

FACT SHEET

Mutual Recognition (Tasmania) Amendment Bill 2021

- As part of its deregulation agenda, the Australian Government, along with State and Territory Governments, agreed in 2020 that the Council on Federal Financial Relations would prioritise and lead the implementation of a uniform scheme for Automatic Mutual Recognition.
- Based on advice from CFFR, Governments committed, at the National Cabinet meeting on 11 December 2020, to establishing a widespread uniform scheme for automatic recognition of licensed occupations for the purpose of streamlining processes across jurisdictions to commence from 1 July 2021.
- This was formalised in the Intergovernmental Agreement on the Automatic Mutual Recognition of Occupational Registration.
- The Australian Parliament has recently passed laws to introduce a uniform scheme of AMR by enabling an individual who is registered for an occupation in their home State or Territory to carry on those activities in other States and Territories without further assessment of their qualifications or a licence fee.
- Currently under the existing Mutual Recognition scheme a worker must go through a separate registration process and may need to pay an additional registration or licence fee before working in another state or territory.
- AMR is intended to make it simpler, quicker and less expensive for people to work across jurisdictions, while maintaining standards of consumer protection and worker and public health and safety.
- This Bill amends the *Mutual Recognition (Tasmania) Act 1993* to implement the AMR scheme established by the new Commonwealth law. It also refers to the Australian Parliament the power to amend the scheme in the future.
- Currently under the Tasmanian Act, the referral of power for the Mutual Recognition scheme requires all States and Territories to approve future changes. The Bill updates this referral by removing this requirement.
- At any time, the Governor will be able to terminate the adoption of the Mutual Recognition or AMR scheme, or terminate the referral of power to the Commonwealth. This would be done by the Governor making a proclamation. This remains important in the case where the Commonwealth may decide to make changes that would not be in the best interests of the State.
- Before the Governor can make a proclamation, the Bill requires the proclamation to be approved by each House of Parliament.
- Once the Tasmanian legislation has passed, the Minister for Finance will be able to make a declaration to:
 - temporarily exempt an occupation from AMR until 30 June 2022; or
 - exempt an occupation on a longer-term basis for up to five years because of a significant risk to consumer protection, the environment, animal welfare or

the health or safety of workers or the public.

- Temporary exemption arrangements in the State are likely to be broad and in line with the other States and Territories where AMR is already in place. The need for any longer term exemptions will be considered during the temporary exemption phase, as agencies work through whether any mitigating strategies can be put in place to address the risks identified, or whether a longer term exemption is more appropriate.
- AMR will commence in the State on a date to be proclaimed.