

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Toowoomba Regional Council Number 2 Salaried Officers' Certified Agreement - CA/2012/526 [2018] QIRC 075*

PARTIES: **Toowoomba Regional Council**

and

The Australian Workers' Union of Employees, Queensland

Queensland Services, Industrial Union of Employees

The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees

CASE NO: CB/2018/72

PROCEEDING: Termination of agreement after nominal expiry date

DELIVERED ON: 18 June 2018

HEARING DATE: 18 June 2018

HEARD AT: Brisbane

MEMBER: Deputy President Bloomfield

ORDER: **1. *The Toowoomba Regional Council Number 2 Salaried Officers' Certified Agreement - CA/2012/526 is terminated.***

CATCHWORDS: INDUSTRIAL LAW - APPLICATION TO TERMINATE CERTIFIED AGREEMENT - where application for termination of agreement after nominal expiry date - where requirements for termination

LEGISLATION: *Industrial Relations Act 2016, s 228*

APPEARANCES: Ms S. Mitanis for the Toowoomba Regional Council.

Mr B Watson for The Australian Workers' Union
of Employees, Queensland.

Ms M. Robertson for the Queensland Services,
Industrial Union of Employees

Reasons for Decision

- [1] The Toowoomba Regional Council has applied to terminate the *Toowoomba Regional Council Number 2 Salaried Officers' Certified Agreement - CA/2012/526*, pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The certified agreement had a nominal expiry date of 17 September 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;¹ that the Commission is satisfied that the Toowoomba 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 *Toowoomba Regional Council Number 2 Salaried Officers' Certified Agreement - CA/2012/526*, is terminated as from 18 June 2018.⁵
- [4] I make the following order:
- 1. The *Toowoomba Regional Council Number 2 Salaried Officers' Certified Agreement - CA/2012/526* 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).