



Level 1, 15-17 Queen Street  
Melbourne Victoria 3000  
T 61 3 8614 2000  
F 61 3 9614 1166  
W [www.liveperformance.com.au](http://www.liveperformance.com.au)  
ABN 43 095 907 857

*Fair Work Act 2009*

FAIR WORK COMMISSION

**IN THE MATTER OF: 4 yearly review of modern Awards (AM2014/1)**

**Award flexibility common issue**

**Time off in lieu of payment for overtime - model term (AM2014/300)**

Submission of the Australian Entertainment Industry Association (trading as Live Performance Australia)

17 August 2016

**Live Performance Australia**

Att: David Hamilton - Director, Workplace Relations

Level 1, 15-17 Queen Street Melbourne 3000

Phone: (03) 8614 2000

Fax: (03) 9614 1166

Email: [dhamilton@liveperformance.com.au](mailto:dhamilton@liveperformance.com.au)

1. These Submissions are filed in response to the Directions of the Full Bench issued on 15 July 2016 (the 'Directions').
2. Live Performance Australia ('LPA') is the peak employer body for the live entertainment and performance industry and has an interest in the *Amusement, Events and Recreation Award 2010* (MA000080) (the 'Award'), with regard to the Exhibition Industry.
3. LPA is the peak body for Australia's live performance industry. LPA has over 400 Members nationally. We represent commercial producers, music promoters, major performing arts companies, small to medium companies, independent producers, major performing arts centres, metropolitan and regional venues, commercial theatres, stadiums and arenas, arts festivals, music festivals, and service providers such as ticketing companies and technical suppliers. Our membership spans from small-medium and not-for-profit organisations to large commercial entities and includes the Exhibition Industry and independent Cinemas.
4. LPA has consulted with our Exhibition Members with regard to the Full Bench's provisional view that Clause 23(4)(d) of the Award does not achieve the modern awards objective. LPA agrees that this clause does not meet the modern awards objectives and will not be opposing the inserting of the model TOIL provisions into the Award.
5. May it please the Commission.



David Hamilton  
Director, Workplace Relations  
Live Performance Australia

17 August 2016