

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the South Burnett Regional Council Certified Agreement - Officers 2011* [2020] QIRC 099

PARTIES: South Burnett Regional Council

v

Queensland Services Industrial Union of Employees

The Association of Professional Engineers, Scientists and Managers Australia

CASE NO: CB/2020/25

PROCEEDING: Termination of an agreement

DELIVERED ON: 6 July 2020

HEARING DATE: 6 July 2020

MEMBER: Pidgeon IC

HEARD AT: Brisbane

ORDER: **1. The South Burnett Regional Council Certified Agreement - Officers 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 (Qld) s 228*

APPEARANCES: Ms S Mitanis of LGAQ for the Applicant

Ms M Robertson of QSU for the Respondent.

Reasons for Decision

- [1] The South Burnett Regional Council has applied to terminate the *South Burnett Regional Council Certified Agreement - Officers 2011*. It does so pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The Agreement nominally expired on 15 March 2014 and the parties consent to its termination.
- [3] On the basis that the agreement does not include any provisions recording that any particularly conditions need to be met before it may be terminated;¹ that the Commission is satisfied that the South Burnett 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 agreement is not contrary to the public interest;⁴ the *South Burnett Regional Council Certified Agreement - Officers 2011* is terminated as from 6 July 2020.⁵
- [4] I make the following order: **The *South Burnett Regional Council Certified Agreement - Officers 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)