

## **EXPLANATORY STATEMENT**

### ***Mutual Recognition Act 1992***

### **Mutual Recognition (Dangerous Goods Licence Registration Notification—Northern Territory) Determination 2022**

This explanatory statement provides notes on the operation of the Determination under section 42J(4) of the *Mutual Recognition Act 1992* (the Determination). The specific provisions in the Determination are outlined in Attachment A. The information in the explanatory statement is an aid to understanding the Determination and should not be substituted for the Determination.

#### **Context and purpose**

Part 3A of the *Mutual Recognition Act 1992* of the Commonwealth (the MRA) provides for the automatic mutual recognition of occupational registrations (AMR). AMR will provide an entitlement for an individual to carry on an activity in a second State, under the registration covering the activity in their home State through Automatic Deemed Registration (ADR).

Part 3A of the MRA provides for the making of a determination that requires a person who intends to carry on an activity in reliance of ADR to notify the local registration authority for the occupation before the person begins to carry on the activity. The *Legislation Act 2003* of the Commonwealth provides for the making of legislative instruments.

#### **Summary**

Through this Determination, the Attorney-General and Minister for Justice of the Northern Territory requires a person to notify a local registration authority before the person begins to rely on automatic deemed registration to carry out the activity under the occupation in the Northern Territory. The Determination is for the period from the day after the day it is registered on the Federal Register of Legislation.

#### **Consultation**

Since the introduction of the Determination in June 2021 by the Treasurer, the Northern Territory have consulted with the relevant licensing boards about the introduction of automatic deemed mutual recognition to carry out the activity under that occupation in the Northern Territory.

## **Attachment A**

### **Details of the Mutual Recognition (Dangerous Goods Licence Registration Notification—Northern Territory) Determination 2022**

#### **Part 1 – Preliminary**

##### **Determination**

This section outlines the authority through which the Determination is made. The Determination is made under section 42J of the *Mutual Recognition Act 1992* of the Commonwealth (the MRA).

The purpose of this Determination is to require a person to notify a local registration authority before the person begins to rely on automatic deemed registration under the MRA to carry on an activity in Northern Territory.

As the Determination is a registrable instrument for the purposes of the *Legislation Act 2003* of the Commonwealth, the Determination comes into operation on the day after the day it is registered on the Federal Register of Legislation.

##### **Schedule**

The Determination is made in accordance with paragraph 42J(4) of the MRA. A person intending to carry on at least one of the activities covered by the registrations listed in reliance on ADR must notify the local registration authority. This means that an individual cannot carry on the activity in the Northern Territory without first providing notification. An individual may obtain the notification requirements through the local registration authority for the activity.

Notification under subsection 42J(4) is required for the following registrations in the Northern Territory:

1. A licence under the *Dangerous Goods Act 1998*.

Chanston James Paech

Attorney-General and Minister for Justice

Note: The name of this instrument was amended on registration as the instrument as lodged did not have a unique name (see subsection 10(2), *Legislation Rule 2016*).