

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *In the termination of the Central Highlands Regional Council Enterprise Bargaining Certified Agreement 2012-2015 - CA/2012/561*  
[2018] QIRC 095

PARTIES: **Central Highlands Regional Council**

and

**Transport Workers' Union of Australia, Union of Employees (Queensland Branch)**

**The Australian Workers' Union of Employees, Queensland**

**Queensland Services, Industrial Union of Employees**

**Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland**

CASE NO: CB/2018/94

PROCEEDING: Termination of agreement after nominal expiry date

DELIVERED ON: 13 July 2018

HEARING DATE: 13 July 2018

HEARD AT: Brisbane

MEMBER: Deputy President Bloomfield

ORDER: **1. *The Central Highlands Regional Council Enterprise Bargaining Certified Agreement 2012-2015 - CA/2012/561 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: Mr J. Bradshaw for Central Highlands Regional Council.
- Ms M. Robertson for the Queensland Services, Industrial Union of Employees.
- Mr B. Watson for The Australian Workers' Union of Employees, Queensland (via email).
- Ms M. Cerrato for the Transport Workers' Union of Australia, Union of Employees (Queensland Branch) (via email).
- Mr J. Blundell-Thornton for the Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland.

### Reasons for Decision

- [1] The Central Highlands Regional Council has applied to terminate the *Central Highlands Regional Council Enterprise Bargaining Certified Agreement 2012-2015 - CA/2012/561*, pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The certified agreement had a nominal expiry date of 30 June 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 Central Highlands Regional 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 *Central Highlands Regional Council Enterprise Bargaining Certified Agreement 2012-2015 - CA/2012/561*, is terminated as from 13 July 2018.<sup>5</sup>
- [4] I make the following order:

1. **The *Central Highlands Regional Council Enterprise Bargaining Certified Agreement 2012-2015 - CA/2012/561* 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).