

DRAFT SECOND READING SPEECH

HON ELISE ARCHER MP

Occupational Licensing (Automatic Mutual Recognition Consequential Amendments) Bill 2022

** Check Hansard for delivery **

Mr Speaker, I move that the Bill now be read a second time.

Our Government has been working with the Commonwealth and other states and territories to boost competition and improve labour mobility through the reform of occupational licensing laws.

Automatic mutual recognition promotes freedom of movement for licensed professionals across Australian states and territories by reducing unnecessary regulatory red tape, while maintaining necessary safety standards.

Mr Speaker, attracting skilled workers to Tasmania to support our State's strong economic growth and pipeline of infrastructure projects is a priority for our Government.

The introduction of this Bill follows the commencement in December last year of the *Mutual Recognition (Tasmania) Amendment Act 2021* to facilitate the Tasmanian Government's adoption of the agreed national scheme for the automatic mutual recognition of occupational licences.

Mr Speaker, while the *Mutual Recognition (Tasmania) Amendment Act 2021* commenced last year, a broad number of temporary exemptions were provided to occupational licences in Tasmania. These exemptions ensured that existing consumer and public protections in this State are maintained under the automatic mutual recognition scheme, and facilitated appropriate implementation arrangements including the making of necessary consequential legislative amendments. Temporary exemptions for most licence types expired on 1 July 2022, with only three licence types exempt until 1 July 2023.

This Bill is the culmination of extensive work undertaken by all Australian jurisdictions alongside the Commonwealth Government to implement important reforms agreed by National Cabinet in December 2020. These reforms make it easier, faster and less expensive for persons holding an occupational licence to work in other states and territories.

Mr Speaker, this Bill achieves three key objectives.

Firstly, it will ensure that persons working under automatic mutual recognition in Tasmania must comply with the same laws as local workers.

Second, this Bill will ensure that public and consumer protection requirements are maintained for all individuals carrying out work in Tasmania.

Lastly, this Bill will ensure that all work completed in Tasmania is maintained to the same standard, irrespective of the home state of the licensee.

Mr Speaker, I will now move to the specific elements of the Bill.

The Bill amends seven Acts relating to occupational licensing, to facilitate the operational commencement in Tasmania of the automatic mutual recognition scheme.

Importantly, it does not diminish our local work standards, nor directly impact local workers, and will have tangible benefits for Tasmanian workers and businesses.

This Bill covers occupations within my portfolio as Minister for Workplace Safety and Consumer Affairs, including:

- the building and construction industry, covering architects, engineers, building designers, building surveyors, builders, electricians, gas-fitters and plumbers;
- conveyancers who transfer land;
- property agents, including real estate agents, auctioneers and property managers;
- motor vehicle traders who buy and sell new or used vehicles; and
- security agents, including inquiry and commercial agents and their employees.

There are also other licensed occupations in Tasmania that fall within the scope of the automatic mutual recognition scheme that do not come within the Workplace Safety and Consumer Affairs portfolio. They are the subject of separate arrangements.

Mr Speaker, this will match job seekers with employment opportunities making it easier, faster and less expensive for individuals already holding a state or territory occupational licence to work here in Tasmania, and there are no additional tests, applications or fees.

Automatic mutual recognition will help employers access registered skilled workers more quickly, and at a lower cost, by more seamlessly allowing employees to move where they are most needed.

Ultimately, the automatic mutual recognition scheme will boost competition, productivity and economic growth here in Tasmania.

Mr Speaker, to provide the House with an example, automatic mutual recognition will allow an electrician registered in Victoria to start work immediately in Tasmania after notifying our regulator, namely Consumer Building and Occupational Services (CBOS). The electrician will not have to pay a fee to undertake the same registered activity here, and this will directly save the electrician \$346.50 in licence fees for a three year period, as well as the time it would have taken to have their licence processed and recognised under the existing mutual recognition scheme. This will help them to start work without delay, to support our thriving construction industry.

In fact, since the commencement of automatic mutual recognition on 1 July, CBOS has received 51 notifications from electrical workers with 32 of those being from Victoria.

Tasmanian employers and licensees have been major beneficiaries under the current mutual recognition arrangements. These arrangements are well understood and operate efficiently, although still require a licensee to go through a separate registration application process and the person may need to pay a licence fee before commencing work.

Mr Speaker, the benefits of this reform are significant. Consultants Price Waterhouse Coopers have estimated that when fully implemented, automatic mutual recognition could lead to an additional \$2.4 billion in national economic activity over the next decade due to the savings to

workers and businesses, productivity improvements and extra surge capacity in response to natural disasters.

In this state, mutual recognition is the basis of 20 per cent of all registrations issued in any given year by CBOS.

The introduction of automatic mutual recognition will make it even easier for a range of individuals to work interstate in their occupation without unnecessary fees, forms and red tape. This includes Tasmanians wishing to work interstate.

Consumer and public protections

Mr Speaker, our Government is committed to ensuring that the existing regulations in place to protect our consumers and workers are maintained under the automatic mutual recognition scheme, when interstate workers decide to operate in our State.

Importantly, the amendments made by this Bill will not change the criteria, terms or conditions of any occupational licence in Tasmania. Instead, the changes will ensure that those entering Tasmania under an interstate licence to work under the automatic mutual recognition scheme do so on a level playing field with those licensed in this State.

There are a number of other important safeguards entwined in the automatic mutual recognition scheme, which I will now detail.

A person subject to disciplinary actions, or who has conditions on their registration as a result of disciplinary or legal action in their home state or territory, will not be eligible for automatic mutual recognition of their licence here in Tasmania.

Any conditions a person has on their home licence will equally apply here in Tasmania.

Where required by Tasmanian law, a worker wishing to work in this State must also satisfy screening requirements, such as a working with vulnerable people check.

Mr Speaker, our local laws continue to apply to everyone undertaking licensed work here in Tasmania.

This includes the need for registrants to meet financial requirements, such as having insurance, or operating a trust account if handling a client's money.

Tasmanian regulators are able to take disciplinary action, including suspending or cancelling a person's automatic mutual recognition registration, consistent with Tasmanian law.

To support the commencement of the scheme, notification requirements are in place to require those seeking to use automatic mutual recognition to notify the relevant Tasmanian regulator, such as CBOS, of their intention to work in Tasmania. This will allow our regulators to confirm a home state licence or registration is held and ensure that workers are aware of our local laws and requirements.

Pleasingly, as of 1 September 2022, CBOS has received 127 notifications by interstate licensees of their intention to undertake work in Tasmania, using "deemed registration" under the automatic mutual recognition scheme.

In addition to the consultation processes undertaken nationally in relation to the automatic mutual recognition scheme, the specific amendments contained in this Bill have been informed by

extensive consultation undertaken by CBOS with Tasmanian industry associations and stakeholders. I wish to take this opportunity to thank them for their input.

Mr Speaker, it is critical that Tasmanians can take up job opportunities wherever they arise. This scheme will benefit Tasmanian businesses and consumers, as it will allow workers from interstate to quickly and flexibly respond to sudden increases in demand in particular areas.

Competition will also increase, resulting in lower prices and improved service quality for Tasmanian consumers.

Importantly, this Bill makes amendments to a number of key occupational licence regimes, to ensure that the existing consumer and public protections currently in place in Tasmania will be maintained under the automatic mutual recognition scheme. This means that interstate workers in Tasmania will work to the same rules and requirements as local workers, and the specific amendments in this Bill will not impact local workers.

Mr Speaker, I commend this Bill to the House.