



## **Automatic Mutual Recognition (Tasmania) (Exemptions—Three-Year) Declaration 2022**

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I, Michael Ferguson, Treasurer (Tasmania), make the following declaration.

Dated: 15 June 2022

Michael Ferguson  
Treasurer (Tasmania)

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# Contents

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



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## 1 Name

This instrument is the Automatic Mutual Recognition (Tasmania) (Exemptions—Three-Year) Declaration 2022.

## 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 2022.	1 July 2022.

Note: This table relates only to the provisions of this instrument as originally made.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

## 4 Simplified outline of this instrument

The purpose of this instrument is to exempt registrations for three years from 1 July 2022 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 Tasmania.

Unless revoked earlier, this instrument will sunset under section 50 of the *Legislation Act 2003* of the Commonwealth, subject to subsection 42S(6) of the *Mutual Recognition Act 1992* of the Commonwealth. This will generally mean that this instrument will be repealed on the first 1 April or 1 October falling on or after the fifth anniversary of the registration of the instrument on the Federal Register of Legislation.

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## 5 Definitions

In this instrument:

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

## 6 Exemptions

- (1) For the purposes of paragraph 42S(1)(a) of the Act, a registration in column 1 of the table in subsection (3) of this section is excluded from the operation of automatic deemed registration in Tasmania.
- (2) For the purposes of subsection 42S(2) of the Act, column 2 of the table in subsection (3) of this section sets out a statement of the risk to consumer protection, the environment, animal welfare or the health or safety of workers or the public in relation to each registration in column 1.
- (3) The table is as follows:

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<b>Exemptions for the purposes of paragraph 42S(1)(a)</b>		
<b>Item</b>	<b>Column 1 Registration</b>	<b>Column 2 Statement of risk</b>
1	Teacher under the <i>Teachers Registration Act 2000</i>	There is a significant risk to consumer protection and to the health and safety of students. These risks arise due to differences between jurisdictions in the assessment of good character and fitness to teach, along with issues regarding the accessibility of national information sharing arrangements. A significant risk arises to consumers and students, as it will not be possible to ensure that teachers working under AMR meet the required standards. This risk is particularly significant given that teachers work with children, who are considered a vulnerable group.
2	Security-sensitive Dangerous Substances (SSDS) Permit under the <i>Security-sensitive Dangerous Substances Act 2005</i>	There is a significant risk to the health or safety of workers or the public. This risk arises due to substantial differences between jurisdictions for the issuing of SSDS permits and Responsible Worker Status, which means that those working under AMR may not meet Tasmanian requirements. This risk is considered to be significant given the nature of the activities that these registrations involve, in that they deal with dangerous substances and engage in high risk activities, such as the transport, use, manufacture and storing of explosives. Misuse or mishandling of dangerous

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2 *Automatic Mutual Recognition (Tasmania) (Exemptions—Three-Year) Declaration 2022*

<b>Exemptions for the purposes of paragraph 42S(1)(a)</b>	
<b>Item</b>	<b>Statement of risk</b>
<p><b>Column 1</b> <b>Registration</b></p>	<p><b>Column 2</b></p>
	substances poses a significant risk to the health and safety of both workers and the public.
3	<p>Responsible Worker Status under the <i>Security-sensitive Dangerous Substances Act 2005</i></p> <p>There is a significant risk to the health or safety of workers or the public. This risk arises due to substantial differences between jurisdictions for the issuing of SSDS permits and Responsible Worker Status, which means that those working under AMR may not meet Tasmanian requirements. This risk is considered to be significant given the nature of the activities that these registrations involve, in that they deal with dangerous substances and engage in high risk activities, such as the transport, use, manufacture and storing of explosives. Misuse or mishandling of dangerous substances poses a significant risk to the health and safety of both workers and the public.</p>
4	<p>High Risk Work Licence (HRWL) Assessor under the <i>Work Health and Safety Regulations 2012</i></p> <p>There is a significant risk to the health or safety of workers or the public. This risk arises due to the substantial differences between jurisdictions as to the accreditation of, and conditions imposed upon, HRWL Assessors. This creates a significant risk as the operating requirements relating to high risk activities can differ between jurisdictions. As such, if a person working under AMR assesses a HRWL to a different standard, there is a significant risk if a HRWL is provided when it should not be, as the HRWL allows the holder to engage in high risk activities.</p>

(4) This section is repealed at the end of 30 June 2025.