



About the F99 declaration

Declaration 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 the organisation covered by the agreement must notify the Fair Work Commission (the Commission or FWC) of the termination on the date the agreement is terminated.

When to use this form

This form provides information to assist the Commission to register the termination of a collective agreement.

Giving false or misleading information is a serious offence.

A person who knowingly gives false or misleading information or knowingly produces a false or misleading document in support of registration of the termination of a collective agreement has been terminated is guilty of an offence, the punishment for which is imprisonment for up to 12 months – see section 137.1 and section 137.2 of the *Criminal Code*.

Who can use this form

This declaration must be made by the regulated business and the organisation covered by the collective agreement that has been terminated.

Lodging your completed form

You must lodge this declaration with the form F98 - Notice to the FWC that a collective agreement has been terminated.

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.

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.

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

Form F99 – Declaration that a collective agreement has been terminated

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

This is a declaration that a collective agreement has been terminated under Part 3A-4 of the [Fair Work Act 2009](#).



See section 536MV(3) of the Fair Work Act.

Definitions

This declaration relates to the following collective agreement (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.

The regulated business covered by the Collective Agreement (the **Regulated Business**) is:

Legal name of Regulated Business	
Regulated Business's ACN (if a company)	
Regulated Business's ABN	

The organisation covered by the Collective Agreement (the **Organisation**) is:

Name of Organisation	
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Declaration

I,	
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[insert name of person making the declaration for the Regulated Business]

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[insert suburb]

[insert state or territory]

[insert postcode]

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[insert occupation of person making the declaration for the Regulated Business]

and

I,	
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[insert name of person making the declaration for the Organisation]

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[insert postal address of person making the declaration for the Organisation]

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[insert suburb]

[insert State or Territory]

[insert postcode]

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[insert occupation of person making the declaration for the Organisation]

declare that:

- 1 The Collective Agreement has been terminated in accordance with the process specified in it for terminating the Collective Agreement before the end of its period of operation.**
- 2 The date of effect of the termination of the Collective Agreement is:**



Insert the date below.

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Signatures

Signed by the declarant for the Regulated Business:

Signature		Date:	
Name			

Signed by the declarant for the Organisation:

Signature		Date:	
Name			

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PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS

Information sheet

Legal or other representation

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

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 and 14 of the [Fair Work Commission Rules 2024](#) and the Commission's [practice note on representation by lawyers and paid agents](#).

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 the 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.