



## Transcript of Proceedings

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State Reporting Bureau  
Date: 4 August, 2004

SUPREME COURT OF QUEENSLAND

CIVIL JURISDICTION

JONES J

Claim No 515 of 2003

MARK CHRISTOPHER MIDDAP

Plaintiff

and

SMART GROUP AUSTRALASIA PTY LTD

Defendant

and

COMMONWEALTH OF AUSTRALIA

First Third Party

and

GLANVILLE PTY LTD  
(ACN 079 095 560)

Second Third Party

CAIRNS

..DATE 02/08/2004

JUDGMENT

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HIS HONOUR: This is an application by the Commonwealth of Australia, the first third party in these proceedings, for the joinder of G A Glanville & Co (Naval Architects) Pty Ltd as a fourth party in the proceedings.

The claim by the plaintiff against the defendant appears to be a claim for personal injuries arising from a work-related incident. The joinder of the applicant here by the defendant appears to have been on some basis of contract which is not necessary to examine closely at this stage.

The applicant raises the question of contractual duties arising between it and the proposed fourth party which it claims includes an indemnity for claims of the kind which the action raises.

In those circumstances it seems to me appropriate to join as a fourth party G A Glanville & Co (Naval Architects) Pty Ltd. The application is made under rule 194 of the Uniform Civil Procedure Rules and the requirements of that rule appear to me to have been complied with.

I make orders in terms of the draft initialled by me and placed with the papers.

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