

2 November 2022

**C2019/5259 Review of C14 Rates in modern awards**

1. First IR Law Pty Ltd makes these submissions following the mention before Ross J conducted on 2 November 2022. These submissions are in support of an application that the Travelling Shows Award 2020 be excluded from this review.
2. This application has been made in light of the following circumstances;
  - a. On 5 September 2022 Hampton C provided a report to the Full Bench<sup>1</sup>. In this report the Commissioner at [20] noted that there was no issue identified by relevant unions with respect to the *Cement, Lime and Quarrying Award 2020*, the *Oil Refining and Manufacturing Award 2020* and the *Air Pilots Award 2020*.
  - b. On 6 October 2022 the Full Bench published a statement<sup>2</sup>(**Statement**). This statement provided a provisional view of the Full Bench at [28] that as there was apparently no agitation for change, and no proposal to vary the three awards referred to above, that these awards would be excluded from the review.
  - c. The Full Bench Statement provided directions for any comments in relation to any party seeking a change to any of the awards subject to this review. This includes the Travelling Shows Award 2020.
  - d. No party made any proposal to vary the terms of the Travelling Shows Award 2020 in line with these directions. As Attachment A to the Statement makes clear, no party at any time since this matter commenced has made a proposal to vary the terms of the Travelling Shows Award 2020.
  - e. At the mention before Ross J of 2 November 2022, the provisional view of the Full Bench as expressed in the Statement at [28] was confirmed, and those three awards will be excluded from this process.
3. We submit that in light of the lack of any proposal by any party to vary the Travelling Shows Award 2020, that this award should also be excluded from this review.

If it pleases the Commission.

Yours Sincerely,



Daniel Houlihan  
First IR Law Pty Ltd

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<sup>1</sup> [2022] FWC 2239

<sup>2</sup> [2022] FWC FB 183