

TRANS TASMAN MUTUAL RECOGNITION (WESTERN AUSTRALIA) BILL 2005

EXPLANATORY MEMORANDUM

The purpose of the Trans Tasman Mutual Recognition (Western Australia) Bill 2005 (the Bill) is to implement the Trans Tasman Mutual Recognition Arrangement (TTMRA) in Western Australia. The TTMRA was signed by Australian heads of government at the Council of Australian Governments on 14 June 1996. The Prime Minister of New Zealand subsequently signed the TTMRA on 9 July 1996.

The principal aim of the TTMRA is to remove impediments to trans-Tasman trade in goods and the mobility of labour caused 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 Australia and New Zealand.

The TTMRA extends the existing Australian Mutual Recognition Agreement, which was signed by Australian heads of government in May 1992, to New Zealand. The Bill adopts the Commonwealth *Trans Tasman Mutual Recognition Act 1997* (and any amendments made to it before the Western Australian Act receives the Royal Assent) for a period of five years.

Outlined below is an examination of the contents of the Bill on a clause by clause basis.

Explanation of Clauses

Clause 1: Short Title

Clause 2: Commencement

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

Clause 3: Interpretation

The "Commonwealth Act" is defined. (The text of the Commonwealth Act is set out in the Appendix to the Bill).

Clause 4: Adoption of Commonwealth Act

This clause adopts the Commonwealth Act as it stands at the time the Western Australian Act receives the Royal Assent.

Clause 5: Regulations for temporary exemptions for goods

This clause enables the Governor (of this State) to make regulations for the purposes of temporary 12 month exemptions, as contemplated by section 46 of the Commonwealth Act.

Clause 6: Review of mutual recognition arrangements

This clause provides for a review of the operation of the Act after five years.

Clause 7: Expiry of Act

This clause provides that the Act will expire at the end of the five year period of adoption or on an earlier day fixed by the Governor.