



**IN THE FEDERAL CIRCUIT COURT  
OF AUSTRALIA  
AT MELBOURNE**

**File No: MLG1223/2015**

**FAIR WORK OMBUDSMAN**  
Applicant

**MHONEY PTY LTD (A.C.N. 107 371 737)**  
First Respondent

**ABDULRAHMAN TALEB**  
Second Respondent

**ORDER**

**BEFORE:** JUDGE BURCHARDT

**DATE:** 31 July 2017

**MADE AT:** MELBOURNE

**UPON APPLICATION MADE TO THE COURT** by Ms Knowles of Counsel appearing for the Applicant and Ms Souki of Counsel appearing for the Respondents.

**THE COURT ORDERS BY CONSENT THAT:**

1. Pursuant to section 546(1) of the FW Act that the First Respondent pay pecuniary penalties of \$644,000 in respect of the contraventions set out in Declarations 1(a) to 1(m) of the Orders dated 12 December 2016 (as amended on 31 July 2017).
2. Pursuant to section 546(1) of the FW Act that the Second Respondent pay pecuniary penalties of \$16,020 in respect of the contraventions set out in Declarations 3(a) to 3(b) of the Orders dated 12 December 2016 (as amended on 31 July 2017).
3. Pursuant to section 546(3)(a) of the FW Act that the pecuniary penalties referred to in orders 1 and 2 above be paid to the Commonwealth within 7 days of the Court's orders.



4. Pursuant to section 546(3) of the FW Act that, in the event that the some or all of the amounts payable to Syed Jamal Udin Kazemi (**Employee**) in accordance with Order 4 of the Orders of 12 December 2016 (as amended on 31 July 2017) are not met, the Applicant may remit, at its discretion, the penalties paid to the Commonwealth to the Employee until his claim is met.
5. Pursuant to subsection 545(1) of the FW Act and/or section 545(2)(a) of the FW Act, that the Second Respondent is restrained from:
  - i. aiding, abetting, counselling or procuring; or
  - ii. being in any way directly or indirectly knowingly concerned in, conduct in respect of employees employed in the retail industry that contravenes the General Retail Industry Award 2010 and the National Employment Standards contained in Part 2-2 of the FW Act.
6. The Applicant have liberty to apply on seven days' notice in the event that any of the preceding orders are not complied with.

**By the Court**

  
Registrar

**DATE ENTERED: 31 July 2017**