



Western Australia

Trans-Tasman Mutual Recognition (Western Australia) Amendment Act 2022

As at 01 Dec 2022

No. 45 of 2022

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Trans-Tasman Mutual Recognition (Western Australia) Amendment Act 2022

No. 45 of 2022

**An Act to amend the *Trans-Tasman Mutual Recognition (Western
Australia) Act 2007*.**

[Assented to 1 December 2022]

The Parliament of Western Australia enacts as follows:

s. 1

1. Short title

This is the *Trans-Tasman Mutual Recognition (Western Australia) Amendment Act 2022*.

2. Commencement

This Act comes into operation as follows —

- (a) sections 1 and 2 — on the day on which this Act receives the Royal Assent;
- (b) the rest of the Act — on the day after that day.

3. Act amended

This Act amends the *Trans-Tasman Mutual Recognition (Western Australia) Act 2007*.

4. Section 3 replaced

Delete section 3 and insert:

3. Terms used

In this Act —

adopt has the same meaning as in the Constitution of the Commonwealth section 51(xxxvii);

Commonwealth Act means the *Trans-Tasman Mutual Recognition Act 1997* (Commonwealth).

5. Section 4 amended

(1) Delete section 4(1) and insert:

(1) The Commonwealth Act, as originally enacted and as amended from time to time by regulations made under the Commonwealth Act, is adopted.

(2) In section 4(2) delete “of the Commonwealth Act under this Act” and insert:

under subsection (1)

(3) Delete section 4(3).

(4) In section 4(4):

(a) delete “subsection (3)” and insert:

subsection (1)

(b) delete “Legislative Instruments maintained under the *Legislative Instruments Act 2003* of the Commonwealth.” and insert:

Legislation maintained under the *Legislation Act 2003* (Commonwealth).

(5) Delete section 4(5) and insert:

(5) The adoption under subsection (1) terminates in accordance with section 7.

6. Section 7 replaced

Delete section 7 and insert:

6. Tabling documents relating to scheme reviews

(1) In this section —

intergovernmental arrangement means the Trans-Tasman Mutual Recognition Arrangement between the Commonwealth, New Zealand, the States, the Australian Capital Territory and the Northern Territory, as in force from time to time;

scheme review means a review of the operation of the intergovernmental arrangement and its related legislation carried out under paragraphs 12.1.1 to 12.1.3 of the intergovernmental arrangement.

(2) Subsection (3) applies if —

- (a) a scheme review is carried out; and
- (b) a report is prepared by the person carrying out the review; and
- (c) the Minister receives the report.

(3) The Minister must cause the report to be laid before each House of Parliament as soon as practicable after the Minister receives the report.

(4) If a report to which subsection (3) applies contains sensitive, confidential or personal information, the Minister may comply with subsection (3) by removing the sensitive, confidential or personal information from the report before causing the document to be laid before each House.

7. Termination of adoption

The Governor may by proclamation fix a day as the day on which the adoption under section 4(1) is to terminate.

8. Revoking termination proclamations

- (1) The Governor may by proclamation (a *revoking proclamation*) revoke a proclamation made under section 7.
- (2) A revoking proclamation has effect only if published in the *Gazette* before the day fixed in the proclamation made under section 7.
- (3) If a revoking proclamation has effect, the revoked proclamation is taken never to have been made.
- (4) A revoking proclamation does not prevent the further making of a proclamation under section 7.

