

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1999 - s. 699 - obsolete industrial instrument

Review of Superannuation Industrial Agreements and Enterprise Flexibility Agreements (IA/2007/1)

COMMISSIONER FISHER

11 July 2007

Industrial Relations Act 1999 - Review of Industrial Agreements - Superannuation and Enterprise Flexibility Agreements - Notice of review - Two objections filed - Superannuation and EFAs declared obsolete - One Superannuation Industrial Agreement remaining - Status of Agreement kept under review.

DECISION

As part of its statutory obligations to ensure the currency of industrial instruments the Queensland Industrial Relations Commission (QIRC) undertook a review in the first half of 2007 of the status of Industrial Agreements providing for occupational superannuation and Enterprise Flexibility Agreements (EFAs). Some Superannuation Industrial Agreements dated back to 1988 while EFAs commenced to be made in 1995.

All industrial organisations of employees and employers were notified in writing by the Industrial Registrar that, pursuant to s. 699 of the *Industrial Relations Act 1999*, all such agreements would be declared obsolete from 21 May 2007 unless notice was received by 30 April 2007 objecting to that action. To ensure that advice about the review was circulated to as many affected parties as possible, correspondence was forwarded to individual employers to an agreement where those employers could be identified and located. A notice advising of the review was also placed in the Queensland Government Industrial Gazette [(2007) 184 QGIG 111] on 2 March 2007. Organisations and employers were directed to the QIRC website where a list of all Superannuation Industrial Agreements and EFAs that the QIRC had registered was published.

The correspondence and the website outlined the process to be followed in the review. Several employers contacted the Commission to obtain a copy of the relevant industrial instrument in order to ascertain its currency in the workplace.

Although two organisations filed objection notices ultimately only one organisation proceeded with its objection. Accordingly, all Superannuation Industrial Agreements and EFAs, with the exception of the one for which the objection was received, have been declared obsolete. A list of the Superannuation Industrial Agreements which were declared obsolete appeared in (2007) 185 QGIG 115 and a list of the obsolete EFAs appeared in the same QGIG at page 124.

The remaining Superannuation Industrial Agreement is *Miscellaneous Workers Award - State - Department of Emergency Services QATB Superannuation - Industrial Agreement*. The Department of Emergency Services has advised that advice is being sought about the continued relevance of this agreement. The status of this agreement is being kept under review.

Order accordingly.

G.K. FISHER, Commissioner.

Released: 11 July 2007