

**IN THE TASMANIAN INDUSTRIAL COMMISSION**

Industrial Relations Act 1984

**TP1/37**

**IN THE MATTER OF AN OBJECTION BY  
THE FEDERATED MISCELLANEOUS  
WORKERS UNION OF AUSTRALIA,  
TASMANIAN BRANCH TO THE GRANTING  
OF AWARD INTEREST TO THE  
MERCHANT SERVICE GUILD OF  
AUSTRALIA - VICTORIAN AND  
TASMANIAN BRANCH**

**RE: SHIPPING AWARD**

**DEPUTY PRESIDENT**

**HOBART, 1 December 1989**

**REASONS FOR DECISION**

APPEARANCES:

For the Federated Miscellaneous  
Workers Union of Australia,  
Tasmanian Branch - Mr K O'Brien

For the Merchant Service Guild  
of Australia - Victorian and  
Tasmanian Branch - Mr S Groves

DATE AND PLACE OF HEARING:

30 November 1989 Hobart

This is a reference pursuant to Section 63(10) of the Act concerning the matter of an application by the Merchant Service Guild of Australia - Victorian and Tasmanian Branch (MSG) to have a registered interest in the Shipping Award and the objection to such application by the Federated Miscellaneous Workers Union of Australia, Tasmanian Branch (FMWU).

Upon notifying all relevant organisations pursuant to the requirements of Section 63(11) of the Act, and then conducting a hearing on Thursday 30 November 1989, the Commission was advised that the MSG and the FMWU had conferred and reached an agreement in relation to this matter.

Both parties placed on transcript the details of their agreement, which inter alia, recognised each other's constitutional rights together with the traditional position relating to the membership coverage by the FMWU of certain river and harbour classifications of employees in Tasmanian ports; and certain assurances in relation to neither party seeking to use present circumstances to the detriment of the other.

As a consequence of the terms of that agreement the FMWU withdrew its objection to the application for award interest by the MSG.

Having regard for these factors it is my decision that, in accordance with Section 63(10)(c) of the Act, the MSG shall have determined a registered interest in the Shipping Award.

And the Registrar is advised accordingly.

