

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Longreach Regional Council Certified Agreement 2012-2015 [2018] 139*

PARTIES: Longreach Regional Council
and
Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland
The Australian Workers' Union of Employees, Queensland
Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland
Queensland Services, Industrial Union of Employees
Transport Workers' Union of Australia, Union of Employees (Queensland Branch)

CASE NO: CB/2018/164

PROCEEDING: Termination of agreement after nominal expiry date

DELIVERED ON: 20 November 2018

HEARING DATE: 19 November 2018

HEARD AT: Brisbane

MEMBER: Deputy President O'Connor

ORDER: **1. The Longreach Regional Council Certified Agreement 2012-2015 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:

Mr K J M Hunt of Hunt HR Australia, for the Longreach Regional Council

Ms S Young and Mr A Santelises of The Australian Workers' Union of Employees, Queensland

Reasons for Decision

- [1] The Longreach Regional Council has applied to terminate the *Longreach Regional Council Certified Agreement 2012-2015*, it does so pursuant to s 228(1) of the *Industrial Relations Act 2016*. The certified agreement had a nominal expiry date of 1 July 2015.
- [2] 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 Longreach 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 *Longreach Regional Council Certified Agreement 2012-2015*, is terminated as from 19 November 2018.⁵
- [3] I make the following order:

1. The *Longreach Regional Council Certified Agreement 2012-2015* 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).