

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Queensland Fire and Emergency Services – Determination 2013* [2017] QIRC 051

PARTIES: Queensland Fire and Emergency Services
and
United Firefighters' Union of Australia, Union of Employees, Queensland
and
Queensland Fire and Rescue – Senior Officers Union of Employees
and
Together Queensland, Industrial Union of Employees

CASE NO: CB/2017/15

PROCEEDING: Termination of certified agreement after nominal expiry date

DELIVERED ON: 1 June 2017

HEARING DATE: 31 May 2017

HEARD AT: Brisbane

MEMBER: Deputy President Bloomfield

ORDER: **The Application to terminate the *Queensland Fire and Emergency Services – Determination 2013* is granted.**

CATCHWORDS: Industrial Law – Application for termination after nominal expiry date – Requirements for termination.

CASES: *Industrial Relations Act 2016*, s 228.

APPEARANCES: Ms M. Swindells and Mr A. Short for Queensland Fire and Emergency Services.

Mr A. Cooke and Ms C. Trevascus for the United Firefighters' Union of Australia, Union of Employees, Queensland.

Mr R. Boniwell of the Queensland Fire and Rescue – Senior Officers Union of Employees.

Decision

- [1] An Application to terminate the *Queensland Fire and Emergency Services – Determination 2013* (the Agreement) has been made to the Commission by the Deputy Commissioner, Readiness and Response Service Division of Queensland Fire and Emergency Services pursuant to s 228(1)(a) of the *Industrial Relations Act 2016* (the Act).
- [2] The other parties to the Agreement, which nominally expired on 1 October 2016, consent to the Application for termination being granted.
- [3] On the basis that the Agreement does not include provisions recording that any particular conditions need to be met before it may be terminated (see s 228(3)(a) of the Act) and that the Commission is satisfied:
 - The Deputy Commissioner has given notice of his intention to apply to terminate the Agreement in accordance with s 228(2); and
 - that the other parties to the Agreement agree to it being terminated (see s 228(3)(b)(i)); and
 - that the termination of the Agreement is not contrary to the public interest (see s 228(3)(b)(ii)),the *Queensland Fire and Emergency Services – Determination 2013* is terminated as from 31 May 2017, the date on which the Commission approved the Application to terminate the Agreement (see s 228(4)).
- [4] I decide accordingly.