

Findings against Cairns insurance business operators overturned on appeal

29 June 2012

Findings against the operators of a Cairns insurance business have been overturned on appeal.

Last year, the Federal Magistrates Court found that Queensland Marine and General Insurance Management Pty Ltd, Queensland Marine and General Insurance Brokers Pty Ltd and Brinsmead man Peter Ralph Martinuzzi - a director of the companies - had breached workplace laws in relation to underpayments of two workers.

It imposed penalties and issued back-payment orders.

On appeal, the Federal Court has now dismissed all allegations made by the Fair Work Ombudsman in this matter and overturned all of the Federal Magistrates Court's findings against the two companies and Mr Martinuzzi.

The Fair Work Ombudsman submitted that the Insurance Industry Award 1998, a pre-Modern Award, applied but the Federal Court ruled that it did not.

The Federal Court overturned all penalties and back-payment orders.

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