

# QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the CITEC Certified Agreement 2023 [2026] QIRC 033*

PARTIES: **State of Queensland (Department of Customer Services, Open Data and Small and Family Business)**

AND

**Together Queensland, Industrial Union of Employees**

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

CASE NO: CB/2026/4

PROCEEDING: Termination of an agreement

DELIVERED ON: 11 February 2026

HEARING DATE: 11 February 2026

HEARD AT: Brisbane

MEMBER: Power IC

ORDER: **The *CITEC Certified Agreement 2023* is terminated.**

CATCHWORDS: INDUSTRIAL LAW – QUEENSLAND – AGREEMENTS – application for termination of agreement after nominal expiry date – requirements for termination – agreement terminated.

LEGISLATION: *Industrial Relations Act 2016* (Qld), ss 189 and 228

APPEARANCES: Ms L Volp and Ms A Marek for the State of Queensland (Department of Customer Services, Open Data and Small and Family Business).

Mr J Crittenden and Mr A Bellion for Together Queensland, Industrial Union of Employees (TQ)

Ms A Jack for The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees (APESMA)

### Reasons for Decision

- [1] On 30 January 2026, the State of Queensland (Department of Customer Services, Open Data and Small and Family Business) ('the Applicant') applied, pursuant to s 228(1) of the *Industrial Relations Act 2016* (Qld) ('the Act'), to terminate the *CITEC Certified Agreement 2023* ('the certified agreement').
- [2] The certified agreement has a nominal expiry date of 30 June 2025.
- [3] Section 228 of the Act provides:

#### **228 Termination after nominal expiry date**

- (1) After the nominal expiry date of a certified agreement or arbitration determination, the following persons may apply to the commission to terminate the agreement or determination—
  - (a) the employer;
  - (b) a valid majority of the relevant employees;
  - (c) an employee organisation to which the agreement or determination applies and that has at least 1 member who is a relevant employee.
- (2) The person who intends to apply to terminate the agreement or determination must give all other persons to whom the agreement or determination applies notice of the intention.
- (3) The commission must approve the termination if, and must refuse to approve the termination unless, satisfied subsection (2) has been complied with and—
  - (a) for an agreement or determination that provides that it may be terminated if particular conditions are met—the conditions have been met; or
  - (b) for an agreement or determination that does not provide for the way it may be terminated—
    - (i) the other parties to the agreement or determination agree to it being terminated; and
    - (ii) termination of the agreement or determination is not contrary to the public interest.
- (4) The termination takes effect when the commission's approval takes effect.

- [4] I have had regard to:

- (a) the submissions made by the parties who appeared today; and
- (b) the affidavit of Mr Chris Lamont, Director-General of the Applicant.

- [5] The certified agreement does not provide that particular conditions need to be met before it may be terminated.
- [6] I am satisfied that the Applicant has given the requisite notice of its intention to apply to terminate the certified agreement.
- [7] On 30 January 2026, the Applicant made an application, pursuant to s 189 of the Act, to certify the *Department of Customer Services, Open Data and Small and Family Business Certified Agreement 2025*.
- [8] The Applicant and the following employee organisations have agreed to the terms of the *Department of Customer Services, Open Data and Small and Family Business Certified Agreement 2025* which will replace the certified agreement:
- (a) Together Queensland, Industrial Union of Employees; and
  - (b) The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees
- [9] I am satisfied that:
- (a) all parties to the certified agreement agree to it being terminated; and
  - (b) the termination of the certified agreement is not contrary to the public interest.
- [10] Section 228(4) of the Act provides that termination takes effect when the Commission's approval takes effect.
- [11] I approve the termination of the *CITEC Certified Agreement 2023* with effect from 11 February 2026.

### **Order**

- [12] I make the following order:

- 1. The *CITEC Certified Agreement 2023* is terminated.**