



REPORT OF THE

STANDING COMMITTEE ON
CONSTITUTIONAL AFFAIRS

IN RELATION TO

THE TRANS-TASMAN MUTUAL
RECOGNITION (WESTERN AUSTRALIA)
BILL 1999

Presented by Hon Murray Nixon JP MLC (Chairman)

Report 46

STANDING COMMITTEE ON CONSTITUTIONAL AFFAIRS

Date first appointed:

21 December 1989

Terms of Reference:

1. The functions of the committee are to inquire into and report on:
 - (a) the constitutional law, customs and usages of Western Australia;
 - (b) the constitutional or legal relationships between Western Australia and the Commonwealth, the States and Territories,

and any related matter or issue;
 - (c) a bill to which SO 230 (c) applies but subject to SO 230 (d);
 - (d) any petition.

2. A petition stands referred after presentation. The committee may refer a petition to another standing committee where the subject matter of the petition is within the terms of reference of that standing committee. A standing committee to which a petition is referred shall report to the House as it thinks fit.

Members as at the date of this report:

Hon Murray Nixon JP MLC (Chairman)

Hon Ray Halligan MLC

Hon Tom Helm MLC (resigned from the Committee on November 9 1999)

Hon Ken Travers MLC (appointed to the Committee on November 10 1999)

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**Report of the Standing Committee on
Constitutional Affairs**

in relation to

The Trans-Tasman Mutual Recognition (Western Australia) Bill 1999

1 EXECUTIVE SUMMARY

- 1.1 The purpose of the *Trans-Tasman Mutual Recognition (Western Australia) Bill 1999* (the Trans-Tasman Bill) is to implement the Trans-Tasman Mutual Recognition Arrangement (the TTMRA) in Western Australia.
- 1.2 The Trans-Tasman Mutual Recognition Arrangement (the TTMRA) is an arrangement between the Commonwealth, State and Territory Governments of Australia and the Government of New Zealand, the principle aim of which is to remove impediments to trans-Tasman trade in goods and to the mobility of people in registered occupations created by regulatory differences among Australian jurisdictions and New Zealand. The TTMRA was signed by Australian Heads of Government at the Council of Australian Governments on June 14 1996. The Prime Minister of New Zealand subsequently signed the TTMRA on July 9 1996.
- 1.3 The aim of the TTMRA is achieved by providing for mutual recognition of regulatory standards for goods and registered occupations adopted in Australia and New Zealand.
- 1.4 The purpose of the TTMRA is to give effect to two mutual recognition principles relating to the sale of goods and the registration of occupations. The two basic principles are:
- a good that may legally be sold in Australia may be sold in New Zealand, and a good that may legally be sold in New Zealand may be sold in Australia, regardless of differences in standards or other sale-related regulatory requirements between Australia and New Zealand; and
 - a person registered to practise an occupation in Australia is entitled to practise an equivalent occupation in New Zealand, and a person registered to practise an occupation in New Zealand is entitled to practise an equivalent occupation in Australia, without the need to undergo further testing or examination.

- 1.5 The TTMRA commenced operation on May 1 1998 on the coming into force of legislation in both Australia, the *Trans-Tasman Mutual Recognition Act 1997* (the Commonwealth Act) and New Zealand. In the case of an Australian State or Territory, the scheme commences operation on the date of proclamation of the relevant State or Territory trans-Tasman mutual recognition legislation.

2 RECOMMENDATIONS

- 2.1 This report outlines selected clauses of the *Trans-Tasman Mutual Recognition (Western Australia) Bill 1999* which require explanation.

Recommendation: The Committee recommends that all clauses of the *Trans-Tasman Mutual Recognition (Western Australia) Bill 1999* be passed.

**Report of the Standing Committee on
Constitutional Affairs**

in relation to

The Trans-Tasman Mutual Recognition (Western Australia) Bill 1999

3 REFERENCE AND PROCEDURE

- 3.1 The *Trans-Tasman Mutual Recognition (Western Australia) Bill 1999* (the Trans-Tasman Bill) was referred to the Standing Committee on Constitutional Affairs (the Committee) by the Legislative Council under Standing Order 230(d).

4 THE TRANS-TASMAN MUTUAL RECOGNITION ARRANGEMENT

- 4.1 The Trans-Tasman Mutual Recognition Arrangement (the TTMRA) is an arrangement between the Commonwealth, State and Territory Governments of Australia and the Government of New Zealand, the principle aim of which is to remove impediments to trans-Tasman trade in goods and to the mobility of people in registered occupations created by regulatory differences among Australian jurisdictions and New Zealand. The TTMRA was signed by Australian Heads of Government at the Council of Australian Governments on June 14 1996. The Prime Minister of New Zealand subsequently signed the TTMRA on July 9 1996.
- 4.2 The aim of the TTMRA is achieved by providing for mutual recognition of regulatory standards for goods and registered occupations adopted in Australia and New Zealand.
- 4.3 In developing the TTMRA governments recognised that there are, in many areas, regulatory impediments to trade between New Zealand and Australia. These are often in the form of:
- different standards for goods;
 - duplicative testing and certification requirements; and
 - different regulatory requirements for those wishing to practise in registered occupations.

- 4.4 The benefits of the TTMRA are particularly significant where regulatory differences mainly reflect national historical or institutional arrangements, rather than the objective assessment of risks to public health, safety and the environment.
- 4.5 The TTMRA commenced operation on May 1 1998 on the coming into force of legislation in both Australia, the *Trans-Tasman Mutual Recognition Act 1997* (the Commonwealth Act) and New Zealand. In the case of an Australian State or Territory, the scheme commences operation on the date of proclamation of the relevant State or Territory trans-Tasman mutual recognition legislation.

The Mutual Recognition Agreement

- 4.6 The TTMRA builds on the Mutual Recognition Agreement (MRA) between the Commonwealth, States and Territories of Australia which commenced operation on March 1 1993. The MRA removed regulatory barriers to the movement of goods and service providers between Australian jurisdictions.
- 4.7 The MRA has recently been reviewed and it is generally considered that the practical benefits have included:
- greater choice for consumers;
 - reduced compliance costs for manufacturers;
 - economies of scale in production, leading to lower product costs;
 - greater cooperation between regulatory authorities and the accelerated development of national standards where appropriate;
 - greater discipline on individual jurisdictions contemplating the introduction of new standards and regulations;
 - increased movement of service providers; and
 - freedom for service providers to practise in jurisdictions in which they are not registered.

Principles of the TTMRA

4.8 The purpose of the TTMRA is to give effect to two mutual recognition principles relating to the sale of goods and the registration of occupations. The two basic principles are:

- a good that may legally be sold in Australia may be sold in New Zealand, and a good that may legally be sold in New Zealand may be sold in Australia, regardless of differences in standards or other sale-related regulatory requirements between Australia and New Zealand; and
- a person registered to practise an occupation in Australia is entitled to practise an equivalent occupation in New Zealand, and a person registered to practise an occupation in New Zealand is entitled to practise an equivalent occupation in Australia, without the need to undergo further testing or examination.

4.9 There are some exceptions and qualifications to these principles. They are discussed below.

Goods and the TTMRA

4.10 The basic principle in respect of goods under the TTMRA is that goods that can be legally sold in a participating Australian jurisdiction can be sold in New Zealand and vice versa, as long as the goods meet the regulatory requirements for sale in the jurisdiction in which they were manufactured or first imported. This means that goods which can be sold lawfully in one jurisdiction may be sold freely in another, even though the goods may not comply with all the details of regulatory standards in the second jurisdiction.

4.11 Under the mutual recognition principle, producers in Australia will have to ensure that their products comply with the laws only in the place of production. If they do so, they will then be free to distribute and sell their products in New Zealand without being subjected to further testing or assessment of their product.

Laws affected by the TTMRA

4.12 Legislation implementing the TTMRA overrides any laws (with certain exceptions) that regulate the manufacture or the sale of goods. Examples of laws overridden by the scheme include:

- requirements relating to product standards such as the production, composition, quality or performance of a good;
- requirements relating to the way the goods are presented, such as packaging, labelling, date stamping and age;
- requirements that the goods be inspected, passed or similarly dealt with in or for the purposes of the jurisdiction;
- a requirement that any step in the production of the goods not occur outside the jurisdiction; and
- any other requirement that would prevent or restrict the sale of the good.

4.13 The mutual recognition principle applies to regulatory requirements relating to the good itself and requirements relating to and leading up to the point of sale. The scheme does not impact on post point of sale requirements, including those relating to the use of goods. For example, laws that regulate the manner in which goods are sold such as laws restricting the sale of certain goods to minors, or the manner in which sellers conduct their businesses, are explicitly exempted from the scheme.

Laws not affected by the TTMRA

4.14 The TTMRA does not affect the operation of any laws to the extent that they regulate:

- the manner of the sale of goods or the manner in which sellers conduct their business, so long as those laws apply equally to both locally produced and imported goods. Examples include laws relating to:
 - the contractual aspects of the sale of goods;
 - the registration of sellers or other persons carrying on occupations (for example liquor licences);
 - the requirement for business franchise licences (for example tobacco licences);
 - the persons to whom the goods may or may not be sold (for example the sale of liquor to minors); and
 - the circumstances in which goods may or may not be sold (for example health/hygiene requirements);

- the transportation, storage or handling of goods, so long as those laws apply equally to both locally produced and imported goods and the laws are directed at matters affecting public health or safety or at preventing, minimising or regulating environmental pollution; or
- the inspection of goods, so long as inspection is not a prerequisite to the sale of the goods, the laws apply equally to both locally produced and imported goods and the laws are directed at protecting public health or safety or the environment.

4.15 The TTMRA does not affect the operation of any laws prohibiting or restricting the export of goods from a participating jurisdiction.

Goods and laws exempt from the TTMRA

4.16 The TTMRA contains various types of exemptions for goods and laws for which mutual recognition is not appropriate.

Exclusions

4.17 Some laws that may indirectly relate to the sale of goods are excluded from the TTMRA. These laws include those relating to:

- customs controls and tariffs - but only to the extent that the laws provide for the imposition of tariffs and related measures (for example, anti-dumping and countervailing duties) and the prohibition or restriction of imports (for example, firearms);
- intellectual property - but only to the extent that the laws provide for the protection of intellectual property rights;
- taxation and business franchises - but only to the extent that the laws provide for the imposition of taxes on the sale of locally produced and imported goods in a non-discriminatory way (for example, wholesale sales tax (Commonwealth), and business franchise and stamp duties (States); and
- the implementation of international obligations - but only to the extent that the laws implementing those obligations deal with the requirements relating to the sale of goods.

4.18 Part 1 of Schedule 1 to the Commonwealth Act lists the categories of laws that are excluded from the operation of the Act. They can only be amended if all the participating jurisdictions agree. Part 2 of Schedule 1 to the Commonwealth Act lists the actual laws that fall within the categories listed in Part 1 of Schedule 1 and which are therefore excluded from the operation of the Act. These may be amended unilaterally by any participating party as long as the amendment merely removes or reduces the extent of an excluded law or substitutes another law that falls within the categories listed in Part 1 of Schedule 1.

Permanent exemptions

4.19 Certain laws relating to the sale of goods are permanently exempt from the TTMRA in areas where the participating parties considered that the application of mutual recognition principles would not be appropriate. These laws are set out in Schedule 2 of the Commonwealth Act and include laws relating to quarantine, endangered species, firearms, fireworks, indecent material, ozone protection, agriculture and veterinary chemicals and certain risk-categorised food, as well as a small number of State-specific laws, including a Western Australian law relating to gaming machines.

4.20 A participating government can unilaterally amend or replace a permanently exempt law at any time provided the amendment or replacement law does not expand the scope of the exemption. Participating jurisdictions can also unilaterally remove or reduce the extent of permanently exempt laws. Amendments seeking to add laws to the permanent exemptions list in Schedule 2 require the unanimous agreement of the participating jurisdictions.

Special Exemptions

4.21 Special exemptions apply in a number of areas where further examination of each country's regulatory requirements was deemed desirable in order to determine the appropriateness or otherwise of allowing the mutual recognition principle to operate.

4.22 Special exemptions will apply to regulatory requirements in the areas of:

- therapeutic goods;
- hazardous substances, industrial chemicals and dangerous goods;
- electromagnetic compatibility and radiocommunications equipment;

- road vehicles; and
- gas appliances.

4.23 Special exemptions last for no longer than 12 months, but may be extended by one or more further periods each not exceeding 12 months. An extension may only be obtained with the agreement of at least two-thirds of the participating jurisdictions. The first 12 month special exemption period commenced on the date on which the scheme commenced operation, that is, May 1 1998.

4.24 During the special exemption period(s), Australia and New Zealand will embark on Cooperation Programs in each of the areas listed in the special exemptions schedule with a view to developing complementary regulatory arrangements.

4.25 Cooperation Programs can lead to three possible outcomes:

- that mutual recognition should be allowed to operate because the regulatory requirements applying in each country for the goods in question are adequate from the point of view of protecting either the health and safety of persons in the jurisdiction or the environment;
- that the regulatory requirements applying in each participating jurisdiction to the goods in question be subject to harmonisation, or in some other way brought into alignment. For example, Ministers could agree that identical standards should apply in both countries or that the regulatory requirements applying in each country should be brought into closer alignment. Once harmonisation or closer alignment was achieved, the mutual recognition principle would apply; or
- that a good should not be able to be sold or certain regulatory requirements should not be able to be applied under the scheme. In these circumstances, Ministers may seek Heads of Government agreement to have the good added to the permanent exemption schedule.

4.26 Regulatory requirements can be permanently exempted from the scheme at any time with the unanimous agreement of the participating jurisdictions. If the vote is taken more than five years after the commencement of the scheme, however, (that is, after May 1 2003), laws listed on the special exemptions schedule can be converted into permanent exemptions if at least two-thirds of the participating parties agree.

Temporary exemptions

- 4.27 The regulatory requirements relating to certain goods or classes of goods can be temporarily exempted from the operation of the TTMRA for a period of up to 12 months or an aggregate period of 12 months. A participating jurisdiction may unilaterally invoke a temporary exemption if it considers that the standards of regulatory requirements applying to a good are such that the sale of the good could give rise to a threat to the health and safety of persons in the jurisdiction or the environment.
- 4.28 Temporary exemptions are invoked by the gazettal of a regulation by the designated person of a participating jurisdiction (for example the Commonwealth Governor-General or a State Governor).
- 4.29 As noted, a temporary exemption for a specific good or law may not apply for more than an aggregate maximum of 12 months. Before the exemption period expires, the relevant Ministerial Council must endeavour to determine whether the regulatory requirements subject to the exemption should be amended and, if so, what the new regulatory requirements should be.
- 4.30 As with the special exemption mechanism, there are three possible outcomes from a Ministerial Council determination:
- the good under examination does not pose a real threat to either the health or safety of persons in the jurisdiction or the environment, and mutual recognition should be allowed to operate;
 - the regulatory requirements applying to the exempt good should be harmonised or is some other way brought into alignment; or
 - Ministers agree that the good or law in question should be exempt from the TTMRA. In these circumstances, Ministers may seek Heads of Government agreement to have the good permanently exempted from the scheme.
- 4.31 Ministerial Council determinations are made by a vote in favour by not less than two-thirds of the participating parties to the TTMRA. They must be made before the 12 month exemption period expires.

- 4.32 Once a Ministerial Council has made its determination it needs to seek approval for the determination from Heads of Government of the participating parties. If at least one-third of the Heads of Government do not disapprove the determination within three months of its receipt, the determination is taken to be endorsed by the Heads of Government and the participating jurisdictions should take action to implement the determination as soon as practicable.

5 OCCUPATIONS AND THE TTMRA

- 5.1 The basic principle in respect of occupations under the TTMRA is that a person registered to practice an occupation in Australia can seek automatic registration to practise an equivalent occupation in New Zealand and vice versa without having to satisfy further admission or practice requirements.
- 5.2 The TTMRA covers all occupations for which some form of legislation-based registration, certification, licensing, approval, admission or any other form of authorisation is required by individuals in order to legally practise the occupation. Examples of registered occupations include dentists, builders, nurses, pharmacists and plumbers.
- 5.3 The only exemption relating to occupations applies to medical practitioners. The TTMRA does not apply to medical practitioners by virtue of section 49 and Schedule 4 of the Commonwealth Act which provide that the Act does not affect the operation of laws of an Australian jurisdiction that relate to medical practitioners. However, in the case of doctors trained in Australia and New Zealand, mutual recognition-type arrangements are already applied by the Australian Medical Council.
- 5.4 The mutual recognition principle as applies to occupations is subject to the exception that it does not affect the operation of laws that regulate the manner of carrying on an occupation (such as requirements relating to trust accounts, fees and continuing education) so long as those laws apply equally to all persons carrying on or seeking to carry on the occupation and are not based on the attainment or possession of some qualification or experience relating to fitness to carry on the occupation. This means that the TTMRA does not affect any requirements of a jurisdiction that regulate the ongoing activities of persons registered to practise an occupation.

Equivalent occupations

- 5.5 The mutual recognition principle only applies to occupations that are ‘equivalent’. Under section 28 of the Commonwealth Act two occupations are taken to be equivalent "if the activities authorised to be carried out under each registration are substantially the same (whether or not this result is achieved by means of the imposition of conditions)."

Procedure for obtaining registration under the TTMRA

- 5.6 A person seeking registration under the TTMRA must lodge a written notice with the relevant registration authority containing certain basic information relating to his or her current registration.
- 5.7 The registration authority has one month from the lodgement date to process the application and to formally grant, postpone or refuse registration. If a registration authority neither grants, postpones or refuses registration before the expiry of the one month period, the person is entitled to immediate registration. When granted, registration takes effect from the date of lodgement of the notice.

Deemed registration

- 5.8 A person is taken to have deemed registration from the date of lodgement of the notice and may carry on his or her occupation pending the grant or refusal of registration. A person with deemed registration may carry on his or her occupation as if he or she had been granted substantive registration, subject to any conditions attaching to their existing substantive registration or to any requirements of substantive registration (for example, regarding insurance, fidelity funds and trust accounts).
- 5.9 Deemed registration continues until it is cancelled or suspended or otherwise ceases in accordance with the conditions set out in Part 3 of the Commonwealth Act.

Imposing conditions on registration

- 5.10 A registration authority may impose similar conditions on registration to any already applying to a person’s original registration or which are necessary to achieve equivalence between occupations. Section 19(5) of the Commonwealth Act provides that a registration authority may not impose conditions that are more onerous than would be imposed in similar circumstances if the registration was effected other than under the Commonwealth Act.

Postponement of registration

- 5.11 A registration authority may postpone the granting of registration if certain conditions set out in the Commonwealth Act apply (for example if any of the statements or information in the written notice are materially false or misleading or if the circumstances of the person lodging the notice have materially changed since the lodgement date).
- 5.12 Postponement can apply for a maximum of six months. The applicant is entitled to registration immediately at the end of the six month period unless registration was refused at or before the end of that period.

Refusal of registration

- 5.13 Pursuant to section 22 of the Commonwealth Act, a registration authority may refuse to grant a person registration if:
- any of the statements or information in the written notice applying for registration are materially false or misleading;
 - any document or information required to be provided have not been provided or are materially false or misleading; or
 - the registration authority decides that the occupation is not an equivalent occupation and equivalence cannot be achieved by the imposition of conditions.

Notification of decision

- 5.14 Section 23 of the Commonwealth Act provides that a registration authority must provide written notification to persons who have lodged a notice seeking registration for the equivalent occupation under the TTMRA of its decision to grant registration, or to postpone or refuse the grant of registration, or to impose conditions on registration.
- 5.15 When notifying a person of its decision to refuse, postpone or impose conditions on registration, a registration authority must also advise the person that an application for review may be made to the Australian Tribunal.

Suspension or termination of registration

- 5.16 If a person's initial registration in an occupation is cancelled, suspended or subject to a condition on disciplinary grounds or as a result of or in anticipation of criminal, civil or disciplinary proceedings, the person's registration in the equivalent occupation under the TTMRA is affected in the same way. A registration authority may, however, reinstate any cancelled or suspended registration or waive any such condition if it thinks it appropriate in the circumstances.

Appeals

- 5.17 Applicants who disagree with the decision of a registration authority can seek a review of that decision.
- 5.18 The Australian Administrative Appeals Tribunal hears appeals relating to decisions of Australian registration bodies made under the TTMRA and the Trans-Tasman Occupations Tribunal of New Zealand hears appeals relating to decisions of New Zealand registration bodies.
- 5.19 To promote consistency between the decisions of the two tribunals, each tribunal is required to have regard to decisions made by the other. Provision is also made in section 35(3) of the Commonwealth Act for cross-membership between the tribunals.

6 IMPLEMENTATION MECHANISM

- 6.1 Australia and New Zealand are implementing the TTMRA through a legislative scheme which will include an Australian component and a New Zealand component. The Australian component will require the Commonwealth, States and Territories to enact legislation.
- 6.2 The jurisdiction leading the implementation of the TTMRA in Australia is New South Wales. The *Trans-Tasman Mutual Recognition (New South Wales) Act 1997* was enacted on November 25 1997. This Act refers power to the Commonwealth to legislate under section 51(xxxvii) of the Commonwealth Constitution for the passage of the trans-Tasman Mutual Recognition legislation. The States and Territories will legislate to either refer power to the Commonwealth or adopt the Commonwealth legislation in order to participate in the scheme.

- 6.3 The Trans-Tasman Bill will adopt the Commonwealth legislation, making Western Australia a participating jurisdiction. The Western Australian legislation will adopt the Commonwealth Act for a period of five years.
- 6.4 It is significant that the Trans-Tasman Bill will only adopt the Commonwealth Act as it stands at the time the Western Australian legislation receives the Royal Assent. Any amendments to the Commonwealth Act will also have to be considered by the State Parliament for the amendments to apply in Western Australia. In contrast, other states' legislation adopts the Commonwealth Act "...as originally enacted *and as amended from time to time* by regulations made in accordance with the Commonwealth Act,..."¹ (Italics added).

7 CONTENTS AND PURPOSE OF THE TRANS-TASMAN BILL

- 7.1 The purpose of the *Trans-Tasman Mutual Recognition (Western Australia) Bill 1999* (the Trans-Tasman Bill) is to implement the Trans-Tasman Mutual Recognition Arrangement (the TTMRA) in Western Australia.
- 7.2 The principle aim of the TTMRA is to remove impediments to trans-Tasman trade in goods and to the mobility of people in registered occupations created by regulatory differences among Australian jurisdictions and New Zealand. This aim is achieved by providing for mutual recognition of regulatory standards for goods and registered occupations adopted in Australian and New Zealand.
- 7.3 The Trans-Tasman Bill contains seven clauses. The text of the Commonwealth Act (as at the time of the enactment of the WA Bill) is set out in a note at the end of the WA Bill.

Clause 1 - Short title

Clause 2 - Commencement

Clause 3 - Interpretation

Clause 4 - Adoption of Commonwealth Act

Clause 5 - Regulations for temporary exemptions for goods

Clause 6 - Review of mutual recognition arrangements

Clause 7 - Expiry of Act

Note: *Trans-Tasman Mutual Recognition Act 1997*

¹ Section 4(1) *Trans-Tasman Mutual Recognition (Victoria) Act 1998*.

7.4 Certain selected clauses of the Trans-Tasman Bill are outlined below. The Committee has provided comment on those sections.

7.5 As part of its review, the Committee placed an advertisement in *The West Australian* newspaper inviting submissions on the Trans-Tasman Bill. The Committee did not receive any submissions as a result of the advertisement.

8 SELECTED CLAUSES OF THE *TRANS-TASMAN MUTUAL RECOGNITION (WESTERN AUSTRALIA) BILL 1999*

8.1 Clause 2 - Commencement

8.1.1 This clause provides for the Act to come into operation on proclamation.

8.2 Clause 4 - Adoption of Commonwealth Act

8.2.1 This clause adopts the Commonwealth Act as it stands at the time the Western Australian Act receives the Royal Assent. As previously noted, this clause differs from other states in that any amendments made to the Commonwealth Act after the Western Australian Act receives the Royal Assent will have to be considered by the State Parliament for the amendments to apply in Western Australia. In contrast, the Victorian legislation, for example, adopts the Commonwealth Act "...as originally enacted *and as amended from time to time* by regulations made in accordance with the Commonwealth Act,..."² (Italics added).

8.3 Clause 5 - Regulations for temporary exemptions for goods

8.3.1 This clause enables the Governor of Western Australia to make regulations for the purposes of temporary 12 month exemptions, as contemplated by section 46 of the Commonwealth Act.

8.4 Clause 6 - Review of mutual recognition arrangements

8.4.1 This clause provides for a review of the operation of the Act after five years. On completion of the review a report is to be laid before each House of the Western

² Ibid.

Australian Parliament containing a recommendation as to whether or not Western Australia should continue to adopt the Commonwealth Act.

8.5 Clause 7 - Expiry of Act

8.5.1 This clause provides that the Act will expire at the end of the five year period of adoption.

Recommendation: The Committee recommends that all clauses of the *Trans-Tasman Mutual Recognition (Western Australia) Bill 1999* be passed.

Hon Murray Nixon JP, MLC
Chairman

Date:

