

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *In the termination of the Fraser Coast Regional Council Certified Agreement 2015 - C/2015/5 and Wide Bay Water Corporation Certified Agreement 2015 - CA/2015/6 [2018] QIRC 092*

PARTIES: **Fraser Coast Regional Council**

and

**Queensland Services, Industrial Union of Employees**

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

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

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

CASE NO: CB/2018/77

PROCEEDING: Termination of agreements after nominal expiry date

DELIVERED ON: 12 July 2018

HEARING DATE: 4 July 2018

HEARD AT: Brisbane

MEMBER: Deputy President Bloomfield

ORDER: **1. The *Fraser Coast Regional Council Certified Agreement 2015 - C/2015/5* and *Wide Bay Water Corporation Certified Agreement 2015 - CA/2015/6* are terminated.**

CATCHWORDS: INDUSTRIAL LAW - APPLICATION TO TERMINATE CERTIFIED AGREEMENTS - 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 Fraser Coast Regional Council.
- Ms M. Robertson, Queensland Services, Industrial Union of Employees.
- Ms K. Fiedler, Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees.

### Reasons for Decision

- [1] The Fraser Coast Regional Council has applied to terminate the *Fraser Coast Regional Council Certified Agreement 2015 - C/2015/5* and *Wide Bay Water Corporation Certified Agreement 2015 - CA/2015/6*, pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The certified agreements had a nominal expiry date of 15 March 2018.
- [3] On the basis that the agreements do not include any provisions recording that any particular conditions need to be met before they may be terminated;<sup>1</sup> that the Commission is satisfied that the Fraser Coast Regional Council has given notice of its intention to apply to terminate the agreements;<sup>2</sup> that the other parties to the agreements agree to them being terminated;<sup>3</sup> and, that the termination of the determination is not contrary to the public interest;<sup>4</sup> the *Fraser Coast Regional Council Certified Agreement 2015 - C/2015/5* and *Wide Bay Water Corporation Certified Agreement 2015 - CA/2015/6*, are terminated as from 4 July 2018.<sup>5</sup>
- [4] I make the following order:
1. **The *Fraser Coast Regional Council Certified Agreement 2015 - C/2015/5* and *Wide Bay Water Corporation Certified Agreement 2015 - CA/2015/6* are 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).