

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1999 - s. 130 - review of awards

Queensland Institute of Medical Research (QIMR) Award 2003

AR/2013/6

VICE PRESIDENT LINNANE
DEPUTY PRESIDENT O'CONNOR
COMMISSIONER FISHER

6 August 2013

DECISION

- [1] When this Full Bench was dealing with the Corporations Awards the Industrial Registry received correspondence from Together Queensland, Industrial Organisation of Employees (Together Queensland) dated 22 May 2013 concerning the *Queensland Institute of Medical Research (QIMR) Award 2003* (Award). Together Queensland in that correspondence stated:

"Together Queensland, Industrial Union of Employees (Together) has taken the opportunity of considering the listing headed 'corporations awards'. Although on the surface the proposal to declare those awards obsolete is a practical outcome, Together is conscious of the fact that the Queensland government has alluded to instances where public service agencies may be de-corporatised and returned to the public sector.

The specifics of this are unclear; though it [sic] sufficiently concerning to Together to indicate to the full bench that the preferred course of action may not be to declare those instruments obsolete, but rather to allocate them to an alternate grouping of instruments to be reviewed at a later date. We do not envisage that this would be an inordinately lengthy review period.

Note should be made that this approach is not designed to cover all instruments reflected on the corporations' award's list. In this regard we identify the following award that we have an interest in - the Queensland Institute of Medical Research (QIMR) Award 2003."

- [2] On receipt of the correspondence the Full Bench removed the Award from the list of Corporation Awards which we declared obsolete on 31 May 2013 and left the Award to be dealt with separately.
- [3] At the hearing of this matter on 19 July 2013 the Public Service Commission opposed Together Queensland's application to have the Award retained. The Public Service Commission submitted that, currently, there was no intent on the part of the Queensland Government to de-corporatise the Queensland Institute of Medical Research. Thus it was submitted that there was no purpose or utility in the Commission retaining the *Queensland Institute of Medical Research Award 2003*.
- [4] The Full Bench has considered the matter and the submissions of Together Queensland and the Public Service Commission. The Full Bench accepts that it is the prerogative of the Queensland Government to de-corporatise a government owned corporation should it so desire. However, no evidence was before the Full Bench that would indicate that the Queensland Government has any intention at this time of de-corporatising the Queensland Institute of Medical Research. In those circumstances we consider that to keep the Award active will require resources of the Industrial Registry to be utilised when there is currently no need to retain the Award.
- [5] The decision of the Full Bench is to declare the *Queensland Institute of Medical Research (QIMR) Award 2003* obsolete as and from the date of this decision.
- [6] In so doing we acknowledge the concerns of Together Queensland and indicate to the parties that the Award will be kept by the Industrial Registrar, in its current form, on the Commission's website at www.qirc.qld.gov.au/agreement/award/awards/a/a_list.htm. This document together with the current Fair Work Commission award which currently applies to the Queensland Institute of Medical Research would thus be available to the parties should the need arise for employees of the Queensland Institute of Medical Research to once again be covered by an award of this Commission.

[7] The *Queensland Institute of Medical Research (QIMR) Award 2003* will become obsolete as and from 6 August 2013.

[8] Order accordingly

D.M. LINNANE, Vice President

D.L. O'CONNOR, Deputy President

G.K. FISHER, Commissioner

Hearing Details:

2013 July 19

Released: 6 August 2013

Appearances:

Ms D. Ralston for Together Queensland, Industrial Union of Employees.

Mr D. Crute for the Queensland Nurses Union of Employees.

Mr G. Wallace for the Public Service Commission.

Mr G. O'Donoghue for the Queensland Institute of Medical Research.