



FARE COMMENT

CASE WATCH

There are many, many circumstances where for a collision to occur, the law would say that both vehicles involved are at fault.

Determining the relative percentages can be a very difficult task, even for an experienced lawyer.

This is made quite evident by the recent decision of our Chief Justice in the case of McGee -v- RACQ Insurance. [2011]QCA 168.

This was an appeal about the apportionment of blame for a young boy who tried to “beat” a car across an intersection whilst riding a minibike.

His Honour said a judge has a “very wide discretion” regarding a decision on apportionment. It is necessary to take into account a number of factors, and in this case even the appellants QC was wrong in his summation of the case.

The moral: proper representation of your case will mean the difference between winning or losing where an apportionment is involved.

The Latest

Drivers and operators alike are reminded that if you lose your points whilst on a Good Behaviour Licence that your **ONLY** alternative is to apply for a *Special Hardship Order* in the Court.

For further information & advice, please contact Robert at rb lawyers.

INSURANCE COLUMNS

And so the fun and games continue with the insurance companies.

Have you read our blogs about the trials and tribulations of our merry pursuit of insurers?

If not, check out our website at www.rblawyers.com.au.

Our recent experience with the majority of insurers is that they just don't understand the law as it applies to motor vehicle accidents, especially demurrage claims. We have taken it upon ourselves to provide them with some “gentle persuasion” in such cases, just so they can receive an education. ☺

Are you one of their victims? Let us have the opportunity of teaching them about the law!

FUNNY:

Only lawyers and painters can change white to black!



For a Better Result.....

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