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NEW SOUTH WALES

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SPECIAL SUPPLEMENT

MUTUAL RECOGNITION ACT 1992 (COMMONWEALTH) – NOTICE

THOMAS FREDERICK BATHURST, Lieutenant-Governor

I, the Honourable THOMAS FREDERICK BATHURST, Lieutenant-Governor of the State of New South Wales, with the advice of the Executive Council and for the purposes of section 47 (2) of the Mutual Recognition Act 1992 of the Commonwealth, request the Governor-General of the Commonwealth to make regulations under section 47 (1) of that Act in the terms set out in the Schedule to this notice.

Dated, this 26th day of June 2013.

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No. , 2013 *Mutual Recognition (Amendment of Act—Container Deposit Scheme)* i
Regulation 2013

OPC60098 - A

1 Name of regulation

This regulation is the *Mutual Recognition (Amendment of Act—Container Deposit Scheme) Regulation 2013*.

2 Commencement

This regulation commences on the day after it is registered.

3 Authority

This regulation is made under the *Mutual Recognition Act 1992*.

4 Schedule(s)

Each Act that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

No. , 2013 *Mutual Recognition (Amendment of Act—Container Deposit Scheme) Regulation 2013* 1

OPC60098 - A

Schedule 1 Amendments

Schedule 1—Amendments***Mutual Recognition Act 1992*****1 At the end of Schedule 2**

Add:

- 34 Each of the following:
- (a) Part 2 of the *Environment Protection (Beverage Containers and Plastic Bags) Act* (NT);
 - (b) all other provisions of that Act, to the extent that they relate to the container deposit scheme established by that Part;
 - (c) regulations made under that Act, to the extent that they relate to that scheme

2 *Mutual Recognition (Amendment of Act—Container Deposit Scheme) Regulation 2013* No. , 2013

OPC60098 - A

TRANS-TASMAN MUTUAL RECOGNITION ACT 1997 (COMMONWEALTH) – NOTICE

THOMAS FREDERICK BATHURST, Lieutenant-Governor

I, the Honourable THOMAS FREDERICK BATHURST, Lieutenant-Governor of the State of New South Wales, with the advice of the Executive Council and for the purposes of sections 43 (1) and 45 of the Trans-Tasman Mutual Recognition Act 1997 of the Commonwealth, endorse the terms of the proposed Commonwealth Trans-Tasman Mutual Recognition Legislation Amendment (Tobacco Plain Packaging) Regulation 2013 set out in the Schedule to this notice.

Dated, this 26th day of June 2013.

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No. , 2013 *Trans-Tasman Mutual Recognition Legislation Amendment (Tobacco Plain Packaging) Regulation 2013* i

OPC50445 - D

1 Name of regulation

This regulation is the *Trans-Tasman Mutual Recognition Legislation Amendment (Tobacco Plain Packaging) Regulation 2013*.

2 Commencement

This regulation commences on the day after it is registered.

3 Authority

This regulation is made under the following Acts:

- (a) subsection 45(3) of the *Trans-Tasman Mutual Recognition Act 1997*;
- (b) section 109 of the *Tobacco Plain Packaging Act 2011*.

4 Schedule(s)

Each instrument or Act that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

No. , 2013 *Trans-Tasman Mutual Recognition Legislation Amendment (Tobacco Plain Packaging) Regulation 2013* 1

OPC50445 - D

Schedule 1 Amendments

Schedule 1—Amendments

Tobacco Plain Packaging Regulations 2011

1 At the end of regulation 1.1.5

Add:

Note 1: The *Tobacco Plain Packaging Act 2011* and these Regulations were temporarily exempted from the operation of the *Trans-Tasman Mutual Recognition Act 1997* under section 46 of that Act and section 109 of the *Tobacco Plain Packaging Act 2011*. The temporary exemption operated from 1 October 2012 until the commencement of the *Trans-Tasman Mutual Recognition Legislation Amendment (Tobacco Plain Packaging) Regulation 2013*.

Note 2: The *Tobacco Plain Packaging Act 2011* and these Regulations are permanently exempted from the operation of the *Trans-Tasman Mutual Recognition Act 1997* under subsection 4(2) and section 45 of that Act, and clause 3 to Part 2 of Schedule 2 to that Act. The permanent exemption began on the commencement of the *Trans-Tasman Mutual Recognition Legislation Amendment (Tobacco Plain Packaging) Regulation 2013*.

Trans-Tasman Mutual Recognition Act 1997

2 Clause 3 of Schedule 2 (at the end of the table)

Add:

Tobacco

Competition and Consumer Act 2010, section 134 of Schedule 2 to that Act, to the extent that it relates to the *Competition and Consumer (Tobacco) Information Standard 2011*
Tobacco Plain Packaging Act 2011

2 *Trans-Tasman Mutual Recognition Legislation Amendment (Tobacco Plain Packaging) Regulation 2013* No. , 2013

OPC50445 - D

TRANS-TASMAN MUTUAL RECOGNITION ACT 1997 (COMMONWEALTH) – NOTICE

THOMAS FREDERICK BATHURST, Lieutenant-Governor

I, the Honourable THOMAS FREDERICK BATHURST, Lieutenant-Governor of the State of New South Wales, with the advice of the Executive Council and for the purposes of sections 43 (1) and 47 of the Trans-Tasman Mutual Recognition Act 1997 of the Commonwealth, endorse the terms of the proposed Commonwealth Trans-Tasman Mutual Recognition Regulation 2013 set out in the Schedule to this notice.

Dated, this 26th day of June 2013.

SCHEDULE



Trans-Tasman Mutual Recognition Regulation 2013

Select Legislative Instrument No. , 2013

I, Quentin Bryce AC CVO, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation under the *Trans-Tasman Mutual Recognition Act 1997*.

Dated 2013

Quentin Bryce
Governor-General

By Her Excellency's Command

Greg Combet AM
Minister for Climate Change, Industry and Innovation

OPC60093 - A

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Preliminary **Part 1**

Section 1

Part 1—Preliminary

1 Name of regulation

This regulation is the *Trans-Tasman Mutual Recognition Regulation 2013*.

2 Commencement

Each provision of this regulation specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement Information		
Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
1. Sections 1 to 4, subsections 5(1) and (2), and anything in this regulation not elsewhere covered by this table	1 October 2013	1 October 2013
2. Subsections 5(3) and (4)	1 December 2013	1 December 2013

3 Authority

This regulation is made under the *Trans-Tasman Mutual Recognition Act 1997*.

4 Definition

In this regulation:

Act means the *Trans-Tasman Mutual Recognition Act 1997*.

No. , 2013

Trans-Tasman Mutual Recognition Regulation 2013

1

OPC60093 - A

Part 1 PreliminarySection 5

**5 Continuation of temporary exemption relating to specific laws—
tobacco**

- (1) For subsection 47(3) of the Act, the following laws of the Commonwealth are exempt from the operation of the Act:
 - (a) *Tobacco Plain Packaging Act 2011*;
 - (b) *Tobacco Plain Packaging Regulations 2011*.
- (2) Subsection (1) ceases to have effect on 30 September 2014.
- (3) For subsection 47(3) of the Act, the *Competition and Consumer Act 2010*, section 134 of Schedule 2 to that Act, to the extent that it relates to the *Competition and Consumer (Tobacco) Information Standard 2011* is exempt from the Act.
- (4) Subsection (3) ceases to have effect on 30 November 2014.

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