

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *In the termination of the Barcoo Shire Local Government Employees' Certified Agreement 2012-2014 - CA/2013/4 [2018] QIRC 089*

PARTIES: **Barcoo Shire Council**  
and  
**The Australian Workers' Union of Employees, Queensland**  
**Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland**

CASE NO: CB/2018/86

PROCEEDING: Termination of agreement after nominal expiry date

DELIVERED ON: 5 July 2018

HEARING DATE: 4 July 2018

HEARD AT: Brisbane

MEMBER: Deputy President Bloomfield

ORDER: **1. *The Barcoo Shire Local Government Employees' Certified Agreement 2012-2014 - CA/2013/4 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 Barcoo Shire Council.

### Reasons for Decision

- [1] The Barcoo Shire Council has applied to terminate the *Barcoo Shire Local Government Employees' Certified Agreement 2012-2014 - CA/2013/4*, pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The certified agreement had a nominal expiry date of 31 December 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;<sup>1</sup> that the Commission is satisfied that the Barcoo Shire 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 *Barcoo Shire Local Government Employees' Certified Agreement 2012-2014 - CA/2013/4*, is terminated as from 4 July 2018.<sup>5</sup>
- [4] I make the following order:
- 1. The *Barcoo Shire Local Government Employees' Certified Agreement 2012-2014 - CA/2013/4* 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).