



FARE COMMENT

CASE WATCH

Recently, in the decision of the District Court in *Anderson –v- Winston*, the motorist's appeal against his traffic conviction was allowed!

The motorist was charged with using a hand-held mobile phone and was found guilty by the Magistrate at first instance. It was alleged by police that the motorist had been pulled over for an RBT, and then used his mobile phone in the presence of the officer. He was found guilty as the police officer's evidence was accepted on this point.

The motorist appealed to the District Court. His appeal was upheld (successful), as the Judge found that the lower court ought to have found certain aspects of the police case "unsafe", and so there ought to have been reasonable doubt.

Unfortunately, the motorist did not get his costs!

BAILED UP?

QLD Government now says Bailee/Bailor agreements mandatory.

From 1 September 2011, it will be mandatory for all operators who do not employ drivers (i.e. those who bail drivers) to have a written agreement in place.

The minimum requirements are yet to be established.

For more information, contact us at **rb lawyers.**

INSURERS BECOME INCREASINGLY TOUGHER ON DEMURRAGE CLAIMS.

Our recent experience in dealing with the insurers is that they are scrutinizing demurrage claims more closely than ever.

We suspect this is to be expected in the light of the massive amount of money the insurers have had to hand out for all of the natural disasters that Queensland has endured over the last 12 months.

We strongly recommend you seek specialist representation to ensure you get what you are entitled to.

FUNNY: The law professor asks his students to tell him what beneficiaries should get in the division of a \$5,000,000 estate. One student replies:- "a lawyer" 😊



For a Better Result.....

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