



## About the F19 application form

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### Application for approval of greenfields agreement made under subsection 182(3) of the Act

#### About greenfields agreements

Greenfields agreements are enterprise agreements made in relation to:

- a genuine new enterprise that one or more employers are establishing, or propose to establish; where
- the employer or employers have not yet employed any of the people who will be necessary for the normal conduct of the enterprise and will be covered by the agreement.

Greenfields agreements may be single or multi-enterprise agreements.

The Fair Work Commission (the Commission) assesses and approves enterprise agreements. It can also assist in the process of making agreements and can deal with disputes arising under the terms of an agreement. Before the Commission can approve an agreement, it must be satisfied that the agreement meets the requirements for approval set out in the *Fair Work Act 2009*, including that the employees will be 'better off overall' under the agreement than they would be if the relevant award applied.

For information about the process that must be followed to make a new enterprise agreement see the [Making an agreement](#) page on the Commission's website.

#### Who can use this form

Use this form if:

- you are an employer or a bargaining representative for a greenfields agreement (or are completing this form for an employer or bargaining representative) **and**
- a greenfields agreement has been made under section 182(3) of the *Fair Work Act 2009* **and**
- you wish to apply to the Commission for approval of the agreement.

**Note:** If the greenfields agreement has been made under section 182(4) of the *Fair Work Act 2009* – complete Form 21A. If the agreement is **not** a greenfields agreement – complete Form F16.

## Lodging and serving your completed form

1. **Within 14 days** after the agreement is made, the following must be **lodged** with the Commission:
  - This **form**
  - A copy of the **agreement** signed in accordance with regulation 2.06A of the [Fair Work Regulations 2009](#). The agreement must be signed by:
    - The employer covered by the agreement – include the employer’s signature, full name, address and an explanation of their authority to sign the agreement
    - At least 1 representative of the employees covered by the agreement — include the representative’s signature, full name, address and an explanation of their authority to sign the agreement.
  - If this application is being made by a bargaining representative appointed by the employer – a copy of the **written instrument of appointment**.
  - A **Form F20** – Employer’s declaration in support of application for approval of a greenfields agreement made under subsection 182(3).
  - A **Form F21** – Declaration of employee organisation in relation to an application for approval of a greenfields agreement made under subsection 182(3) of the Fair Work Act.

**Note:** Form F20 and Form F21 declarations must be lodged respectively by **each employer** and **each relevant employee organisation** that is covered by the agreement.

You can lodge:

- by email to [lodge@fwc.gov.au](mailto:lodge@fwc.gov.au), or
- by post or in person at the [Commission’s office](#) in your state or territory.

2. **As soon as practicable** after lodging, you must **serve** a copy of **all documents lodged with the Commission** on:
  - each employer that is covered by the agreement, and
  - each employee organisation that is covered by the agreement.

You can serve documents several ways, including by email, express post or registered post.

## 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](http://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.

## Legal or other representation

Representation is where another person (such as a lawyer or paid agent, or an employee of a union 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.

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 or
- a bargaining representative that is representing the person or
- an employee or officer of an employee or employer organisation, or an association of employers or a peak council, 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](#).

## Glossary of common terms

**Applicant** – This is the person or organisation that is making the application.

**Lawyer** – This is a person who is admitted to the legal profession by a Supreme Court of a State or Territory.

**Paid agent** – In relation to a matter before the Commission, is an agent (other than a bargaining representative) who charges or receives a fee to represent a person in the matter.

**Party** – A party is an Applicant, a Respondent or another person or organisation involved in a matter or case that is brought to the Commission.

**Respondent** – The person or organisation responding to an application made by an Applicant.

**Service** – Serving a document means giving a copy of the document to a person or organisation, usually to the other party to the matter. You can serve a document in a number of ways, including by email, express or registered post, or in person. Part 5 of Chapter 1, rule 36 and Schedule 1 of the [Fair Work Commission Rules 2024](#) deal with service.

## Privacy

The Commission collects the information (including personal information) provided to it in this form in order to deal with the application for approval of the agreement. 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 cover sheet** and keep it for future reference – it contains useful information

# Form F19 – Application for approval of greenfields agreement made under subsection 182(3) of the Act

[Fair Work Act 2009](#), s.185; [Fair Work Commission Rules 2024](#), rule 33, rule 36 and Schedule 1

This is an application to the Fair Work Commission for approval of a greenfields agreement under Part 2-4 of the [Fair Work Act 2009](#).

## The Applicant



These are the details of the employer or other bargaining representative who is making the application.

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

**What is the Applicant?**

- An employer covered by the agreement
- An employee organisation covered by the agreement
- A bargaining representative appointed by an employer covered by the agreement
- An employee organisation that acted as a bargaining representative



If the Applicant is a bargaining representative appointed by an employer, a copy of the instrument of appointment must be lodged with this application.

**Does the Applicant have a representative?**



A representative is a person or organisation who is representing the Applicant. There is no requirement to have a representative.

- Yes – Provide representative’s details below
- No – Go to question 1

**Applicant’s representative**



These are the details of the person or organisation who is representing the Applicant (if any).

Name of person			
Firm, organisation or company			
Representative’s ABN (if applicable)			
Postal address			
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 agreement**

**1.1 What kind of agreement is the enterprise agreement?**

- A single enterprise agreement
- A multi-enterprise agreement

**1.2 What is the name of the agreement?**



Write the name exactly as it appears in the title clause of the agreement.

**1.3 Are you aware of any other agreement that has been lodged or dealt with by the Commission that has identical or substantially identical terms?**

- Yes
- No

If you answered **Yes** – Provide information to identify each such other agreement. If you can, include: the name of the other agreement, the name of the employer covered by the other agreement, the agreement ID number, the date of the Commission's decision and the name of the Commission Member who dealt with the other agreement

**1.4 Will the application for approval of the agreement be lodged within 14 days after the date the agreement was made?**



See s.185(4) of the [Fair Work Act 2009](#)

Yes

No

**2. The employer(s)**

**2.1 How many employers are covered by the agreement?**

Number of employers:	
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**2.2 What is the industry of the employer or employers covered by the agreement?**

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**2.3 Is the Applicant the employer or one of the employers covered by the agreement?**

Yes – Provide the details of any other employers covered by the agreement below.

No – Provide the details of all employers covered by the agreement below.

Legal name of employer	
Employer's ACN (if a company)	
Employer's trading name or registered business name (if applicable)	
Employer's ABN	
Contact person	

Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address			

Attach additional pages if necessary

### 3. Employer bargaining representatives

#### 3.1 Did the employer(s) appoint a bargaining representative?

- Yes
- No – Go to question 4.1

#### 3.2 If you answered yes to question 3.1 – Provide the name(s) of the employer bargaining representative(s).

Legal name of employer bargaining representative			
Employer represented by the bargaining representative			
Contact person			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address			

Attach additional pages if necessary.

## 4. Union bargaining representatives

### 4.1 Which employee organisations (unions) were involved in the agreement making process as bargaining representatives?

Provide the name(s) of the employee organisation(s).

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

Attach additional pages if necessary.

### Authority to sign and signature



For 'Authority to sign':

- If you are the Applicant – insert 'Applicant'
- If you are an employee of a company or organisation that is the Applicant – insert your position title
- If you are the Applicant's representative and have provided your details in this form – insert 'Representative'.

<b>Authority to sign</b>	
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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.

<b>Signature</b>	
<b>Name</b>	
<b>Date</b>	

**PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS**