

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 2016 – s. 193 – certification of an agreement

Bundaberg Regional Council

AND

The Australian Workers' Union of Employees, Queensland

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

Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

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

The Electrical Trades Union of Employees Queensland

The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch,
Union of Employees

Queensland Services, Industrial Union of Employees

(Matter No. CB/2018/35)

BUNDABERG REGIONAL COUNCIL CERTIFIED AGREEMENT 2017

Certificate of Approval

On 4 May 2018 the Commission certified the attached written agreement in accordance with section 193 of the *Industrial Relations Act 2016*:

Name of Agreement: *Bundaberg Regional Council Certified Agreement 2017*

Parties to the Agreement:

- Bundaberg Regional Council
- The Australian Workers' Union of Employees, Queensland
- Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland
- Plumbers & Gasfitters Employees' Union Queensland, Union of Employees
- Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland
- The Electrical Trades Union of Employees Queensland
- The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees
- Queensland Services, Industrial Union of Employees

Operative Date: 4 May 2018

Nominal Expiry Date: 4 May 2021

Previous Agreement: *Bundaberg Regional Council Certified Agreement 2011 (CA/2011/340)*

**Termination Date of
Previous Agreement:** 4 May 2018

By the Commission

O'CONNOR DP

4 May 2018

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Murweh Shire Council Certified Agreement 2011 [2018] QIRC 057*

PARTIES: Murweh Shire Council
,
and
Queensland Services, Industrial Union of Employees

CASE NO: CB/2018/39

PROCEEDING: Termination of agreement after nominal expiry date

DELIVERED ON: 4 May 2018

HEARING DATE: 4 May 2018

HEARD AT: Brisbane

MEMBER: Deputy President O'Connor

ORDER: **1. *The Murweh Shire Council Certified Agreement 2011 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 of the Local Government Association of Queensland Ltd, for the Murweh Shire Council

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

Reasons for Decision

- [1] The Murweh Regional Council has applied to terminate the *Murweh Shire Council Certified Agreement 2011*, it does so pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The certified agreement had a nominal expiry date of 12 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;¹ that the Commission is satisfied that the Murweh Shire 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 *Murweh Shire Council Certified Agreement 2011* is terminated as from 4 May 2018.⁵
- [4] I make the following order:
- 1. The *Murweh Shire Council Certified Agreement 2011* 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).