

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Central Highlands Regional Council Enterprise Bargaining Certified Agreement 2012-2015 - CA/2012/561*
[2018] QIRC 095

PARTIES: **Central Highlands Regional Council**

and

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

The Australian Workers' Union of Employees, Queensland

Queensland Services, Industrial Union of Employees

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

CASE NO: CB/2018/94

PROCEEDING: Termination of agreement after nominal expiry date

DELIVERED ON: 13 July 2018

HEARING DATE: 13 July 2018

HEARD AT: Brisbane

MEMBER: Deputy President Bloomfield

ORDER: **1. *The Central Highlands Regional Council Enterprise Bargaining Certified Agreement 2012-2015 - CA/2012/561 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: Mr J. Bradshaw for Central Highlands Regional Council.
- Ms M. Robertson for the Queensland Services, Industrial Union of Employees.
- Mr B. Watson for The Australian Workers' Union of Employees, Queensland (via email).
- Ms M. Cerrato for the Transport Workers' Union of Australia, Union of Employees (Queensland Branch) (via email).
- Mr J. Blundell-Thornton for the Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland.

Reasons for Decision

- [1] The Central Highlands Regional Council has applied to terminate the *Central Highlands Regional Council Enterprise Bargaining Certified Agreement 2012-2015 - CA/2012/561*, pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The certified agreement had a nominal expiry date of 30 June 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;¹ that the Commission is satisfied that the Central Highlands 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 determination is not contrary to the public interest;⁴ the *Central Highlands Regional Council Enterprise Bargaining Certified Agreement 2012-2015 - CA/2012/561*, is terminated as from 13 July 2018.⁵
- [4] I make the following order:

- 1. The *Central Highlands Regional Council Enterprise Bargaining Certified Agreement 2012-2015 - CA/2012/561* 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).