

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Richmond Shire Council Certified Agreement 2012-2013* [2019] QIRC 018

PARTIES: **Richmond Shire Council**

and

The Australian Workers' Union of Employees, Queensland

Queensland Services, Industrial Union of Employees

CASE NO: CB/2018/189

PROCEEDING: Termination of an agreement

DELIVERED ON: 18 January 2019

HEARING DATE: 18 January 2019

MEMBER: Thompson IC

HEARD AT: Brisbane

ORDER: **1. The *Richmond Shire Council Certified Agreement 2012-2013* 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 Peak Services for the Richmond Shire Council

Mr J. Harding of The Australian Workers' Union
of Employees, Queensland

Ms C. Raftos of Queensland Services, Industrial
Union of Employees

Reasons for Decision

- [1] The Richmond Shire Council has applied to terminate the *Richmond Shire Council Certified Agreement 2012-2013* (CA/2012/13), it does so pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The certified agreement had a nominal expiry date of 20 April 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 Richmond Shire Council have 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 agreement is not contrary to the public interest;⁴ the *Richmond Shire Council Certified Agreement 2012-2013* is terminated as and from 18 January 2019.⁵
- [4] I make the following order:
- 1. The *Richmond Shire Council Certified Agreement 2012-2013* 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).