

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *Application by AgForce Queensland Industrial Union of Employers [2020] QIRC 025*

PARTIES: **AgForce Queensland Industrial Union of Employers**
(Applicant)

CASE NO: RIO/2019/279

PROCEEDING: Application for deregistration

DELIVERED ON: 14 February 2020

HEARING DATE: 14 February 2020

MEMBERS: O'Connor VP
Pidgeon IC
Dwyer IC

HEARD AT: Brisbane

ORDERS: **1. That Agforce Queensland Industrial Union of Employers is deregistered; and**
2. That any money standing to the credit of the organisation, the subject of this Application, be transferred to Agforce Queensland Farmers Limited.

CATCHWORDS: INDUSTRIAL LAW – QUEENSLAND – INDUSTRIAL ORGANISATIONS – DEREGISTRATION OF AN ORGANISATION – where the applicant union sought deregistration orders – whether all necessary requirements had been met for deregistration

LEGISLATION: *Industrial Relations Act 2016 (Qld) s 878*

APPEARANCES:

Mr W Turner and Mr B Cameron for the
Applicant

Reasons for Decision

- [1] Agforce Queensland Industrial Union of Employers has filed an application pursuant to s 879 of the *Industrial Relations Act* 2016 for an order deregistering that union. The application is made pursuant to s 878(d)(iv) of the Act which provides:

The full bench may order the deregistration of an organisation (a *deregistration order*) on any of the following grounds —

(d) the organisation's rules—

(iv) provide for the organisation to end on the happening of an event and the event has happened;

- [2] Relevantly, the Applicant's rules provide that if at any general meeting a resolution for the dissolution of the Association is passed by a two-thirds majority of the voting members then the Association will be dissolved.
- [3] In circumstances where the resolution was passed for a dissolution, the Association's rules provide for the transfer of surplus assets to be given to another entity, in this case, "Agforce Queensland Farmers Limited".
- [4] At the Annual General Meeting held on 20 November 2018 it was unanimously resolved to deregister the organisation in accordance with its rules and for this application to be made to the Commission.
- [5] The resolution carried on 20 November 2018 constituted the happening of an "event" for the purposes of s878(d)(iv) of the Act.
- [6] The Full Bench is satisfied that all necessary procedural requirements have been made out and we are satisfied it is appropriate to make a deregistration order.

Orders

1. **That Agforce Queensland Industrial Union of Employers is deregistered;
and**
2. **That any money standing to the credit of the organisation, the subject of this Application, be transferred to Agforce Queensland Farmers Limited.**