

## QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Townsville City Council (Trades Employees) Certified Agreement 2012 [2018] QIRC 030*

PARTIES: Townsville City Council  
and  
Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland  
Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland  
The Electrical Trades Union of Employees Queensland  
Plumbers & Gasfitters Employees Union Queensland, Union of Employees

CASE NO: CB/2018/1

PROCEEDING: Termination of an agreement

DELIVERED ON: 15 March 2018

HEARING DATE: 15 March 2018

HEARD AT: Brisbane

MEMBER: Deputy President O'Connor

ORDER: **1. *The Townsville City Council (Trades Employees) Certified Agreement 2012 is terminated.***

CATCHWORDS: INDUSTRIAL LAW – COLLECTIVE BARGAINING – Application for termination of agreement after nominal expiry date – Requirements for termination – agreement terminated

LEGISLATION:

*Industrial Relations Act 2016*, s 228

APPEARANCES:

Ms S. Coburn, for the Townsville City Council

Ms K. Fiedler, for Automotive, Metals,  
Engineering, Printing and Kindred Industries  
Industrial Union of Employees, Queensland

### **Reasons for Decision**

- [1] The Townsville City Council has applied to terminate the *Townsville City Council (Trades Employees) Certified Agreement 2012*, it does so pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The certified agreement had a nominal expiry date of 1 April 2015.
- [3] On the basis that the agreement does not include any provisions recording that any particular conditions need to be met before it may be terminated;<sup>1</sup> that the Commission is satisfied that the Townsville City Council has given notice of its intention to apply to terminate the agreement;<sup>2</sup> that the other parties to the agreement agree to it being terminated;<sup>3</sup> and, that the termination of the determination is not contrary to the public interest;<sup>4</sup> the *Townsville City Council (Trades Employees) Certified Agreement 2012* is terminated as from 15 March 2018.<sup>5</sup>
- [4] I make the following order:
- 1. The *Townsville City Council (Trades Employees) Certified Agreement 2012* is terminated.**

---

<sup>1</sup> *Industrial Relations Act 2016* s 228(3).

<sup>2</sup> *Ibid* s 228(2).

<sup>3</sup> *Ibid* s 228(3)(b)(i).

<sup>4</sup> *Ibid* s 228(3)(b)(ii).

<sup>5</sup> *Ibid* s 228(4).