

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).