

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Blackall-Tambo Regional Council Enterprise Bargaining Agreement 2011-2014* [2018] QIRC 080

PARTIES: Blackall-Tambo Regional Council
and
Construction, Forestry, Mining & Energy,
Industrial Union of Employees, Queensland
The Australian Workers' Union of Employees,
Queensland
Queensland Services, Industrial Union of
Employees

CASE NO: CB/2018/60

PROCEEDING: Termination of an agreement

DELIVERED ON: 28 June 2018

HEARING DATE: 28 June 2018

HEARD AT: Brisbane

MEMBER: Deputy President O'Connor

ORDER: **1. The *Blackall-Tambo Regional Council Enterprise Bargaining Agreement 2011-2014* is terminated.**

CATCHWORDS: INDUSTRIAL LAW – COLLECTIVE BARGAINING – Application for termination of agreement after nominal expiry date – Requirements for termination – agreement terminated

LEGISLATION: *Industrial Relations Act 2016*, s 228

APPEARANCES:

Ms N Todd, for the Blackall-Tambo Regional Council

Ms M Robertson, for the Queensland Services, Industrial Union of Employees

Reasons for Decision

- [1] The Blackall-Tambo Regional Council has applied to terminate the *Blackall-Tambo Regional Council Enterprise Bargaining Agreement 2011-2014*, it does so pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The enterprise bargaining agreement had a nominal expiry date of 30 June 2014.
- [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;¹ that the Commission is satisfied that the Blackall-Tambo Regional Council has given notice of its intention to apply to terminate the agreement;² that the other parties to the agreement agree to it being terminated;³ and, that the termination of the agreement is not contrary to the public interest;⁴ the *Blackall-Tambo Regional Council Enterprise Bargaining Agreement 2011-2014* is terminated as from 28 June 2018.⁵
- [4] I make the following order:
- 1. The *Blackall-Tambo Regional Council Enterprise Bargaining Agreement 2011-2014* is terminated.**

¹ *Industrial Relations Act 2016* s 228(3).

² *Ibid* s 228(2).

³ *Ibid* s 228(3)(b)(i).

⁴ *Ibid* s 228(3)(b)(ii).

⁵ *Ibid* s 228(4).