

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *In the termination of the Townsville City Council (Queensland Local Government Officers) Certified Agreement 2012 [2018] QIRC 034*

PARTIES: Townsville City Council  
and  
The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees  
Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland  
Queensland Services, Industrial Union of Employees

CASE NO: CB/2018/5

PROCEEDING: Termination of an agreement

DELIVERED ON: 15 March 2018

HEARING DATE: 15 March 2018

HEARD AT: Brisbane

MEMBER: Deputy President O'Connor

ORDER: **1. *The Townsville City Council (Queensland Local Government Officers) Certified Agreement 2012 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 S. Coburn, for the Townsville City Council

Ms K. Fiedler, for the Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland

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

**Reasons for Decision**

- [1] The Townsville City Council has applied to terminate the *Townsville City Council (Queensland Local Government Officers) Certified Agreement 2012*, it does so pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The certified agreement had a nominal expiry date of 1 April 2015.
- [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;<sup>1</sup> that the Commission is satisfied that the Townsville City Council has given notice of its intention to apply to terminate the agreement;<sup>2</sup> that the other parties to the agreement agree to it being terminated;<sup>3</sup> and, that the termination of the determination is not contrary to the public interest;<sup>4</sup> the *Townsville City Council (Queensland Local Government Officers) Certified Agreement 2012* is terminated as from 15 March 2018.<sup>5</sup>
- [4] I make the following order:
- 1. The *Townsville City Council (Queensland Local Government Officers) Certified Agreement 2012* is terminated.**

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<sup>1</sup> *Industrial Relations Act 2016* s 228(3).

<sup>2</sup> *Ibid* s 228(2).

<sup>3</sup> *Ibid* s 228(3)(b)(i).

<sup>4</sup> *Ibid* s 228(3)(b)(ii).

<sup>5</sup> *Ibid* s 228(4).