



About the F24B application form

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

About the termination of enterprise agreements

Under the [Fair Work Act 2009](#), agreements continue to operate after their nominal expiry date until they are replaced or terminated by application to the Fair Work Commission (the Commission).

Employers and their employees may agree to terminate an enterprise agreement before or after its nominal expiry date. An enterprise agreement may also be terminated by the Commission without agreement after its nominal expiry date has passed.

For information about the process that employers and employees must follow to terminate an enterprise agreement see the Terminate an agreement page on the Commission's website.

Who can use this form

Use this form if:

- you are an employer, employee or an employee organisation that is covered by an enterprise agreement (or you are completing this form for an employer, employee or employee organisation) **and**
- the enterprise agreement has passed its nominal expiry date **and**
- you are applying for termination of the enterprise agreement under section 225 of the [Fair Work Act 2009](#).

Note: If you are applying for approval of a termination that has been agreed to in accordance with section 221 of the [Fair Work Act 2009](#) – complete Form F24 instead of this form.

Lodgment and service of your completed form

1. You must **lodge** with the Commission:

- ☐ This form.
- ☐ A Form F24C – Declaration in relation to termination of an enterprise agreement after the nominal expiry date.
- ☐ Any guarantee of termination entitlements given to the Commission in relation to termination of the agreement.

You can lodge:

- by email to lodge@fwc.gov.au, or
- by post or in person at the [Commission's office](#) in your state or territory.

2. **As soon as practicable** after lodging, you must **serve** a copy of all documents lodged with the Commission on:

- each employer covered by the agreement, and
- each employee organisation covered by the agreement.

You can serve documents several ways, including by email, express post and registered post.

Note: Each employee, employer or employee organisation that is covered by the agreement and wants to advise the Commission of its views on the termination can lodge a Form F24D declaration with the Commission. The Form F24D declaration must be lodged **before the Commission approves the termination** of the agreement. The person making the declaration must also serve a copy on each employer and employee organisation covered by the agreement.

Where to get help

Commission staff & resources

Commission staff cannot provide legal advice. However, staff can give you information on:

- Commission processes
- how to make an application to the Commission
- how to fill out forms
- where to find useful documents such as legislation and decisions
- other organisations that may be able to assist you.

The Commission's website www.fwc.gov.au also contains a range of information that may assist.

Throughout this form



This icon appears throughout the form. It indicates information to help you complete the form.

Legal or other representation

Representation is where another person (such as a lawyer or paid agent, or an employee of an employer or employee organisation) speaks or acts on a person's behalf, or assists a person in certain other ways in relation to a matter before the Commission. There is no requirement to be represented at the Commission.

There are some restrictions on representation by a lawyer or paid agent.

Generally, a person must give notice to the Commission (by lodging a Form F53 – Notice that a person: (a) has a lawyer or paid agent; or (b) will seek permission for a lawyer or paid agent to participate in a conference or hearing) and seek permission from the Commission Member dealing with the matter if they wish to have a lawyer or paid agent represent them by participating in a conference or a hearing.

Apart from participating in a conference or hearing, a person's lawyer or paid agent can represent them without permission, unless the Commission decides otherwise. For example, the lawyer or paid agent can prepare and lodge written applications, responses and submissions with the Commission,

and communicate in writing with the Commission and other parties to the matter on the person's behalf.

The requirement to give notice and seek permission for a lawyer or paid agent to participate in a conference or hearing, does not apply if the lawyer or paid agent is:

- an employee or officer of the person **or**
- a bargaining representative that is representing the person **or**
- an employee or officer of an employee or employer organisation, or an association of employers or a peak council, that is representing the person.

Rule 13(2) of the [Fair Work Commission Rules 2024](#) sets out further exceptions to the requirement to give notice and seek permission.

For more information about representation by lawyers and paid agents, see section 596 of the [Fair Work Act 2009](#), rules 11, 12, 13 and 14 of the [Fair Work Commission Rules 2024](#) and the Commission's [practice note on representation by lawyers and paid agents](#).

Glossary of common terms

Applicant – This is the person or organisation that is making the application.

Lawyer – This is a person who is admitted to the legal profession by a Supreme Court of a State or Territory.

Paid agent – In relation to a matter before the Commission, is an agent (other than a bargaining representative) who charges or receives a fee to represent a person in the matter.

Party – A party is an Applicant, a Respondent or another person or organisation involved in a matter or case that is brought to the Commission.

Respondent – The person or organisation responding to an application made by an Applicant.

Service – Serving a document means giving a copy of the document to a person or organisation, usually to the other party to the matter. You can serve a document in a number of ways, including by email, express or registered post, or in person. Part 5 of Chapter 1 and Schedule 1 of the [Fair Work Commission Rules 2024](#) deal with service.

Privacy

The Commission collects the information (including personal information) provided to it in this form in order to deal with the application for termination of the agreement. The information will be included on the case file, and the Commission may disclose this information to the other parties to this matter and to other persons. For more details of the Commission's collection, use and disclosure of this information, please see the [Privacy notice](#) for this form, or ask for a hard copy to be provided to you.



Remove this cover sheet and keep it for future reference – it contains useful information.

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

[Fair Work Act 2009](#), s.225; [Fair Work Commission Rules 2024](#), rule 46 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			
Applicant's ACN (if a company)			
Applicant's trading name or registered business name (if applicable)			
Applicant's ABN (if applicable)			
Contact person			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address			

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?



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			
Firm, organisation or company			
Representative's ABN (if applicable)			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address			
Is the representative a lawyer or paid agent?			
☐ Yes – please select	☐ Lawyer ☐ Paid agent		
☐ 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.

--

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

Nominal expiry date	
Clause number	

2. The employer(s)**2.1 How many employers are covered by the agreement?**

Number of employers	
---------------------	--

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

--

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			
Email address			

Attach additional pages if necessary

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:

--

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			
Email address			

Attach additional pages if necessary

Authority to sign and signature



For 'Authority to sign':

- If you are the Applicant—insert 'Applicant'
- If you are an employee of a company or organisation that is the Applicant—insert your position title
- If you are an officer or authorised employee of an employee organisation that is the Applicant—insert your position title
- If you are the Applicant's representative and have provided your details in this form—insert 'Representative'.

Authority to sign	
--------------------------	--



Insert your signature, name and the date. If you are completing this form electronically and do not have an electronic signature, type your name in the signature field.

Signature	
Name	
Date	

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS