

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;¹ that the Commission is satisfied that the Fraser Coast Regional Council has given notice of its intention to apply to terminate the agreements;² that the other parties to the agreements agree to them being terminated;³ and, that the termination of the determination is not contrary to the public interest;⁴ 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 2018.⁵
- [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.**

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).