

# Common law rights and NT Work Health Act

*Ni Chonchuir v MMI*  
Jonathan Nolan, Darwin

Appeal from decision of Judicial Registrar to strike out common law claim, on basis that Work Health Act prevented such actions.

Appearances: Jonathan Nolan for plaintiff (solicitor David Francis & Associates); Roussos for Defendant (MMI) (solicitor Cridlands)

Court: Chief Magistrate Ian Gray,

Local Court of the Northern Territory at Darwin

Held: tort in Parkes District Hospital case grounds common law claim based in obligation of Work Health insurer to act in good faith when dealing with worker under Work Health scheme, tort of misrepresentation as to opinion or intention soundest basis of such a claim.

Public interest and principles as set out by Badgery Parker J in *Gibson v Parkes District Hospital* case followed. ■

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