



## **Automatic Mutual Recognition (New South Wales) (Notification Requirement—Various) Determination 2022**

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I, the Honourable Matt Kean MP, Treasurer of New South Wales, make the following determination.

Dated: 24 November 2022

The Honourable Matt Kean MP  
Treasurer of New South Wales

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## 1 Name

This instrument is the Automatic Mutual Recognition (New South Wales) (Notification Requirement—Various) Determination 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 December 2022	1 December 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Note: This table relates only to the provisions of this instrument as originally made.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 subsection 42J(4) of the *Mutual Recognition Act 1992* of the Commonwealth.

## 4 Simplified outline of this instrument

The purpose of this instrument is to require a person to notify a local registration authority before the person begins to rely on automatic deemed registration under the *Mutual Recognition Act 1992* of the Commonwealth to carry on an activity in New South Wales.

Unless revoked earlier, this instrument will sunset under section 50 of the *Legislation Act 2003* of the Commonwealth (see subsection 42J(5) 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 This will generally mean that this instrument will be repealed on the first 1 April or 1 October falling on or after the tenth anniversary of the registration of the instrument on the Federal Register of Legislation.

## 5 Definitions

In this instrument:

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

## 6 Notification requirement

For the purposes of subsection 42J(4) of the Act, notification is required for the following registrations in New South Wales:

- a) Architect under the *Architects Act 2003* (NSW);
- b) Registration or accreditation under the *Building and Development Certifiers Act 2018* (NSW) except;
  - i. registered certifiers – fire safety
  - ii. accredited practitioner – fire safety
- c) Registration or recognition within the meaning of the *Design and Building Practitioners Act 2020* (NSW) except;
  - i. Design practitioner – fire systems (all classes)
  - ii. Design practitioner – fire safety engineering
  - iii. Professional engineer – fire safety
- d) Driving instructor licences under the *Driving Instructors Act 1992* (NSW);
- e) Licence for commercial agents under the *Fair Trading Act 1987* (NSW);
- f) Licence or certificate within the meaning of the *Home Building Act 1989* (NSW) except the following categories of work:
  - i. general building work
  - ii. erection of prefabricated metal-framed home additions and structures
  - iii. water plumbing – fire protection and fire sprinkler systems
  - iv. mechanical services and medical gas work, medical gas technician work, medical gas fitting work
  - v. electrical wiring, air-conditioning and refrigeration work
- g) Driver authority under the *Passenger Transport Act 1990* (NSW);
- h) Licences under the *Pawnbrokers and Second-hand Dealers Act 1996* (NSW);
- i) Licences within the meaning of the *Pesticides Act 1999* (NSW);
- j) Radiation security assessor accreditation and radiation user licence under the *Radiation Control Act 1990* (NSW);
- k) Registration under the *Surveying and Spatial Information Act 2002* (NSW) except Surveyor – Mining;
- l) Licence or certificate under the *Tow Truck Industry Act 1998* (NSW);
- m) Driller’s licence under the *Water Act 1912* (NSW);
- n) Licence or authorisation under the *Work Health and Safety Act 2011* (NSW).
- o) Demolition licences under the *Occupational Health and Safety Regulations 2001* (NSW)