

FAIR WORK COMMISSION

Form F24B – Application for termination of an enterprise agreement after the nominal expiry date

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[Fair Work Act 2009](#), s.225; [Fair Work Commission Rules 2013](#), rule 26 and Schedule 1

This is an application to the Fair Work Commission for termination of an enterprise agreement under Part 2-4 of the [Fair Work Act 2009](#).

The Applicant



These are the details of the employer, employee or employee organisation that is making the application.

Legal name of Applicant	Cambridge Clothing Pty Ltd		
Applicant's ACN (if a company)	613 716 635		
Applicant's trading name or registered business name (if applicable)			
Applicant's ABN (if applicable)	23 613 716 635		
Contact person	David Willett		
Postal address	37 Smith Street		
Suburb	Fitzroy		
State or territory	VIC	Postcode	3065
Phone number	0429 607 087	Fax number	n/a
Email address	DavidW@cambridgeclothing.com		

What is the Applicant?

- An employer covered by the agreement
- An employee organisation (union) covered by the agreement
- An employee covered by the agreement

Does the Applicant have a representative?

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A representative is a person or organisation who is representing the Applicant. There is no requirement to have a representative.

Yes – Provide representative’s details below

No

Applicant’s representative



These are the details of the person or organisation who is representing the Applicant (if any).

Name of person	Sandra Barry		
Firm, organisation or company	Talbot Sayer Lawyers		
Postal address	GPO Box 799		
Suburb	Brisbane		
State or territory	QLD	Postcode	4001
Phone number	+61 7 3160 2900	Fax number	n/a
Email address	sandra.barry@talbotsayer.com.au		
Is the representative a lawyer or paid agent?			
<input checked="" type="checkbox"/> Yes			
<input type="checkbox"/> No			

1. The agreement

1.1 What kind of agreement is the enterprise agreement that is proposed to be terminated?

A single enterprise agreement

A multi-enterprise agreement

1.2 What is the name of the agreement?



Write the name exactly as it appears in the title clause of the agreement and include the Agreement ID/Code Number if known.

Cambridge Clothing Company Enterprise Agreement (2014)

AG2015/1943

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1.3 What is the nominal expiry date of the agreement and the number of the clause that specifies that date?

Nominal expiry date	8 April 2019
Clause number	21.1

2. The employer(s)

2.1 How many employers are covered by the agreement?

Number of employers	1
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2.2 What is the industry of the employer or employers covered by the agreement?

General retail industry

2.3 Is the Applicant the employer or one of the employers covered by the agreement?

Yes – Provide the details of any other employers covered by the agreement below.

No – Provide the details of all employers covered by the agreement below.

Legal name of employer			
Employer's ACN (if a company)			
Employer's trading name or registered business name (if applicable)			
Employer's ABN			
Contact person			
Postal address			
Suburb			
State or territory		Postcode	
Phone number		Fax number	
Email address			

Attach additional pages if necessary

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2.4 Are any of the employers identified in question 2.3 covered by the agreement as the result of a transfer of business?



See ss.310 to 313 of the [Fair Work Act 2009](#) for when the transfer of business from one employer to another means the new employer is covered by an enterprise agreement.

Yes

No

If you answered **Yes** – Provide the details below:

1. Cambridge Clothing Company Limited (company number 43234) (**CCCL**) was formed in the 1930s and operated in New Zealand.
2. CCCL later expanded to Australia and its Australian operations were conducted by a foreign branch.
3. CCCL bargained the enterprise agreement the subject of this application: *Cambridge Clothing Company Enterprise Agreement (2014) AG2015/1943 (2014 EA)*.
4. The 2014 EA covered CCCL and all retail employees employed by CCCL who performed work in Australia in the classifications set out in the 2014 EA.
5. In around 2016, CCCL restructured its operations and renamed the entity to Cambridge Lane Property Limited (company number 43234).
6. As part of this restructure, Cambridge Clothing Limited (Company number 5976467) (**CCL**) was established as the New Zealand operating entity and Cambridge Clothing Pty Ltd ACN 613 716 635 was established as the Australian operating entity (**CCPL**) (the Applicant for this application).
7. CCPL operates in Australia as a wholly owned subsidiary of CCL.
8. CCPL was not initially covered by the 2014 EA. As part of the restructure, a number of Australian employees employed in Australia transferred from CCCL to CCPL and were transferring employees for the purposes of the *Fair Work Act 2009 (Cth) (FWA)*.
9. As such, the transferring employees continued to be covered by the 2014 EA.
10. In 2016, CCPL submitted an application to the Fair Work Commission (**FWC**) for an order to extend coverage of the 2014 EA to apply to CCPL and non-transferring employees.
11. On 2 September 2016, the FWC in its decision *Cambridge Clothing Pty Ltd T/A Cambridge Clothing (AG2016/5229) [2016] FWC 6091* approved CCPL's application and expanded the coverage of the 2014 EA to CCPL and non-transferring employees engaged by CCPL, including the initial transferring employees.
12. CCCL, which had been renamed to Cambridge Lane Property Limited (company number 43234), was wound up on 17 July 2019.
13. CCPL, as the employer covered by the 2014 EA, makes this application to terminate the 2014 EA.

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3. Employee organisations

3.1 Are there any employee organisations (unions) covered by the agreement?

Yes

No

If you answered **Yes** – Provide the details of the employee organisation(s) below:

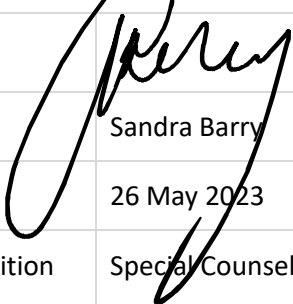
Name of organisation			
Contact person			
Postal address			
Suburb			
State or territory		Postcode	
Phone number		Fax number	
Email address			

Attach additional pages if necessary

Signature



If you are completing this form electronically and you do not have an electronic signature you can attach, it is sufficient to type your name in the signature field. You must still complete all the fields below.

Signature	
Name	Sandra Barry
Date	26 May 2023
Capacity/Position	Special Counsel at Talbot Sayer Lawyers Authorised to sign on behalf of Cambridge Clothing Pty Ltd as their legal representative



If you are not the Applicant and are completing and signing this form on the Applicant's behalf, include an explanation of your authority to do so in the **Capacity/Position** section above.

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS