

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *In the termination of the Lockyer Valley Regional Council Certified Agreement (Field Staff) 2012 - CA/2012/39 [2018] QIRC 102*

PARTIES: **Lockyer Valley Regional Council**

and

**Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland**

**The Australian Workers' Union of Employees, Queensland**

**The Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland**

**The Electrical Trades Union of Employees Queensland**

**Transport Workers' Union of Australia, Union of Employees (Queensland Branch)**

**United Voice, Industrial Union of Employees,**

CASE NO: CB/2018/97

PROCEEDING: Termination of agreement after nominal expiry date

DELIVERED ON: 3 August 2018

HEARING DATE: 3 August 2018

HEARD AT: Brisbane

MEMBER: Deputy President Bloomfield

ORDER: **1. The Lockyer Valley Regional Council Certified Agreement (Field Staff) 2012 - CA/2012/39 is terminated.**

CATCHWORDS: INDUSTRIAL LAW - APPLICATION TO TERMINATE CERTIFIED AGREEMENT - where application for termination of agreement after nominal expiry date - where requirements for termination

LEGISLATION: *Industrial Relations Act 2016, s 228*

APPEARANCES: Ms S. Mitanis for the Local Government Association of Queensland Ltd.

Mr J. Harding for The Australian Workers' Union of Employees, Queensland.

Mr S. Ong for United Voice, Industrial Union of Employees, Queensland (by email).

### **Reasons for Decision**

- [1] The Lockyer Valley Regional Council has applied to terminate the *Lockyer Valley Regional Council Certified Agreement (Field Staff) 2012 - CA/2012/39*, pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The certified agreement had a nominal expiry date of 22 July 2015.
- [3] On the basis that the agreement does not include any provisions recording that any particular conditions need to be met before it may be terminated;<sup>1</sup> that the Commission is satisfied that the Lockyer Valley Regional Council has given notice of its intention to apply to terminate the agreement;<sup>2</sup> that the other parties to the agreement agree to it being terminated;<sup>3</sup> and, that the termination of the determination is not contrary to the public interest;<sup>4</sup> the *Lockyer Valley Regional Council Certified Agreement (Field Staff) 2012 - CA/2012/39*, is terminated as from 3 August 2018.<sup>5</sup>
- [4] I make the following order:
- 1. The *Lockyer Valley Regional Council Certified Agreement (Field Staff) 2012 - CA/2012/39* is terminated.**

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<sup>1</sup> *Industrial Relations Act 2016* s 228(3).

<sup>2</sup> *Ibid* s 228(2).

<sup>3</sup> *Ibid* s 228(3)(b)(i).

<sup>4</sup> *Ibid* s 228(3)(b)(ii).

<sup>5</sup> *Ibid* s 228(4).