



Form 52 - Application for approval to engage in industrial action

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*Industrial Relations Act 2016, s 235**Industrial Relations (Tribunals) Rules 2011, r 179*

Information

- An employee organisation may use this form to seek approval from the Industrial Registrar to engage in proposed protected industrial action.
- Please read this form carefully and complete all relevant sections.
- Once your form has been processed, the Industrial Registry will contact you and provide you with a sealed copy of the application.
- For further information please contact the Industrial Registry on 1300 592 987 or email qirc.registry@qirc.qld.gov.au.

Application

This application is made pursuant to s 235 of the *Industrial Relations Act 2016*, for approval to engage in protected industrial action.

1. Applicant

Employee Organisation Name		
Title [please select]	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Miss <input type="checkbox"/> Mx <input type="checkbox"/> Other: _____	
Name of contact person		
Postal address		
	Suburb/Town	Postcode
Contact number		
Email address		

2. Negotiating Parties

Name of Employer		
Other negotiating parties names [if applicable]		

Signed: _____
[Signature of the deponent/substitute signatory]

Taken by: _____
[Signature of witness]

Justice of the Peace/Commissioner for Declarations/Lawyer

3. Proposed Bargaining Agreement

Name of proposed certified agreement/determination
[if known]

4. Current/Expired Certified Agreement

Name of current/expired certified agreement/determination
[if known]

5. Compliance with s 235(a) to (d) of the *Industrial Relations Act 2016*

5.1 I confirm that the employee organisation has provided its members likely to be engaged in the proposed industrial action with a process, approved by the Industrial Registrar, to express their democratic views about the industrial action.

I have attached a copy of the process approved by the Industrial Registrar AND a copy of the communication provided to members as Exhibits to this Application/Affidavit.

5.2 I confirm that the employee organisation has followed the whole process approved by the Industrial Registrar.

5.3 I confirm that the result was that a majority of employees expressed support for the industrial action.

I have attached all relevant supporting documentation as an Exhibit to this Application/Affidavit.

5.4 I confirm that those employees mentioned in 4.2 are members of the employee organisation.

5.5 I confirm that those employees will be covered by the proposed bargaining agreement subject of the industrial action.

5.6 I confirm that the proposed industrial action will not occur before the end of the nominal expiry date of any existing bargaining agreement or determination that will be replaced by the proposed bargaining agreement.

5.7 I confirm that the nominal expiry date of the existing bargaining agreement or determination is:

5.8 I confirm that the proposed industrial action will not occur during any peace obligation period for the proposed bargaining agreement.

5.9 I confirm that the peace obligation period commenced on:

5.10 I confirm that the peace obligation period ends on:

Signed: _____
[Signature of the deponent/substitute signatory]

Taken by: _____
[Signature of witness]
Justice of the Peace/Commissioner for Declarations/Lawyer

5. Further details of application

Please outline, in consecutively numbered paragraphs, the reasons you are making this application for approval and any further details of the proposed industrial action to support the application

☐ I have attached additional information in a schedule to this application

Signed: _____
[Signature of the deponent/substitute signatory]

Taken by: _____
[Signature of witness]
Justice of the Peace/Commissioner for Declarations/Lawyer

Further, I ☐ state on oath: **OR** ☐ do solemnly and sincerely affirm and declare, that:

The contents of this affidavit are true and correct. Where the contents of this affidavit are based on information and belief, the contents are true to the best of my knowledge and I have stated the source of that information and the grounds for the belief.

I understand that it is a criminal offence to provide a false matter in an affidavit, for example, the offence of perjury under the Criminal Code, section 123.

Deponent to complete [tick if applicable]:

- ☐ I electronically signed this affidavit.
- ☐ This affidavit was made in the form of an electronic document.
- ☐ This affidavit was made, signed and witnessed under part 6A of the *Oaths Act 1867*.

SWORN / AFFIRMED by	
Full name of deponent/ substitute signatory	
Signature of deponent/ substitute signatory	
Date	

BEFORE ME (Witness)	
Full name of witness	
Signature and type of witness	
	<input type="checkbox"/> Justice of the Peace <input type="checkbox"/> Commissioner for Declarations <input type="checkbox"/> Lawyer
Date	

Certificate:

Pursuant to s 55 of the *Industrial Relations (Tribunals) Rules 2011*:

- ☐ I certify that the affidavit was read in the presence of the deponent who seemed to understand it, and signified that that person made the affidavit.
- ☐ I certify that the affidavit was read in the presence of the deponent who seemed to understand it, and signified that that person made the affidavit, but was physically incapable of signing it.

Witness to complete [tick as applicable]:

If deponent is unable to sign the affidavit

- ☐ A substitute signatory signed for and at the direction of the deponent.

For special witnesses only:

- ☐ I am a special witness under the *Oaths Act 1867* (see section 12 of the *Oaths Act 1867*).
- ☐ I electronically signed this affidavit.
- ☐ This affidavit was made in the form of an electronic document.
- ☐ This affidavit was made, signed and witnessed under part 6A of the *Oaths Act 1867*.
- ☐ I understand the requirements for witnessing a document by audio visual link and have complied with those requirements.