

From: Amanda Mansini [<mailto:amanda.mansini@amma.org.au>]
Sent: Tuesday, 12 December 2017 7:06 PM
To: Chambers - Hatcher VP
Cc: Liana D'Ascanio
Subject: AM2016/5 - 4 Yearly Review of Modern Awards - 7 December 2017 Hearing

Dear Associate,

We refer to the hearing in the above matter held on Thursday 7 December 2017.

As requested by the Full Bench during the hearing, please find **attached** for filing a list of enterprise agreements prepared by AMMA.

The attached list sets out a sample of in-term enterprise agreements (with the exception of the two Teekay enterprise agreements – refer comments in the attached document) which expressly incorporate one of the three modern awards subject of these proceedings.

We have not included in this list any enterprise agreements that expressly exclude the relevant modern awards, or are beyond nominal expiry.

Further, please note that this is a sample based on our preliminary research and not necessarily an exhaustive list.

Please contact me if we can provide any further information at this stage to assist the Full Bench.

Yours faithfully,

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**Maritime Enterprise Agreements
Incorporating Awards**
as at 8 December 2016

Company	ID	Matter Number	Title	Award	Approval	NED	Award incorporated at a point in time?	Comments
1 Teekay Shipping Australia Pty Ltd	AE426299	AG2017/4042	Teekay Shipping Australia Pty Ltd/AMOU Seagoing Deck Officers Tanker Enterprise Agreement 2016	Seagoing Industry Award 2010	30-Nov-17	7-Oct-17	Ambiguous	Incorporated "as varied" in definitions, however also incorporated "as in operation just before the agreement was made." <i>Note: NED has passed however precedes approval.</i>
2 Teekay Shipping Australia Pty Ltd	AE426131	AG2017/5190	Teekay Shipping (Australia) Pty Ltd AMOU Coral Knight Enterprise Agreement 2017	Seagoing Industry Award 2010	17-Nov-17	16-Nov-21	No	
3 Teekay Shipping Australia Pty Ltd	AE425776	AG2017/3245	Teekay Shipping (Australia) Pty Limited Seagoing Ratings Dry Cargo Enterprise Agreement 2015	Seagoing Industry Award 2010	19-Oct-17	7-Oct-17	Ambiguous	Incorporated "as varied" in definitions, however also incorporated "as in operation just before the agreement was made." <i>Note: NED has passed however precedes approval.</i>
4 ASP Ship Management Pty Ltd	AE425234	AG2017/1996	ASP Ship Management Gladstone Bunkering Facility Agreement 2015	Ports, Harbours and Enclosed Water Vessels Award 2010	23-Aug-17	30-Jun-18	No	
5 Sea Crewing Australia Pty Ltd	AE424359	AG2017/686	Sea Crewing Australia Pty Ltd Enterprise Agreement 2017	Marine Towing Award 2010	17-May-17	17-May-21	No	Incorporated in undertakings.
6 TT-Line Company Pty Ltd	AE423299	AG2017/39	TT-Line Company Pty Ltd/Australian Maritime Officers' Union, Shipwrights/Pursers Modern Enterprise Agreement 2016	Seagoing Industry Award 2010	8-Feb-17	30-Jun-20	Yes	Incorporated "as in operation just before the agreement was made."
7 Toll Transport Pty Ltd T/A Toll Shipping	AE422711	AG2016/7295	Toll Shipping / MUA Bass Strait Seagoing Enterprise Agreement 2015	Seagoing Industry Award 2010	16-Dec-16	31-Mar-19	No	Incorporated "as varied."
8 Toll Transport Pty Ltd T/A Toll Shipping	AE419552	AG2016/3485	Toll Shipping AIMPE Enterprise Agreement 2015	Seagoing Industry Award 2010	23-Jun-16	31-Mar-19	No	Incorporated "as varied from time to time."
9 Bhagwan Marine Pty Ltd	AE419196	AG2016/539	Bhagwan Marine Pty Ltd Inshore Maritime Enterprise Agreement 2016	Marine Towing Award 2010	30-Jun-16	30-May-20	No	Incorporated in undertakings re annual leave entitlement.
10 DMS Maritime Pty Limited	AE418016	AG2015/7107	Serco Defence Maritime Collective Agreement 2015	Ports, Harbours and Enclosed Water Vessels Award 2010	29-Feb-16	31-Dec-18	No	
11 Port Lincoln Tugs Pty Ltd	AE417162	AG2015/6609	Port Lincoln Tugs Pty Limited & MUA Enterprise Agreement 2015	Marine Towing Award 2010	18-Dec-15	31-Jan-18	No	Incorporates Award provisions for Outside Towing only.
12 Port Lincoln Tugs Pty Ltd	AE416866	AG2015/6119	Port Lincoln Tugs Pty Limited & AMOU Enterprise Agreement 2015	Marine Towing Award 2010	30-Nov-15	28-Jan-18	No	Incorporates Award provisions for Outside Towing only.
13 P&O Maritime Services Pty Ltd T/A P&O Maritime	AE415503	AG2015/4763	P&O Maritime Services Pty Ltd / AMOU "Bluewater" Enterprise Agreement 2015	Seagoing Industry Award 2010	31-Aug-15	30-Jun-18	No	
14 Australian Port Services (NSW) Pty Ltd T/A Ausport Marine	AE415463	AG2015/3478	Ausport Marine - Maritime Union of Australia Sydney Branch Lines and Mooring Collective Agreement 2014	Ports, Harbours and Enclosed Water Vessels Award 2010	27-Aug-15	31-Aug-18	No	
15 Toll Transport Pty Ltd T/A Toll Shipping	AE414479	AG2015/2903	Toll Shipping / Australian Maritime Officers Union Seagoing Collective Agreement 2015	Seagoing Industry Award 2010	25-Jun-17	31-Mar-19	No	Incorporated "as varied."
16 Inco Ships Pty Ltd	AE412530	AG2015/82	Inco Ships and Maritime Union of Australia CSL Pacific Enterprise Agreement 2014	Seagoing Industry Award 2010	6-Feb-15	10-Jun-18	No	Incorporated "as varied."
17 Gardline Australia Pty Ltd	AE412029	AG2014/8229	Gardline Australia Pty Ltd and AIMPE Engineers' Emergency Towing Vessel Contract and Other Services Agreement 2014	Seagoing Industry Award 2010	30-Dec-14	29-Dec-18	No	
18 Inco Ships Pty Ltd	AE411673	AG2014/8248	Inco Ships Pty Ltd Officer Collective Agreement 2013 CSL Pacific	Seagoing Industry Award 2010	9-Dec-14	9-Dec-18	Yes	Incorporated "as at the date of this Agreement"
19 Gardline Australia Pty Ltd	AE411344	AG2014/8268	Gardline Australia Pty Ltd Australian Maritime Officers Union Enterprise Agreement 2014	Seagoing Industry Award 2010	28-Nov-14	27-Nov-18	No	
20 Gardline Australia Pty Ltd	AE410224	AG2014/7488	Gardline Australia Pty Ltd Maritime Union of Australia Enterprise Agreement 2014 - Emergency Towing Vessel	Seagoing Industry Award 2010	19-Sep-14	14-Apr-18	No	