

6 September 2018

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President
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Your reference:
Our reference:
2808338

Your Honour

**4 Yearly Review of modern awards
Broadcasting, Recorded Entertainment and Cinemas Award 2010
Casual employment and part-time employment AM2014/196 and AM2014/197**

We act for:

- Birch Carroll and Coyle Limited
- The Hoyts Corporation Pty Limited
- The Greater Union Organisation Pty Limited
- Village Cinemas Limited
- Independent Cinemas Association of Australia and its employer members

Our clients employ the overwhelming majority of employees in the cinema exhibition industry.

On behalf of our clients we have participated in 4 Yearly Review proceedings in respect of the Broadcasting, Recorded Entertainment and Cinemas Award 2010 (**BREC Award**) (AM2014/259), principally in conferences before Senior Deputy President Hamberger. We have also represented these clients in other 4 Yearly Review Full Bench proceedings.

Our clients have now considered the Draft Determination in respect of the BREC Award in proceedings AM2014/196 and AM2014/197 and believe there may be a fundamental inconsistency between proposed clause 10.2 – Right to request casual conversion and the part-time provisions for cinema employees in both the current BREC Award (Part 9) and the Exposure Draft (republished 23 March 2018) (Part 10).

We are instructed that, due to our clients comprising a large number of employers, the time required to communicate with all of them, the potentially significant impact of the proposed clause 10.2 and its apparent inconsistency with the part-time provisions for cinema employees resolved before SDP Hamberger and then placed in the current Exposure Draft of the BREC Award, our clients respectfully request an extension until

APAC-#74764784-v1

5 September 2018

Friday, 14 September 2018 to provide submissions as required at paragraph 33 of the Full Bench decision of 9 August 2018.

Yours faithfully



Michael Serong
Consultant
Norton Rose Fulbright Australia