

FACT SHEET

Occupational Licensing (Automatic Mutual Recognition Consequential Amendments) Bill 2022

- At the National Cabinet Meeting held on 11 December 2020, the Commonwealth, States and Territories agreed to introduce a uniform scheme for Automatic Mutual Recognition (AMR) of occupational licences. This is for the purpose of streamlining occupational registration processes to allow individuals to more easily work in multiple jurisdictions.
- The Commonwealth amended the *Mutual Recognition Act 1992 (Cth)* to provide for the AMR scheme. Those amendments commenced on 1 July 2021.
- Tasmania's Parliament has already passed the *Mutual Recognition (Tasmania) Amendment Act 2021* to adopt the Commonwealth amendments. However, this Act only provides a legal framework and has no details on means for practical implementation of AMR in Tasmania.
- This Consequential Amendment Bill therefore amends seven Tasmanian licensing Acts, including the Tasmanian Mutual Recognition Act to enable the AMR system to be fully implemented for certain occupations, by providing that:
 - persons working under the AMR scheme need to comply with the same laws as local licensees; and
 - public and consumer protection requirements are maintained for all licensees working in Tasmania; and
 - standards of work performed are maintained and are the same for all persons working in Tasmania.
- The proposed amendments do not change the criteria, terms or conditions of any occupational licence in Tasmania. The changes ensure that those interstate licensees entering Tasmania to work under the AMR scheme do so on a level playing field with those licensed in this state.
- The seven licensing Acts required to be amended are the:
 - *Architects Act 1929*;
 - *Conveyancing Act 2004*;
 - *Motor Vehicle Traders Act 2011*;
 - *Occupational Licensing Act 2005*;
 - *Property Agents and Land Transactions Act 2016*
 - *Security and Investigations Agents Act 2002*; and

- *Mutual Recognition (Tasmania) Act 1993.*
- The occupation types covered by this Bill are within the Workplace Safety and Consumer Affairs portfolio, administered by Consumer Building and Occupational Services (Department of Justice), the Property Agents Board, or by the Architects Board of Tasmania, including:
 - the building and construction industry, covering, engineers, building designers, building surveyors, builders, gas-fitters, plumbers, electricians and council permit authorities;
 - conveyancers who transfer land;
 - security agents, including inquiry and commercial agents and their employees.
 - motor vehicle traders who buy and sell new or used vehicles;
 - property agents, including real estate agents, auctioneers and property managers; and
 - architects.