN |
| Thirtieth Respondent | DEAN ELLIOT |
| Thirty Second Respondent | RORY HOLMES |
| Thirty Third Respondent | AYDEN MULQUEEN |
| Thirty Fourth Respondent | DERMOT O'CONNEL |
| Thirty Fifth Respondent | DAVID TARPLETT |
| Thirty Sixth Respondent | ADAM WHITE |
| Thirty Seventh Respondent | GEOFFREY ANDERSON |
| Thirty Eighth Respondent | SHANE BURNS |
| Thirty Ninth Respondent | TRAVIS CHESTER |
| Fortieth Respondent | LUKE LADHAMS |



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|--------------------------|-------------------|
| Forty First Respondent | WAYNE MAHONY |
| Forty Second Respondent | ANDREW MCROBERT |
| Forty Third Respondent | MARC GIBSON |
| Forty Fourth Respondent | PHILIP PORTEOUS |
| Forty Fifth Respondent | SHANNON STAPLETON |
| Forty Sixth Respondent | JOHN SAUNDERS |
| Forty Seventh Respondent | MARK O'CONNELL |
| Forty Eighth Respondent | BARNY DONAHY |
| Forty Ninth Respondent | ZAC PORTEOUS |
| Fiftieth Respondent | ADAM CURTAYNE |
| Fifty First Respondent | JAMIE ERNST |
| Respondent | LEE SALISBURY |