



DECISION

Fair Work (Transitional Provisions and Consequential Amendments) Act 2009
Sch. 7, Item 30(4) - Application to extend default period for enterprise agreements made during the bridging period

Riversands Vineyards Pty Ltd ATF The Blackwatch Trust T/A Riversands Vineyards Pty Ltd
(AG2023/4975)

RIVERSANDS VINEYARDS PTY LTD ENTERPRISE AGREEMENT 2009

Agricultural industry

DEPUTY PRESIDENT SLEVIN
COMMISSIONER CONNOLLY
COMMISSIONER TRAN

SYDNEY, 26 FEBRUARY 2024

Application to extend the default period for Riversands Vineyards Pty Ltd Enterprise Agreement 2009

Introduction

[1] Pursuant to subitem 30(4) of Sch 7 to *the Fair Work (Transitional Provisions and Consequential Amendments) Act 2009* Riversands Vineyards Pty Ltd ATF The Blackwatch Trust T/A Riversands Vineyards Pty Ltd has applied to extend the default period for the *Riversands Vineyards Pty Ltd Enterprise Agreement 2009* (the Agreement). Under subitem 30(1) the Agreement was to terminate on 6 December 2023.

[2] The application was made, in accordance with subitem (6)(b), on the grounds that it is reasonable in the circumstances to extend the default period where an enterprise agreement has been made under the *Fair Work Act 2009* that covers the same, or substantially the same, group of employees as are covered by the Agreement. At the time this application was made the replacement agreement had not yet been approved by the Commission.

[3] The Commission has since approved the replacement agreement.¹ The purpose of the extension is to ensure the Agreement continued to apply until the replacement enterprise agreement was approved.

[4] We are satisfied for the purpose of subitem (6)(b) that it is reasonable to extend the default period for the Agreement.

[5] Pursuant to item 30(4) of Sch 7 to the Transitional Act, we order that the default period for the Agreement is extended until the commencement of the new replacement agreement on 19 February 2024.

[6] The Agreement is published, in accordance with subitem 30(9A)(c), on the Fair Work Commission's website.



DEPUTY PRESIDENT

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¹ [\[2024\] FWCA 379](#).