

## **Booker Industries v Wilson Parking (Qld) (1982) 149 CLR 600**

<http://lawcasesummarries.com/knowledge-base/booker-industries-v-wilson-parking-qld-1982-149-clr-600/>

### **Facts**

- Booker and Wilson entered into an agreement to rent a car park and service station.
- When they made the agreement, they were still trying to settle on a rent amount.
- The contract stipulated if they could not agree on a rent, then a 3rd party arbitrator would decide.
- They could not decide on a rental amount.
- Wilson tried to exercise this option but Booker said that the contract was unenforceable due to uncertainty - i.e. it was just an agreement to agree.

### **Issue**

- Was the agreement enforceable?

### **Held**

- The Court held that the agreement was enforceable.
- Had the agreement not specified a mechanism to resolve the issue, then it would have been unenforceable.
- However, because the parties had agreed on what to do if they could not agree, then the agreement was complete and therefore enforceable.

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Law case summary from [www.lawcasesummarries.com](http://www.lawcasesummarries.com)