

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

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Note: This table relates only to the provisions of this instrument as originally made.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 This will generally mean that this instrument will be repealed on the first 1 April or 1 October falling on or after the tenth anniversary of the registration of the instrument on the Federal Register of Legislation.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:

***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:

1. Architect under the *Architects Act 2003* (NSW);
2. Registration or accreditation under the *Building and Development Certifiers Act 2018* (NSW) except;
   * 1. registered certifiers – fire safety
     2. accredited practitioner – fire safety
3. Registration or recognition within the meaning of the *Design and Building Practitioners Act 2020* (NSW) except;
   * 1. Design practitioner – fire systems (all classes)
     2. Design practitioner – fire safety engineering
     3. Professional engineer – fire safety
4. Driving instructor licences under the *Driving Instructors Act 1992* (NSW);
5. Licence for commercial agents under the *Fair Trading Act 1987* (NSW);
6. Licence or certificate within the meaning of the *Home Building Act 1989* (NSW) except the following categories of work:
   * 1. general building work
     2. erection of prefabricated metal-framed home additions and structures
     3. water plumbing – fire protection and fire sprinkler systems
     4. mechanical services and medical gas work, medical gas technician work, medical gas fitting work
     5. electrical wiring, air-conditioning and refrigeration work
7. Driver authority under the *Passenger Transport Act 1990* (NSW);
8. Licences under the *Pawnbrokers and Second-hand Dealers Act 1996* (NSW);
9. Licences within the meaning of the *Pesticides Act 1999* (NSW);
10. Radiation security assessor accreditation and radiation user licence under the *Radiation Control Act 1990* (NSW);
11. Registration under the *Surveying and Spatial Information Act 2002* (NSW) except Surveyor – Mining;
12. Licence or certificate under the *Tow Truck Industry Act 1998* (NSW);
13. Driller’s licence under the *Water Act 1912* (NSW);
14. Licence or authorisation under the *Work Health and Safety Act 2011* (NSW).
15. Demolition licences under the *Occupational Health and Safety Regulations 2001* (NSW)