



Automatic Mutual Recognition (New South Wales) (Temporary Exemption—Various) Declaration 2021

I, the Honourable Dominic Perrottet, Treasurer, make the following declaration.

Dated: 29 June 2021

The Honourable Dominic Perrottet MP
Treasurer

Contents

1 Name.....	1
2 Commencement	1
3 Authority.....	1
4 Simplified outline of this instrument.....	1
5 Definitions	1
6 Temporary exemption.....	2

1 Name

This instrument is the Automatic Mutual Recognition (New South Wales) (Temporary Exemption—Various) Declaration 2021.

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	At the same time as the Mutual Recognition Amendment Act 2021 of the Commonwealth commences.	

Note: This table relates only to the provisions of this instrument as originally made.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 section 42T of the *Mutual Recognition Act 1992* of the Commonwealth.

4 Simplified outline of this instrument

The purpose of this instrument is to temporarily exempt registrations for occupations, or for activities covered by occupations, from the automatic deemed registration provisions of the *Mutual Recognition Act 1992* of the Commonwealth.

This instrument has effect only in relation to New South Wales.

Unless revoked earlier, this instrument is repealed at the end of 12 months after section 42T of the *Mutual Recognition Act 1992* of the Commonwealth commences (see subsection 42T(5)).

5 Definitions

In this instrument:

Act means the *Mutual Recognition Act 1992* of the Commonwealth.

6 Temporary exemption

(1) For the purposes of paragraph 42T(1)(a) of the Act, a registration listed in the table in subsection (2) of this section is excluded from the operation of automatic deemed registration in New South Wales.

(2) The table is as follows:

Exemptions for the purposes of paragraph 42T(1)(a)		
Item	Column 1 Registration name	Column 2 Relevant Act or Regulation (NSW)
1	Food Safety Supervisor	<i>Food Act 2003</i>
2	Food Safety Auditor	<i>Food Act 2003</i>
3	Mining engineering manager of underground coal mines,	Work Health and Safety (Mines and Petroleum Sites) Regulation 2014
4	Electrical engineering manager of underground coal mines	Work Health and Safety (Mines and Petroleum Sites) Regulation 2014
5	Mechanical engineering manager of underground coal mines	Work Health and Safety (Mines and Petroleum Sites) Regulation 2014
6	Undermanager of underground coal mines	Work Health and Safety (Mines and Petroleum Sites) Regulation 2014
7	Ventilation auditor of underground coal mines	Work Health and Safety (Mines and Petroleum Sites) Regulation 2014
8	Ventilation officer of underground coal mines	Work Health and Safety (Mines and Petroleum Sites) Regulation 2014
9	Dust explosion control measures auditor of underground coal mines	Work Health and Safety (Mines and Petroleum Sites) Regulation 2014
10	Deputy of underground coal mines	Work Health and Safety (Mines and Petroleum Sites) Regulation 2014
11	Mining engineering manager of coal mines other than underground mines	Work Health and Safety (Mines and Petroleum Sites) Regulation 2014
12	Open cut examiner of coal mines other than underground mines	Work Health and Safety (Mines and Petroleum Sites) Regulation 2014
13	Electrical engineer of coal mines other than underground mines	Work Health and Safety (Mines and Petroleum Sites) Regulation 2014
14	Mechanical engineer of coal mines other than underground mines	Work Health and Safety (Mines and Petroleum Sites) Regulation 2014
15	Mining engineering manager of underground mines other than coal mines	Work Health and Safety (Mines and Petroleum Sites) Regulation 2014
16	Underground mine supervisor of underground mines other than coal mines	Work Health and Safety (Mines and Petroleum Sites) Regulation 2014
17	Electrical engineer of underground mines other than coal mines	Work Health and Safety (Mines and Petroleum Sites) Regulation 2014
18	Quarry manager of mines other than	Work Health and Safety (Mines and

2 *Automatic Mutual Recognition (New South Wales) (Temporary Exemption—Various) Declaration 2021*

Exemptions for the purposes of paragraph 42T(1)(a)

	Column 1	Column 2
Item	Registration name	Relevant Act or Regulation (NSW)
	underground mines or coal mines	Petroleum Sites) Regulation 2014
19	Electrical engineer of mines other than underground mines or coal mines	Work Health and Safety (Mines and Petroleum Sites) Regulation 2014
20	Teacher (school or early childhood)	<i>Teacher Accreditation Act 2004</i>
21	Commercial Agents	<i>Commercial Agents and Private Inquiry Agents Act 2004</i>
22	Security Operative (range of sub-occupations)	<i>Security Industry Act 1997</i>
23	Security Business Operator (if individual, not corporation)	<i>Security Industry Act 1997</i>
24	Private Investigator	<i>Commercial Agents and Private Inquiry Agents Act 2004</i>
25	Tattooist	<i>Tattoo Parlours Act 2012</i>
26	Tattoo Parlour Operator (if individual, not corporation)	<i>Tattoo Parlours Act 2012</i>
27	CAPI Business Operator (if individual, not corporation)	<i>Commercial Agents and Private Inquiry Agents Act 2004</i>
28	Pesticide User - Aerial applicator pilot licence	<i>Pesticides Act 1999</i>
29	Pesticide User - Fumigator licence	<i>Pesticides Act 1999</i>
30	Pesticide User - Ground applicator licence	<i>Pesticides Act 1999</i>
31	Pesticide User - Pest management technician licence	<i>Pesticides Act 1999</i>
32	Pesticide User - RPA applicator pilot licence	<i>Pesticides Act 1999</i>
33	Radiation User licence	<i>Radiation Control Act 1990</i>
34	Accredited site auditor	<i>Contaminated Land Management Act 1997</i>
35	Radiation Security Assessor	<i>Radiation Control Act 1990</i>
36	Consulting Radiation Expert	<i>Radiation Control Act 1990</i>
37	Driving Instructors	<i>Driving Instructors Act 1992</i>
38	Bus driver	<i>Passenger Transport Act 1990</i>
39	Registered certifier (various classes)	<i>Building and Development Certifiers Act 2018</i>
40	Casino - Special Employee Licence	<i>Casino Control Act 1992</i>
41	Conveyancer	<i>Conveyancers Licensing Act 2003</i>
42	Professional Engineer	<i>Design and Building Practitioners Act 2020</i>
43	Registered Building Practitioner	<i>Design and Building Practitioners Act 2020</i>
44	Registered Design Practitioner	<i>Design and Building Practitioners Act 2020</i>
45	Explosives Licence- Blasting Explosives	<i>Explosives Act 2003</i>

Exemptions for the purposes of paragraph 42T(1)(a)

Item	Column 1 Registration name	Column 2 Relevant Act or Regulation (NSW)
	User's Licence	
46	Explosives Licence- Licence to Import	<i>Explosives Act 2003</i>
47	Explosives Licence- Licence to Manufacture Explosives	<i>Explosives Act 2003</i>
48	Explosives Licence- Licence to Store	<i>Explosives Act 2003</i>
49	Explosives Licence- Licence to supply	<i>Explosives Act 2003</i>
50	Explosives Licence- Licence to Transport	<i>Explosives Act 2003</i>
51	Explosives Licence- Licence to use security sensitive dangerous substances (SSDS)	<i>Explosives Act 2003</i>
52	Explosives Licence- Pyrotechnician's Licence	<i>Explosives Act 2003</i>
53	Explosives Licence- Security Clearance	<i>Explosives Act 2003</i>
54	Competency Card (RCG)	<i>Gaming Machines Act 2001</i>
55	Gaming Machine Dealers Licence	<i>Gaming Machines Act 2001</i>
56	Gaming Machine Sellers Licence	<i>Gaming Machines Act 2001</i>
57	Gaming Machine Technician Licence	<i>Gaming Machines Act 2001</i>
58	Gaming Machine Testing Facility Licence	<i>Gaming Machines Act 2001</i>
59	Qualified Supervisor Certificate- Advanced LP Gasfitter	<i>Home Building Act 1989</i>
60	Qualified Supervisor Certificate- Air Conditioning	<i>Home Building Act 1989</i>
61	Qualified Supervisor Certificate- Bricklayer	<i>Home Building Act 1989</i>
62	Qualified Supervisor Certificate- Builder	<i>Home Building Act 1989</i>
63	Qualified Supervisor Certificate- Carpenter	<i>Home Building Act 1989</i>
64	Qualified Supervisor Certificate- Decorator	<i>Home Building Act 1989</i>
65	Qualified Supervisor Certificate- Discon/Recon Fixed Elect Equip	<i>Home Building Act 1989</i>
66	Qualified Supervisor Certificate- Drainer	<i>Home Building Act 1989</i>
67	Qualified Supervisor Certificate- Dry Plasterer	<i>Home Building Act 1989</i>
68	Qualified Supervisor Certificate- Electrician	<i>Home Building Act 1989</i>
69	Qualified Supervisor Certificate- Erection of prefabricated metal-framed home additions & structures	<i>Home Building Act 1989</i>
70	Qualified Supervisor Certificate- Excavator	<i>Home Building Act 1989</i>
71	Qualified Supervisor Certificate- Fencer	<i>Home Building Act 1989</i>
72	Qualified Supervisor Certificate- Gasfitter	<i>Home Building Act 1989</i>
73	Qualified Supervisor Certificate- General Concreter	<i>Home Building Act 1989</i>
74	Qualified Supervisor Certificate- Glazier	<i>Home Building Act 1989</i>

Exemptions for the purposes of paragraph 42T(1)(a)		
Item	Column 1 Registration name	Column 2 Relevant Act or Regulation (NSW)
75	Qualified Supervisor Certificate- Joiner	<i>Home Building Act 1989</i>
76	Qualified Supervisor Certificate- Kitchen Bathroom Laundry Renovator	<i>Home Building Act 1989</i>
77	Qualified Supervisor Certificate- LP Gasfitter	<i>Home Building Act 1989</i>
78	Qualified Supervisor Certificate- Mechanical Services and Medical Gas Work	<i>Home Building Act 1989</i>
79	Qualified Supervisor Certificate- Medical Gas Technician Work	<i>Home Building Act 1989</i>
80	Qualified Supervisor Certificate- Medical Gasfitting Work	<i>Home Building Act 1989</i>
81	Qualified Supervisor Certificate- Metal Fabricator	<i>Home Building Act 1989</i>
82	Qualified Supervisor Certificate- Minor Maintenance/Cleaning	<i>Home Building Act 1989</i>
83	Qualified Supervisor Certificate- Minor Trade Work	<i>Home Building Act 1989</i>
84	Qualified Supervisor Certificate- Painter	<i>Home Building Act 1989</i>
85	Qualified Supervisor Certificate- Plumber	<i>Home Building Act 1989</i>
86	Qualified Supervisor Certificate- Refrigeration	<i>Home Building Act 1989</i>
87	Qualified Supervisor Certificate- Roof Plumber	<i>Home Building Act 1989</i>
88	Qualified Supervisor Certificate- Roof Slater	<i>Home Building Act 1989</i>
89	Qualified Supervisor Certificate- Roof Tiler	<i>Home Building Act 1989</i>
90	Qualified Supervisor Certificate- Stonemason	<i>Home Building Act 1989</i>
91	Qualified Supervisor Certificate- Structural Landscaping	<i>Home Building Act 1989</i>
92	Qualified Supervisor Certificate- Swimming Pool Builder	<i>Home Building Act 1989</i>
93	Qualified Supervisor Certificate- Swimming Pool Repairs & Service	<i>Home Building Act 1989</i>
94	Qualified Supervisor Certificate- Underpinning and Piering	<i>Home Building Act 1989</i>
95	Qualified Supervisor Certificate- Wall & Floor Tiler	<i>Home Building Act 1989</i>
96	Qualified Supervisor Certificate- Water Plumber	<i>Home Building Act 1989</i>
97	Qualified Supervisor Certificate-	<i>Home Building Act 1989</i>

Exemptions for the purposes of paragraph 42T(1)(a)

Item	Column 1 Registration name	Column 2 Relevant Act or Regulation (NSW)
	Waterproofing Technician	
98	Qualified Supervisor Certificate- Wet Plasterer	<i>Home Building Act 1989</i>
99	Tradesperson Certificate- Air Conditioning,	<i>Home Building Act 1989</i>
100	Tradesperson Certificate- Discon/Recon Fixed Elect Equip	<i>Home Building Act 1989</i>
101	Tradesperson Certificate- Drainer	<i>Home Building Act 1989</i>
102	Tradesperson Certificate- Gasfitter	<i>Home Building Act 1989</i>
103	Tradesperson Certificate- LP Gasfitter	<i>Home Building Act 1989</i>
104	Tradesperson Certificate- Mechanical Services and Medical Gas Work	<i>Home Building Act 1989</i>
105	Tradesperson Certificate- Medical Gas Technician Work	<i>Home Building Act 1989</i>
106	Tradesperson Certificate- Medical Gasfitting Work	<i>Home Building Act 1989</i>
107	Tradesperson Certificate- Plumber	<i>Home Building Act 1989</i>
108	Tradesperson Certificate- Refrigeration	<i>Home Building Act 1989</i>
109	Tradesperson Certificate- Roof Plumber	<i>Home Building Act 1989</i>
110	Tradesperson Certificate- Water Plumber	<i>Home Building Act 1989</i>
111	Tradesperson Certificate- Water Plumber - fire protection systems	<i>Home Building Act 1989</i>
112	Tradesperson Certificate- Water Plumber - fire sprinkler systems	<i>Home Building Act 1989</i>
113	Tradesperson Certificate- Water Plumber - urban irrigation	<i>Home Building Act 1989</i>
114	Contractor Licence- Advanced LP Gasfitter	<i>Home Building Act 1989</i>
115	Contractor Licence- Air Conditioning	<i>Home Building Act 1989</i>
116	Contractor Licence- Bricklayer	<i>Home Building Act 1989</i>
117	Contractor Licence- Builder	<i>Home Building Act 1989</i>
118	Contractor Licence- Carpenter	<i>Home Building Act 1989</i>
119	Contractor Licence- Decorator	<i>Home Building Act 1989</i>
120	Contractor Licence- Discon/Recon Fixed Elect Equip	<i>Home Building Act 1989</i>
121	Contractor Licence- Drainer	<i>Home Building Act 1989</i>
122	Contractor Licence- Dry Plasterer	<i>Home Building Act 1989</i>
123	Contractor Licence- Electrician	<i>Home Building Act 1989</i>
124	Contractor Licence- Erection of Pre-fabricated metal-framed home additions & structures	<i>Home Building Act 1989</i>
125	Contractor Licence- Excavator	<i>Home Building Act 1989</i>

Exemptions for the purposes of paragraph 42T(1)(a)

Item	Column 1 Registration name	Column 2 Relevant Act or Regulation (NSW)
126	Contractor Licence- Fencer	<i>Home Building Act 1989</i>
127	Contractor Licence- Gasfitter	<i>Home Building Act 1989</i>
128	Contractor Licence- General Concreter	<i>Home Building Act 1989</i>
129	Contractor Licence- Glazier	<i>Home Building Act 1989</i>
130	Contractor Licence- Joiner	<i>Home Building Act 1989</i>
131	Contractor Licence- Kitchen Bathroom Laundry Renovator	<i>Home Building Act 1989</i>
132	Contractor Licence- LP Gasfitter	<i>Home Building Act 1989</i>
133	Contractor Licence- Mechanical Services and Medical Gas Work	<i>Home Building Act 1989</i>
134	Contractor Licence- Medical Gas Technician Work	<i>Home Building Act 1989</i>
135	Contractor Licence- Medical Gasfitting Work	<i>Home Building Act 1989</i>
136	Contractor Licence- Metal Fabricator	<i>Home Building Act 1989</i>
137	Contractor Licence- Minor Maintenance/Cleaning	<i>Home Building Act 1989</i>
138	Contractor Licence- Minor Trade Work	<i>Home Building Act 1989</i>
139	Contractor Licence- Painter	<i>Home Building Act 1989</i>
140	Contractor Licence- Plumber	<i>Home Building Act 1989</i>
141	Contractor Licence- Refrigeration	<i>Home Building Act 1989</i>
142	Contractor Licence- Roof Plumber	<i>Home Building Act 1989</i>
143	Contractor Licence- Roof Slater	<i>Home Building Act 1989</i>
144	Contractor Licence- Roof Tiler	<i>Home Building Act 1989</i>
145	Contractor Licence- Stonemason	<i>Home Building Act 1989</i>
146	Contractor Licence- Structural Landscaping	<i>Home Building Act 1989</i>
147	Contractor Licence- Swimming Pool Builder	<i>Home Building Act 1989</i>
148	Contractor Licence- Swimming Pool Repairs & Service	<i>Home Building Act 1989</i>
149	Contractor Licence- Underpinning and Piering	<i>Home Building Act 1989</i>
150	Contractor Licence- Wall & Floor Tiler	<i>Home Building Act 1989</i>
151	Contractor Licence- Water Plumber	<i>Home Building Act 1989</i>
152	Contractor Licence- Water Plumber - fire protection systems	<i>Home Building Act 1989</i>
153	Contractor Licence- Water Plumber - fire sprinkler systems	<i>Home Building Act 1989</i>
154	Contractor Licence- Water Plumber - urban	<i>Home Building Act 1989</i>

Exemptions for the purposes of paragraph 42T(1)(a)

Item	Column 1 Registration name	Column 2 Relevant Act or Regulation (NSW)
	irrigation	
155	Contractor Licence- Waterproofing Technician	<i>Home Building Act 1989</i>
156	Contractor Licence- Wet Plasterer	<i>Home Building Act 1989</i>
157	Trainer (RSA/RCG/LT/ALT)	<i>Liquor Act 2007</i>
158	Motor Dealer	<i>Motor Dealers and Repairers Act 2013</i>
159	Motor Vehicle Recycler	<i>Motor Dealers and Repairers Act 2013</i>
160	Wholesale Dealer	<i>Motor Dealers and Repairers Act 2013</i>
161	Motor Vehicle Repairer	<i>Motor Dealers and Repairers Act 2013</i>
162	Pawnbroker	<i>Pawnbrokers and Second-hand Dealers Act 1996</i>
163	Second-hand Dealer	<i>Pawnbrokers and Second-hand Dealers Act 1996</i>
164	Property Certificate- Assistant Agent	<i>Property and Stock Agents Act 2002</i>
165	Property - Individual- Auctioneer Accreditation - Real Estate and Stock and Station Class 1 or 2	<i>Property and Stock Agents Act 2002</i>
166	Property - Individual- Auctioneer as a Real Estate Agent Class 1 or 2	<i>Property and Stock Agents Act 2002</i>
167	Property - Individual- Auctioneer as a Stock & Station Agent Class 1 or 2	<i>Property and Stock Agents Act 2002</i>
168	Property - Individual- Business Agent	<i>Property and Stock Agents Act 2002</i>
169	Property - Individual- Onsite Residential Property Manager Class 1 or 2	<i>Property and Stock Agents Act 2002</i>
170	Property - Individual- Real Estate Agent Class 1 or 2	<i>Property and Stock Agents Act 2002</i>
171	Property - Individual- Real Estate Agent Restricted to Buyers Agent Class 1 or 2	<i>Property and Stock Agents Act 2002</i>
172	Property - Individual- Stock & Station Agent Class 1 or 2	<i>Property and Stock Agents Act 2002</i>
173	Property - Individual- Strata Management Agent Class 1 or 2	<i>Property and Stock Agents Act 2002</i>
174	Registered Land Surveyor- Surveyor - Land (NSW)	<i>Surveying and Spatial Information Act 2002</i>
175	Registered Land Surveyor- Surveyor - Land (NSW/ACT)	<i>Surveying and Spatial Information Act 2002</i>
176	Registered Mining Surveyor- Surveyor - Mining (open cut)	<i>Surveying and Spatial Information Act 2002</i>
177	Registered Mining Surveyor- Surveyor - Mining (unrestricted)	<i>Surveying and Spatial Information Act 2002</i>
178	Registered Mining Surveyor- Surveyor - Mining (underground metalliferous)	<i>Surveying and Spatial Information Act 2002</i>

8 *Automatic Mutual Recognition (New South Wales) (Temporary Exemption—Various) Declaration 2021*

Exemptions for the purposes of paragraph 42T(1)(a)

Item	Column 1 Registration name	Column 2 Relevant Act or Regulation (NSW)
179	Registered Mining Surveyor- Surveyor - Mining (underground coal)	<i>Surveying and Spatial Information Act 2002</i>
180	Driver Certificate- Tow Truck Driver Certificate	<i>Tow Truck Industry Act 1998</i>
181	Tow Truck Operators Licence	<i>Tow Truck Industry Act 1998</i>
182	High Risk Work Assessor	<i>Work Health and Safety Act 2011</i>
183	Asbestos Licence- Friable asbestos removal (Class A)	<i>Work Health and Safety Act 2011</i>
184	Asbestos Licence- Non-friable asbestos removal Class B)	<i>Work Health and Safety Act 2011</i>
185	Demolition Licence- Demolition licence DE1	<i>Work Health and Safety Act 2011</i>
186	Demolition Licence- Restricted demolition licence DE2	<i>Work Health and Safety Act 2011</i>
187	Explosives Licence- Pyrotechnician's Licence	<i>Work Health and Safety Act 2011</i>
188	Racing industry participants- Racing industry participants	<i>Greyhound Racing Act 2017</i>
189	Bookmakers	<i>Greyhound Racing Act 2017</i>
190	Racing industry participants	<i>Harness Racing Act 2009</i>
191	Bookmakers	<i>Harness Racing Act 2009</i>
192	Racing industry participants	<i>Thoroughbred Racing Act 1996</i>
193	Bookmakers	<i>Thoroughbred Racing Act 1996</i>
194	Contractor Licence- Medical Gasfitting work	<i>Home Building Act 1989</i>
195	Contractor Licence- Medical Gas technician	<i>Home Building Act 1989</i>
196	Contractor Licence- Mechanical Services and Medical gas work	<i>Home Building Act 1989</i>
197	High Risk Work Licence- Advanced Rigging	<i>Work Health and Safety Act 2011</i>
198	High Risk Work Licence- Basic Rigging	<i>Work Health and Safety Act 2011</i>
199	High Risk Work Licence- Dogging	<i>Work Health and Safety Act 2011</i>
200	Combatant registration classes	<i>Combat Sports Act 2013</i>
201	Industry participant registration classes	<i>Combat Sports Act 2013</i>
202	Promotor registration classes	<i>Combat Sports Act 2013</i>
203	Architect	<i>Architects Act 2003</i>
