

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Balonne Shire Council Certified Agreement (Officers) 2012* [2018] QIRC 150

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

CASE NO: CB/2018/186

PROCEEDING: Termination of a certified agreement after nominal expiry date

DELIVERED ON: 17 December 2018

HEARING DATE: 17 December 2018

HEARD AT: Brisbane

MEMBER: Black IC

ORDER: **1. The *Balonne Shire Council Certified Agreement (Officers) 2012* is terminated.**

CATCHWORDS: INDUSTRIAL LAW – Application for termination after nominal expiry date – Requirements for termination – Agreement terminated

LEGISLATION: *Industrial Relations Act 2016*, s 228

APPEARANCES: Mr R Beer with Ms D Green for the Balonne Regional Council
Ms Michelle Robertson for the Queensland Services, Industrial Union of Employees

Reasons for Decision

- [1] The Balonne Shire Council has applied to terminate the *Balonne Shire Council Certified Agreement (Officers) 2012*. It does so pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The Agreement nominally expired on 28 June 2015 and the parties consent to its termination.

- [3] Having regard to the affidavit of Michelle Clark dated 7 December 2018; the exclusion from the agreement of any provisions recording that any particular conditions need to be met before it may be terminated; the Commission's satisfaction that the Council has given notice of its intention to apply to terminate the agreement; the agreement of the other party to the agreement to the termination of the agreement; and my view that the termination of the agreement is not contrary to the public interest; I have decided to terminate the *Balonne Shire Council Certified Agreement (Officers) 2012* with effect from 17 December 2018.
- [4] I make the following order:
1. ***The Balonne Shire Council Certified Agreement (Officers) 2012 is terminated.***