



About the F98 form

Notice to the Fair Work Commission that a collective agreement has been terminated

About termination of collective agreements

Under the [Fair Work Act 2009](#), a collective agreement automatically terminates at the end of the period of operation specified in the agreement and can be terminated earlier in accordance with the process for termination specified in the agreement.

If the collective agreement is terminated earlier, the regulated business or organisation covered by the agreement must notify the Fair Work Commission (the Commission) of the termination on the date the agreement is terminated.

When to use this form

Use this form to give the Commission notice under section 536MV(2) of the [Fair Work Act 2009](#) that a collective agreement has been terminated before the end of its period of operation.

This form asks for:

- contact details of the regulated business and the organisation covered by the agreement, and
- basic details of the collective agreement, such as its name and the class of regulated workers it covers.

Who can use this form

This form can be used by the regulated business or the organisation that is covered by the collective agreement that has been terminated.

Throughout this form



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

You will find further useful information in the Information Sheet at the end of this form.

Form F98 – Notice to the Fair Work Commission that a collective agreement has been terminated

[Fair Work Act 2009](#), section 536MV

This is a notice to the Fair Work Commission that a collective agreement has been terminated.

The Notifier



These are the details of the regulated business or organisation covered by the collective agreement that is giving notice to the Commission (the Notifier).

Legal name of Notifier			
Notifier's ACN (if a company)			
Notifier's trading name or registered business name (if applicable)			
Notifier's ABN (if applicable)			
Contact person			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address			

What is the Notifier?

- ☐ The digital labour platform operator covered by the collective agreement
- ☐ The road transport business covered by the collective agreement
- ☐ The organisation covered by the collective agreement

Does the Notifier have a representative?

A representative is a person that is representing the Notifier. There is no requirement to have a representative.

☐ Yes – Provide representative's details below

☐ No

Notifier's representative

These are the details of the person that is representing the Notifier (if any).

Name of person			
Firm, organisation or company			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address			

Is the representative a lawyer or paid agent?

<input type="checkbox"/> Yes – please select:	<input type="checkbox"/> Lawyer <input type="checkbox"/> Paid agent
<input type="checkbox"/> No	

1. The collective agreement that has been terminated

1.1 What kind of agreement is the collective agreement?

- ☐ An employee-like worker collective agreement
- ☐ A road transport collective agreement

1.2 What is the name of the collective agreement?



Write the name exactly as it appears in the title clause of the collective agreement and include the collective agreement ID/code number if known.

--

2. The regulated business

2.1 Provide the details of the regulated business covered by the collective agreement:



If the Notifier is the regulated business covered by the collective agreement, you can just insert 'The Notifier' in the first space below.

Legal name of regulated business			
Regulated business's ACN (if a company)			
Regulated business's trading name or registered business name (if applicable)			
Regulated business's ABN			
Contact person			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address			

3. The organisation

3.1 Provide the details of the organisation covered by the collective agreement:



If the Notifier is the organisation covered by the collective agreement, you can just insert 'The Notifier' in the first space below.

Name of organisation			
Contact person			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address			

Authority to sign and signature



For 'Authority to sign':

- If you are the Notifier—insert 'Notifier'
- If you are an officer or employee of the Notifier—insert your position title
- If you are the Notifier'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

Information sheet

Lodging and serving your completed form

To notify the Commission that the collective agreement has been terminated, the following must be lodged with the Commission on the date the collective agreement is terminated:

- ☐ this form, and
- ☐ a form F99 – Declaration that a collective agreement has been terminated, signed by the regulated business and organisation covered by the collective 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.

As soon as practicable after this form is lodged with the Commission, **serve a copy** of this form and any accompanying documents on the other entity that is covered by the collective agreement:

- if the Notifier is a regulated business (a digital labour platform operator or a road transport business), you must serve the organisation
- if the Notifier is an organisation, you must serve the regulated business (the digital labour platform operator or road transport business)

What happens next

Under section 536MW of the [Fair Work Act 2009](#) the Commission must register the termination by publishing a notice on its website.

Legal or other representation

Representation is where another person (such as a lawyer, paid agent, employee organisation or employer 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.

Form F98 – Notice to the Fair Work Commission that a collective agreement has been terminated

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
- a bargaining representative that is representing the person, or
- an employee or officer of an employee or employer organisation 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 & 14 of the [Fair Work Commission Rules 2024](#) and the Commission's [practice note on representation by lawyers and paid agents](#).

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 [Collective agreements](#) section of the Commission's website also contains a range of information that may assist.

For further information in relation to collective agreements, you can contact the Commission's Agreements Team at member.assist@fwc.gov.au.

Privacy

The Commission collects the information (including personal information) provided to it in this form in order to deal with the notice to the Commission that a collective agreement has been terminated. 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 information sheet and keep it for future reference – it contains useful information.