

## Form F46 – Application to vary a modern award

Fair Work Act 2009, ss.157–160

This is an application to the Fair Work Commission to make a modern award or make a determination varying or revoking a modern award, in accordance with Part 2-3 of the [Fair Work Act 2009](#).

### Applicant 1



These are the details of the person who is making the application.

Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other please specify:		
First name(s)	The Australian Industry Group		
Surname			
Postal address	51 Walker Street		
Suburb	North Sydney		
State or territory	NSW	Postcode	2060
Phone number	0418 461183	Fax number	
Email address	<a href="mailto:stephen.smith@aigroup.com.au">stephen.smith@aigroup.com.au</a>		

### If the Applicant is a company or organisation please also provide the following details

Legal name of business	The Australian Industry Group
Trading name of business	The Australian Industry Group
ABN/ACN	76 369 958 788
Contact person	Stephen Smith, Head of National Workplace Relations Policy

### Does the Applicant need an interpreter?



If the Applicant requires an interpreter (other than a friend or family member) in order to participate in conciliation, a conference or hearing, the Fair Work Commission will provide an interpreter at no cost.

Yes – Specify language

No

**Does the Applicant require any special assistance at the hearing or conference (eg a hearing loop)?**

Yes – Please specify the assistance required

No

**Does the Applicant have a representative?**



A representative is a person or organisation who is representing the applicant. This might be a lawyer or paid agent, a union or employer organisation, or a family member or friend. There is no requirement to have a representative.

Yes – Provide representative's details below

No

**Applicant 2**



These are the details of the person who is making the application.

Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other please specify:		
First name(s)	Australian Chamber of Commerce and Industry		
Surname			
Postal address	Level 2, 150 Collins Street		
Suburb	Melbourne		
State or territory	VIC	Postcode	3000
Phone number	0488 400 496	Fax number	
Email address	<a href="mailto:scott.barklamb@australianchamber.com.au">scott.barklamb@australianchamber.com.au</a>		

**If the Applicant is a company or organisation please also provide the following details**

Legal name of business	Australian Chamber of Commerce and Industry
Trading name of business	Australian Chamber of Commerce and Industry
ABN/ACN	85 068 391 795
Contact person	Scott Barklamb, Director - Workplace Relations

**Does the Applicant need an interpreter?**



If the Applicant requires an interpreter (other than a friend or family member) in order to participate in conciliation, a conference or hearing, the Fair Work Commission will provide an interpreter at no cost.

Yes – Specify language

No

**Does the Applicant require any special assistance at the hearing or conference (eg a hearing loop)?**

Yes – Please specify the assistance required

No

**Does either Applicant have a representative?**



A representative is a person or organisation who is representing the applicant. This might be a lawyer or paid agent, a union or employer organisation, or a family member or friend. There is no requirement to have a representative.

Yes – ACCI's representative's details are below.

No – Ai Group does not have a representative.

**ACCI's representative**



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

Name of person	Luis Izzo, Managing Director – Sydney Workplace		
Firm, organisation or company	Australian Business Lawyers & Advisors		
Postal address	Level 15, 140 Arthur Street		
Suburb	North Sydney		
State or territory	NSW	Postcode	2060
Phone number	(02) 9458 7005		
Email address	Luis.izzo@ablalawyers.com.au		

**Is ACCI's representative a lawyer or paid agent?**

Yes

No

## 1. Coverage

### 1.1 What is the name of the modern award to which the application relates?



Include the Award ID/Code No. of the modern award

Clerks - Private Sector Award 2020 [MA000002]

### 1.2 What industry is the employer in?

Not applicable

## 2. Application

### 2.1 What are you seeking?

Specify which of the following you would like the Commission to make:

- a determination varying a modern award
- a modern award
- a determination revoking a modern award

## 2.2 What are the details of your application?

See the draft determination in Attachment A.

Attach additional pages, if necessary.

## 2.3 What are the grounds being relied on?

Using numbered paragraphs, specify the grounds on which you are seeking the proposed variations.



You must outline how the proposed variation etc is necessary in order to achieve the modern awards objective as well as any additional requirements set out in the FW Act.


See Attachment B.

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	Stephen Smith
Date	19 June 2020
Capacity/Position	Head of National Workplace Relations Policy, The Australian Industry Group

Signature	
Name	Scott Barklamb
Date	19 June 2020
Capacity/Position	Director – Workplace Relations, Australian Chamber of Commerce and Industry