

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Tourism and Events Queensland Certified Agreement 2019 [2023] QIRC 253*

PARTIES: **State of Queensland (Tourism and Events Queensland Employing Office)**

AND

Together Queensland, Industrial Union of Employees

CASE NO: CB/2023/82

PROCEEDING: Termination of an agreement

DELIVERED ON: 1 September 2023

HEARING DATE: 1 September 2023

MEMBER: Dwyer IC

HEARD AT: Brisbane

ORDER: ***The Tourism and Events Queensland Certified Agreement 2019 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 (Qld) s 228*

APPEARANCES: Dr. J Shingles and Ms. P Haripersad of Mapien and Ms. D Cuman of the State of Queensland (Tourism and Events Queensland Employing Office)

Mr. D Goldman for Together Queensland,
Industrial Union of Employees

Reasons for Decision

- [1] On 10 August 2023, the State of Queensland (Tourism and Events Queensland Employing Office) ('the Applicant') applied to terminate the *Tourism and Events Queensland Certified Agreement 2019* ('the certified agreement') pursuant to s 228(1) of the *Industrial Relations Act 2016* ('the Act').
- [2] The certified agreement had a nominal expiry date of 31 August 2022.
- [3] The application was filed in the Industrial Registry together with the affidavit of Ms Diana Cuman, People and Leadership Director of the Applicant, and a Form 50 – Notice of intention to terminate certified agreement or arbitration determination.
- [4] After having regard to the material filed in support of the application, I am satisfied that:
- a. the certified agreement does not include any provisions recording that any particular conditions need to be met before it may be terminated;¹
 - b. the Applicant has given notice of its intention to apply to terminate the certified agreement;²
 - c. all parties to the certified agreement agree to it being terminated;³ and
 - d. the termination of the certified agreement is not contrary to the public interest.⁴
- [5] I have had regard also to an application made by the Applicant to certify the *Tourism and Events Queensland Certified Agreement 2022*.⁵
- [6] Section 228(4) of the Act provides that termination takes effect when the Commission's approval takes effect. I approve the termination of the certified agreement with effect from 1 September 2023.
- [7] I make the following order:

The *Tourism and Events Queensland Certified Agreement 2019* is terminated.

¹ *Industrial Relations Act 2016* (Qld) s 228(3).

² *Ibid* s 228(2).

³ *Ibid* s 228(3)(b)(i).

⁴ *Ibid* s 228(3)(b)(ii).

⁵ Matter CB/2023/83 filed 10 August 2023.