

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the State Government Security Certified Agreement 2016* [2020] QIRC 129

PARTIES: **State of Queensland (Queensland Police Service)**
(Applicant)

v

Together Queensland, Industrial Union of Employees
(Respondent)

CASE NO: CB/2020/59

PROCEEDING: Application for termination after expiry date

DELIVERED ON: 25 August 2020

MEMBER: Hartigan IC

HEARD AT: On the papers

ORDER: **1. *The State Government Security Certified Agreement 2016* 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, s 952ZB

Reasons for Decision

- [1] On 19 August 2020, the State of Queensland (Queensland Police Service) ("the Service") applied, pursuant to s 228(1)(a)¹ of the *Industrial Relations Act 2016* ("the Act"), to terminate the *State Government Security Certified Agreement 2016* ("the certified agreement").
- [2] The certified agreement has a nominal expiry date of 30 April 2019.
- [3] The application was filed in the Industrial Registry on 19 August 2020, together with an affidavit in support of Cameron Martin Hurren, an appointed agent for the Commissioner of the Service, and a notice of intention to terminate a certified agreement.
- [4] Having regard to the material relied upon in support of the application, I have concluded that the certified agreement does not include any provisions recording that any particular conditions need to be met before it may be terminated;² I am satisfied that the Service has given notice of its intention to apply to terminate the certified agreement;³ that the other parties to the certified agreement agree to it being terminated;⁴ and, that the termination of the certified agreement is not contrary to the public interest;⁵ the *State Government Security Certified Agreement 2016* is terminated as and from 25 August 2020.⁶
- [5] I make the following order:

1. **The *State Government Security Certified Agreement 2016* is terminated.**

¹ This application is made by the employer in accordance with recent amendments to the Act, introduced by Chapter 15A, specifically s 952ZB of the Act.

² See s 228(3) of the Act.

³ Ibid s 228(2).

⁴ Ibid ss 228(3)(b)(i) and 952ZB(2).

⁵ Ibid s 228(3)(b)(ii).

⁶ Ibid s 228(4).