



# **Product Emissions Standards Amendment (Temporary Exemption and Other Measures) Rules 2018**

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I, Josh Frydenberg, Minister for the Environment and Energy, make the following rules.

Dated 19 June 2018

Josh Frydenberg  
Minister for the Environment and Energy

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## 1 Name

This instrument is the *Product Emissions Standards Amendment (Temporary Exemption and Other Measures) Rules 2018*.

## 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	1 July 2018.	1 July 2018

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

## 3 Authority

This instrument is made under the *Product Emissions Standards Act 2017*.

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## Schedule 1—Amendments

### *Product Emissions Standards Rules 2017*

#### **1 Paragraph 9(2)(a)**

Omit “competition consisting of races”, substitute “organised competition”.

#### **2 Paragraph 9(2)(b)**

Omit “such”, substitute “organised”.

#### **3 Subsection 26(1) (table item 1)**

Repeal the item, substitute:

1	propulsion marine engine	a notified body (within the meaning of the Directive mentioned in column 3)	Directive 2013/53/EU of the European Parliament and of the Council of 20 November 2013 on recreational craft and personal watercraft, as in force from time to time	an EC-type examination certificate
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#### **4 Subsection 26(1) (cell at table item 2, column 1)**

Repeal the cell, substitute:

propulsion  
marine  
engine

#### **5 Subsection 26(1) (cell at table item 3, column 1)**

Repeal the cell, substitute:

propulsion  
marine  
engine

#### **6 Subsection 26(1) (cell at table item 4, column 1)**

Repeal the cell, substitute:

propulsion  
marine  
engine

#### **7 At the end of Part 10**

Add:

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**50A Temporary exemption from the operation of the *Trans-Tasman Mutual Recognition Act 1997***

- (1) For the purposes of section 46 of the *Trans-Tasman Mutual Recognition Act 1997* (the ***TTMR Act***), this instrument, to the extent that it deals with emissions-controlled products that are propulsion marine engines or non-road engines, is declared to be exempt from the operation of that Act.
- (2) This section is repealed at the earlier of the following times:
  - (a) immediately before the commencement of any regulations made under subsection 45(3) of the *TTMR Act* that amend Schedule 2 to that Act to exempt, from the operation of that Act, this instrument (to the extent that it deals with emissions-controlled products that are propulsion marine engines or non-road engines);
  - (b) immediately before the end of the 12-month period starting on the day this section commences.

Note: Under subsection 46(4) of the *TTMR Act*, the exemption under subsection (1) of this section cannot operate for longer than a period of 12 months.