

In this agreement:

- (a) the singular includes the plural and vice versa; and
- (b) a reference to an Act, Regulation or Award ("law") unless otherwise stated includes the law as amended, re-enacted or varied as the case may be, or an Act, Regulation or Award which replaces the law.
- (c) a reference to a party or parties includes a reference to the Employees under this agreement.

4. TERM OF AGREEMENT

- 4.1 This agreement commences operation 7 days after it has been approved by the Fair Work Commission and nominally expires on 7 October 2017.

5. PARTIES TO AGREEMENT AND APPLICATION

- 5.1 Parties to the Agreement

The parties to this agreement are Teekay Shipping (Australia) Pty Ltd and all Employees in relation to the Lowlands Brilliance and Mariloula or its replacement and Maritime Union of Australia.

- 5.2 Application of Agreement

This agreement applies to Teekay Shipping (Australia) Pty Ltd, the Maritime Union of Australia and all Employees in relation to the Lowlands Brilliance and Mariloula or its replacement.

- 5.3 Relationship with the Award

- (a) This Agreement incorporates the terms of Seagoing Industry Award 2010 ("the Award") as in operation just before the agreement was made.
- (b) In the event of any inconsistency between any terms of the Award and an express provision of this Agreement, the express provision in the Agreement shall prevail to the extent of any such inconsistency

- 5.4 Relationship with the LSL Award

This Agreement incorporates the terms of MARITIME INDUSTRY (SEAMEN, COOKS AND STEWARDS) LONG SERVICE LEAVE AWARD 1995 ("the Award") as in operation just before the agreement was made.

In the event of any inconsistency between any terms of the Award and an express provision of this Agreement, the express provision in the Agreement shall prevail to the extent of any such inconsistency

- 5.5 Relationship with statutory minimum standards

Unless otherwise stated, the wages and conditions provided under this Agreement absorb and are specifically off-set against, any existing or newly introduced minimum payments and standards, and minimum employee benefits, under the Act or succeeding legislation, to the extent permitted by law (until such time as the amount of such payment or standard has been fully absorbed). Without limitation these minimum payments and standards include minimum rates of pay, casual loading, paid or unpaid leave and public holidays.

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