

**Senate Standing Committee on Education Employment and Workplace
Relations**

**QUESTIONS ON NOTICE
Budget Estimates 2012-2013**

Agency - Fair Work Australia

DEEWR Question No. EW0021_13

Senator Abetz provided in writing.

Question

FWA - enterprise agreements

How many enterprise agreements have not been approved by Fair Work Australia since its inception? a. Please provide a breakdown as to why each agreement was not approved, advising the year.

Answer

Fair Work Australia has provided the following response:

Please see below table, setting out the number of agreements that have not been approved since Fair Work Australia's inception on 1 July 2009, broken down by reason the agreement was not approved and year.

Reason for refusal	Lodged Between 1 July 2009 and 30 June 2010	Lodged Between 1 July 2010 and 30 June 2011	Lodged Between 1 July 2011 and 30 June 2012	Lodged Between 1 July 2009 and 30 June 2012
s186 (2) (a) Not a Genuine Agreement	54	61	31	146
s186 (2) (c) Contravenes NES	0	1	5	6
s186 (2) (d) Does not meet NDT/BOOT	72	36	32	140
s186 (4) Contains Unlawful Term	0	1	0	1
s186 (5) Does not meet Nominal Expiry Date requirements	1	2	0	3
s186 (6) Agreement does not provide a procedure to settle disputes etc	2	1	0	3
s185 (2) Incomplete Declaration accompanying application	0	1	5	6
s185 (3) Lodged outside 14 days	6	16	7	29
s172 Not an Agreement	2	7	1	10
Lodged in Error	2	0	1	3
Unclear	0	0	1	1
Total	139	126	83	348