

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

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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Note: This table relates only to the provisions of this instrument as originally made.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Unless revoked earlier, this instrument is repealed at the end of 12 months after section 42T of the *Mutual Recognition Act 1992* of the Commonwealth commences (see subsection 42T(5)).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 | *Food Act 2003* |
| 2 | Food Safety Auditor | *Food Act 2003* |
| 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 underground mines or coal mines | Work Health and Safety (Mines and 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) | *Teacher Accreditation Act 2004* |
| 21 | Commercial Agents | *Commercial Agents and Private Inquiry Agents Act 2004* |
| 22 | Security Operative (range of sub-occupations) | *Security Industry Act 1997* |
| 23 | Security Business Operator (if individual, not corporation) | *Security Industry Act 1997* |
| 24 | Private Investigator | *Commercial Agents and Private Inquiry Agents Act 2004* |
| 25 | Tattooist | *Tattoo Parlours Act 2012* |
| 26 | Tattoo Parlour Operator (if individual, not corporation) | *Tattoo Parlours Act 2012* |
| 27 | CAPI Business Operator (if individual, not corporation) | *Commercial Agents and Private Inquiry Agents Act 2004* |
| 28 | Pesticide User - Aerial applicator pilot licence | *Pesticides Act 1999* |
| 29 | Pesticide User - Fumigator licence | *Pesticides Act 1999* |
| 30 | Pesticide User - Ground applicator licence | *Pesticides Act 1999* |
| 31 | Pesticide User - Pest management technician licence | *Pesticides Act 1999* |
| 32 | Pesticide User - RPA applicator pilot licence | *Pesticides Act 1999* |
| 33 | Radiation User licence | *Radiation Control Act 1990* |
| 34 | Accredited site auditor | *Contaminated Land Management Act 1997* |
| 35 | Radiation Security Assessor | *Radiation Control Act 1990* |
| 36 | Consulting Radiation Expert | *Radiation Control Act 1990* |
| 37 | Driving Instructors | *Driving Instructors Act 1992* |
| 38 | Bus driver | *Passenger Transport Act 1990* |
| 39 | Registered certifier (various classes) | *Building and Development Certifiers Act 2018* |
| 40 | Casino - Special Employee Licence | *Casino Control Act 1992* |
| 41 | Conveyancer | *Conveyancers Licensing Act 2003* |
| 42 | Professional Engineer | *Design and Building Practitioners Act 2020* |
| 43 | Registered Building Practitioner | *Design and Building Practitioners Act 2020* |
| 44 | Registered Design Practitioner | *Design and Building Practitioners Act 2020* |
| 45 | Explosives Licence- Blasting Explosives User's Licence | *Explosives Act 2003* |
| 46 | Explosives Licence- Licence to Import | *Explosives Act 2003* |
| 47 | Explosives Licence- Licence to Manufacture Explosives | *Explosives Act 2003* |
| 48 | Explosives Licence- Licence to Store | *Explosives Act 2003* |
| 49 | Explosives Licence- Licence to supply | *Explosives Act 2003* |
| 50 | Explosives Licence- Licence to Transport | *Explosives Act 2003* |
| 51 | Explosives Licence- Licence to use security sensitive dangerous substances (SSDS) | *Explosives Act 2003* |
| 52 | Explosives Licence- Pyrotechnician's Licence | *Explosives Act 2003* |
| 53 | Explosives Licence- Security Clearance | *Explosives Act 2003* |
| 54 | Competency Card (RCG) | *Gaming Machines Act 2001* |
| 55 | Gaming Machine Dealers Licence | *Gaming Machines Act 2001* |
| 56 | Gaming Machine Sellers Licence | *Gaming Machines Act 2001* |
| 57 | Gaming Machine Technician Licence | *Gaming Machines Act 2001* |
| 58 | Gaming Machine Testing Facility Licence | *Gaming Machines Act 2001* |
| 59 | Qualified Supervisor Certificate- Advanced LP Gasfitter | *Home Building Act 1989* |
| 60 | Qualified Supervisor Certificate- Air Conditioning | *Home Building Act 1989* |
| 61 | Qualified Supervisor Certificate- Bricklayer | *Home Building Act 1989* |
| 62 | Qualified Supervisor Certificate- Builder | *Home Building Act 1989* |
| 63 | Qualified Supervisor Certificate- Carpenter | *Home Building Act 1989* |
| 64 | Qualified Supervisor Certificate- Decorator | *Home Building Act 1989* |
| 65 | Qualified Supervisor Certificate- Discon/Recon Fixed Elect Equip | *Home Building Act 1989* |
| 66 | Qualified Supervisor Certificate- Drainer | *Home Building Act 1989* |
| 67 | Qualified Supervisor Certificate- Dry Plasterer | *Home Building Act 1989* |
| 68 | Qualified Supervisor Certificate- Electrician | *Home Building Act 1989* |
| 69 | Qualified Supervisor Certificate- Erection of prefabricated metal-framed home additions & structures | *Home Building Act 1989* |
| 70 | Qualified Supervisor Certificate- Excavator | *Home Building Act 1989* |
| 71 | Qualified Supervisor Certificate- Fencer | *Home Building Act 1989* |
| 72 | Qualified Supervisor Certificate- Gasfitter | *Home Building Act 1989* |
| 73 | Qualified Supervisor Certificate- General Concreter | *Home Building Act 1989* |
| 74 | Qualified Supervisor Certificate- Glazier | *Home Building Act 1989* |
| 75 | Qualified Supervisor Certificate- Joiner | *Home Building Act 1989* |
| 76 | Qualified Supervisor Certificate- Kitchen Bathroom Laundry Renovator | *Home Building Act 1989* |
| 77 | Qualified Supervisor Certificate- LP Gasfitter | *Home Building Act 1989* |
| 78 | Qualified Supervisor Certificate- Mechanical Services and Medical Gas Work | *Home Building Act 1989* |
| 79 | Qualified Supervisor Certificate- Medical Gas Technician Work | *Home Building Act 1989* |
| 80 | Qualified Supervisor Certificate- Medical Gasfitting Work | *Home Building Act 1989* |
| 81 | Qualified Supervisor Certificate- Metal Fabricator | *Home Building Act 1989* |
| 82 | Qualified Supervisor Certificate- Minor Maintenance/Cleaning | *Home Building Act 1989* |
| 83 | Qualified Supervisor Certificate- Minor Trade Work | *Home Building Act 1989* |
| 84 | Qualified Supervisor Certificate- Painter | *Home Building Act 1989* |
| 85 | Qualified Supervisor Certificate- Plumber | *Home Building Act 1989* |
| 86 | Qualified Supervisor Certificate- Refrigeration | *Home Building Act 1989* |
| 87 | Qualified Supervisor Certificate- Roof Plumber | *Home Building Act 1989* |
| 88 | Qualified Supervisor Certificate- Roof Slater | *Home Building Act 1989* |
| 89 | Qualified Supervisor Certificate- Roof Tiler | *Home Building Act 1989* |
| 90 | Qualified Supervisor Certificate- Stonemason | *Home Building Act 1989* |
| 91 | Qualified Supervisor Certificate- Structural Landscaping | *Home Building Act 1989* |
| 92 | Qualified Supervisor Certificate- Swimming Pool Builder | *Home Building Act 1989* |
| 93 | Qualified Supervisor Certificate- Swimming Pool Repairs & Service | *Home Building Act 1989* |
| 94 | Qualified Supervisor Certificate- Underpinning and Piering | *Home Building Act 1989* |
| 95 | Qualified Supervisor Certificate- Wall & Floor Tiler | *Home Building Act 1989* |
| 96 | Qualified Supervisor Certificate- Water Plumber | *Home Building Act 1989* |
| 97 | Qualified Supervisor Certificate- Waterproofing Technician | *Home Building Act 1989* |
| 98 | Qualified Supervisor Certificate- Wet Plasterer | *Home Building Act 1989* |
| 99 | Tradesperson Certificate- Air Conditioning, | *Home Building Act 1989* |
| 100 | Tradesperson Certificate- Discon/Recon Fixed Elect Equip | *Home Building Act 1989* |
| 101 | Tradesperson Certificate- Drainer | *Home Building Act 1989* |
| 102 | Tradesperson Certificate- Gasfitter | *Home Building Act 1989* |
| 103 | Tradesperson Certificate- LP Gasfitter | *Home Building Act 1989* |
| 104 | Tradesperson Certificate- Mechanical Services and Medical Gas Work | *Home Building Act 1989* |
| 105 | Tradesperson Certificate- Medical Gas Technician Work | *Home Building Act 1989* |
| 106 | Tradesperson Certificate- Medical Gasfitting Work | *Home Building Act 1989* |
| 107 | Tradesperson Certificate- Plumber | *Home Building Act 1989* |
| 108 | Tradesperson Certificate- Refrigeration | *Home Building Act 1989* |
| 109 | Tradesperson Certificate- Roof Plumber | *Home Building Act 1989* |
| 110 | Tradesperson Certificate- Water Plumber | *Home Building Act 1989* |
| 111 | Tradesperson Certificate- Water Plumber - fire protection systems | *Home Building Act 1989* |
| 112 | Tradesperson Certificate- Water Plumber - fire sprinkler systems | *Home Building Act 1989* |
| 113 | Tradesperson Certificate- Water Plumber - urban irrigation | *Home Building Act 1989* |
| 114 | Contractor Licence- Advanced LP Gasfitter | *Home Building Act 1989* |
| 115 | Contractor Licence- Air Conditioning | *Home Building Act 1989* |
| 116 | Contractor Licence- Bricklayer | *Home Building Act 1989* |
| 117 | Contractor Licence- Builder | *Home Building Act 1989* |
| 118 | Contractor Licence- Carpenter | *Home Building Act 1989* |
| 119 | Contractor Licence- Decorator | *Home Building Act 1989* |
| 120 | Contractor Licence- Discon/Recon Fixed Elect Equip | *Home Building Act 1989* |
| 121 | Contractor Licence- Drainer | *Home Building Act 1989* |
| 122 | Contractor Licence- Dry Plasterer | *Home Building Act 1989* |
| 123 | Contractor Licence- Electrician | *Home Building Act 1989* |
| 124 | Contractor Licence- Erection of Pre-fabricated metal-framed home additions & structures | *Home Building Act 1989* |
| 125 | Contractor Licence- Excavator | *Home Building Act 1989* |
| 126 | Contractor Licence- Fencer | *Home Building Act 1989* |
| 127 | Contractor Licence- Gasfitter | *Home Building Act 1989* |
| 128 | Contractor Licence- General Concreter | *Home Building Act 1989* |
| 129 | Contractor Licence- Glazier | *Home Building Act 1989* |
| 130 | Contractor Licence- Joiner | *Home Building Act 1989* |
| 131 | Contractor Licence- Kitchen Bathroom Laundry Renovator | *Home Building Act 1989* |
| 132 | Contractor Licence- LP Gasfitter | *Home Building Act 1989* |
| 133 | Contractor Licence- Mechanical Services and Medical Gas Work | *Home Building Act 1989* |
| 134 | Contractor Licence- Medical Gas Technician Work | *Home Building Act 1989* |
| 135 | Contractor Licence- Medical Gasfitting Work | *Home Building Act 1989* |
| 136 | Contractor Licence- Metal Fabricator | *Home Building Act 1989* |
| 137 | Contractor Licence- Minor Maintenance/Cleaning | *Home Building Act 1989* |
| 138 | Contractor Licence- Minor Trade Work | *Home Building Act 1989* |
| 139 | Contractor Licence- Painter | *Home Building Act 1989* |
| 140 | Contractor Licence- Plumber | *Home Building Act 1989* |
| 141 | Contractor Licence- Refrigeration | *Home Building Act 1989* |
| 142 | Contractor Licence- Roof Plumber | *Home Building Act 1989* |
| 143 | Contractor Licence- Roof Slater | *Home Building Act 1989* |
| 144 | Contractor Licence- Roof Tiler | *Home Building Act 1989* |
| 145 | Contractor Licence- Stonemason | *Home Building Act 1989* |
| 146 | Contractor Licence- Structural Landscaping | *Home Building Act 1989* |
| 147 | Contractor Licence- Swimming Pool Builder | *Home Building Act 1989* |
| 148 | Contractor Licence- Swimming Pool Repairs & Service | *Home Building Act 1989* |
| 149 | Contractor Licence- Underpinning and Piering | *Home Building Act 1989* |
| 150 | Contractor Licence- Wall & Floor Tiler | *Home Building Act 1989* |
| 151 | Contractor Licence- Water Plumber | *Home Building Act 1989* |
| 152 | Contractor Licence- Water Plumber - fire protection systems | *Home Building Act 1989* |
| 153 | Contractor Licence- Water Plumber - fire sprinkler systems | *Home Building Act 1989* |
| 154 | Contractor Licence- Water Plumber - urban irrigation | *Home Building Act 1989* |
| 155 | Contractor Licence- Waterproofing Technician | *Home Building Act 1989* |
| 156 | Contractor Licence- Wet Plasterer | *Home Building Act 1989* |
| 157 | Trainer (RSA/RCG/LT/ALT) | *Liquor Act 2007* |
| 158 | Motor Dealer | *Motor Dealers and Repairers Act 2013* |
| 159 | Motor Vehicle Recycler | *Motor Dealers and Repairers Act 2013* |
| 160 | Wholesale Dealer | *Motor Dealers and Repairers Act 2013* |
| 161 | Motor Vehicle Repairer | *Motor Dealers and Repairers Act 2013* |
| 162 | Pawnbroker | *Pawnbrokers and Second-hand Dealers Act 1996* |
| 163 | Second-hand Dealer | *Pawnbrokers and Second-hand Dealers Act 1996* |
| 164 | Property Certificate- Assistant Agent | *Property and Stock Agents Act 2002* |
| 165 | Property - Individual- Auctioneer Accreditation - Real Estate and Stock and Station  Class 1 or 2 | *Property and Stock Agents Act 2002* |
| 166 | Property - Individual- Auctioneer as a Real Estate Agent  Class 1 or 2 | *Property and Stock Agents Act 2002* |
| 167 | Property - Individual- Auctioneer as a Stock & Station Agent  Class 1 or 2 | *Property and Stock Agents Act 2002* |
| 168 | Property - Individual- Business Agent | *Property and Stock Agents Act 2002* |
| 169 | Property - Individual- Onsite Residential Property Manager  Class 1 or 2 | *Property and Stock Agents Act 2002* |
| 170 | Property - Individual- Real Estate Agent  Class 1 or 2 | *Property and Stock Agents Act 2002* |
| 171 | Property - Individual- Real Estate Agent Restricted to Buyers Agent  Class 1 or 2 | *Property and Stock Agents Act 2002* |
| 172 | Property - Individual- Stock & Station Agent  Class 1 or 2 | *Property and Stock Agents Act 2002* |
| 173 | Property - Individual- Strata Management Agent  Class 1 or 2 | *Property and Stock Agents Act 2002* |
| 174 | Registered Land Surveyor- Surveyor - Land (NSW) | *Surveying and Spatial Information Act 2002* |
| 175 | Registered Land Surveyor- Surveyor - Land (NSW/ACT) | *Surveying and Spatial Information Act 2002* |
| 176 | Registered Mining Surveyor- Surveyor - Mining (open cut) | *Surveying and Spatial Information Act 2002* |
| 177 | Registered Mining Surveyor- Surveyor - Mining (unrestricted) | *Surveying and Spatial Information Act 2002* |
| 178 | Registered Mining Surveyor- Surveyor - Mining (underground metalliferous) | *Surveying and Spatial Information Act 2002* |
| 179 | Registered Mining Surveyor- Surveyor - Mining (underground coal) | *Surveying and Spatial Information Act 2002* |
| 180 | Driver Certificate- Tow Truck Driver Certificate | *Tow Truck Industry Act 1998* |
| 181 | Tow Truck Operators Licence | *Tow Truck Industry Act 1998* |
| 182 | High Risk Work Assessor | *Work Health and Safety Act 2011* |
| 183 | Asbestos Licence- Friable asbestos removal (Class A ) | *Work Health and Safety Act 2011* |
| 184 | Asbestos Licence- Non-friable asbestos removal Class B) | *Work Health and Safety Act 2011* |
| 185 | Demolition Licence- Demolition licence DE1 | *Work Health and Safety Act 2011* |
| 186 | Demolition Licence- Restricted demolition licence DE2 | *Work Health and Safety Act 2011* |
| 187 | Explosives Licence- Pyrotechnician's Licence | *Work Health and Safety Act 2011* |
| 188 | Racing industry participants- Racing industry participants | *Greyhound Racing Act 2017* |
| 189 | Bookmakers | *Greyhound Racing Act 2017* |
| 190 | Racing industry participants | *Harness Racing Act 2009* |
| 191 | Bookmakers | *Harness Racing Act 2009* |
| 192 | Racing industry participants | *Thoroughbred Racing Act 1996* |
| 193 | Bookmakers | *Thoroughbred Racing Act 1996* |
| 194 | Contractor Licence- Medical Gasfitting work | *Home Building Act 1989* |
| 195 | Contractor Licence- Medical Gas technician | *Home Building Act 1989* |
| 196 | Contractor Licence- Mechanical Services and Medical gas work | *Home Building Act 1989* |
| 197 | High Risk Work Licence- Advanced Rigging | *Work Health and Safety Act 2011* |
| 198 | High Risk Work Licence- Basic Rigging | *Work Health and Safety Act 2011* |
| 199 | High Risk Work Licence- Dogging | *Work Health and Safety Act 2011* |
| 200 | Combatant registration classes | *Combat Sports Act 2013* |
| 201 | Industry participant registration classes | *Combat Sports Act 2013* |
| 202 | Promotor registration classes | *Combat Sports Act 2013* |
| 203 | Architect | *Architects Act 2003* |