

Friday, 20 February 2008

### **ROGUE BUILDER GUILTY OF CONTEMPT**

An unlicensed builder, who continued to operate despite repeated warnings from the Office of Consumer and Business Affairs, was found guilty of contempt of the Supreme Court by Chief Justice John Doyle this week.

Maurice Robinson, of Port Augusta, was ordered to serve 10 days in gaol but was suspended on the condition that no further breaches were alleged within a year.

Minister for Consumer Affairs, Jennifer Rankine, said, "This decision is important because it re-enforces that flagrant and continued breaches of consumer laws will not be tolerated and should serve as a stern warning to unlicensed operators."

During 2005, OCBA commenced prosecution against Robinson in the Elizabeth Magistrates Court for unlicensed building work contrary to the *Building Work Contractors Act 1995* (the Act).

During the course of the prosecution proceedings Robinson was warned by OCBA that if he continued to perform unlicensed building work, OCBA would apply to the Supreme Court for an injunction restraining him from carrying on business as a building work contractor.

In May 2006, the Supreme Court granted an injunction restraining Robinson from:

- Placing any directory listing in any form of media, which represented that he was entitled to quote for or perform building work, including the construction of carports and verandas;
- Performing or entering into any agreement to perform, for fee or reward, building work within the meaning of the Act, including accepting deposits for building work, personally performing building work, causing building work to be performed or organising or arranging for the performance of building work;
- Holding himself out as being entitled to carry on business as a building work contractor, including providing quotes for building work within the meaning of the Act.

Prosecution proceedings resulted in Robinson being convicted by the Elizabeth Magistrates Court of 12 counts of breaching the Act. He was fined \$18 000 plus costs.

The day after he was convicted and fined, Robinson was detected quoting to supply and install a veranda and carport extension in breach of the injunction, leading to his prosecution for contempt of the Supreme Court.

The Chief Justice found that Robinson was well aware of the effect of the restrictions placed upon him by the injunction, and that this was a deliberate breach of the Supreme Court order.

People who have ordered a rainwater tank from Mr Robinson should contact OCBA on (08) 8204 9777.