

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Sunshine Coast Council Salaried Officers Certified Agreement 2011 (No.2) [2018] QIRC 023*

PARTIES: Sunshine Coast Council
and
Association of Professional Engineers, Scientists and Managers, Queensland Branch Union of Employees
Queensland Services, Industrial Union of Employees

CASE NO: CB/2018/7

PROCEEDING: Termination of an agreement

DELIVERED ON: 07 March 2018

HEARING DATE: 06 March 2018

HEARD AT: Brisbane

MEMBER: Deputy President O'Connor

ORDER: **1. *The Sunshine Coast Council Salaried Officers Certified Agreement 2011 (No.2) 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: Mr P. Mulready for the Sunshine Coast Council
Ms K. J. Johnston for the Queensland Services, Industrial Union of employees

Reasons for Decision

- [1] The Sunshine Coast Council has applied to terminate the *Sunshine Coast Council Salaried Officers Certified Agreement 2011 (No.2)*, it does so pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The certified agreement had a nominal expiry date of 30 June 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 Sunshine Coast 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 *Sunshine Coast Council Salaried Officers Certified Agreement 2011 (No.2)* is terminated as from 6 March 2018.⁵
- [4] I make the following order:
- 1. The *Sunshine Coast Council Salaried Officers Certified Agreement 2011 (No.2)* 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).