



Speech by

**JULIE ATTWOOD**

**MEMBER FOR MOUNT OMMANEY**

---

Hansard 17 May 2001

**TRANS-TASMAN MUTUAL RECOGNITION (QUEENSLAND) AUTHORISATION BILL**

**Mrs ATTWOOD** (Mount Ommamey—ALP) (2.36 p.m.): It gives me great pleasure to support the Premier's Trans-Tasman Mutual Recognition (Queensland) Authorisation Bill 2001. This Bill will allow Queensland to endorse amendments to the Commonwealth Trans-Tasman Mutual Recognition Act 1997. It acts as a double check to ensure that amendments are carefully considered before application in Queensland. It is all about having recognition within Australia for goods and occupations regulations adopted in New Zealand.

There are two matters of concern in relation to New Zealand regulatory standards. One is energy efficiency labelling and the other is the sale and possession of offensive weapons and body armour. The Commonwealth has now proposed the introduction of a permanent exemption in respect of energy efficiency labelling for electrical products. In regard to the other matter, the South Australian government has requested a permanent exemption for sections 15 and 15A of the South Australian Summary Offences Act 1953, which prohibit the sale and possession of offensive weapons and body armour. For us this means that a permanent exemption of energy efficiency labelling under the arrangement will ensure that those goods will legally need to comply with Queensland's energy efficiency labelling program. It also means that firearms and body armour will not be able to be imported into Australia from New Zealand. It should be noted that the Commonwealth regulations are not endorsed until the schedule is gazetted by the Governor in Council. Also, further proposed Commonwealth regulations seeking permanent exemptions will be endorsed only after the assent of an amendment act.

This bill is essential under section 5 of the Queensland act to ensure that our state of Queensland is able to participate in permanently exempting energy efficiency labelling, firearms and body armour from the Trans-Tasman Mutual Recognition Arrangement. To be comfortable with this bill, we first must understand the purpose of the Trans-Tasman Mutual Recognition Arrangement. The purpose of this arrangement is to give effect to two mutual recognition principles relating to the sale of goods and the registration of occupations. The two basic principles are: that a good that may legally be sold in Australia may be sold in New Zealand and a good that may legally be sold in New Zealand may be sold in Australia, regardless of differences in standards on other sale-related regulatory requirements between Australia and New Zealand; and that a person registered to practise an occupation in Australia is entitled to practise an equivalent occupation in New Zealand and a person registered to practise an occupation in New Zealand is entitled to practise an equivalent occupation in Australia without the need to undergo further testing or examination.

Subject to exceptions, the first principle applies regardless of the differences in sale-related regulatory requirements applying in each country. Goods need only comply with the standards or regulations applying in the country in which they are produced or through which they are imported before they can be sold in the other country. Legislation implementing the Trans-Tasman Mutual Recognition Arrangement overrides any laws, with certain exceptions, that regulate the manufacture or sale of goods. An example of laws overridden by the scheme include requirements that a good satisfies certain standards relating to presentation, such as packaging and labelling. Certain laws relating to the sale of goods are permanently exempt from the Trans-Tasman Mutual Recognition Arrangement in areas where the participating jurisdictions considered that the application of mutual recognition principles would not be appropriate.

Laws relating to energy efficiency labelling and the sale of firearms and body armour are considered areas where the application of mutual recognition principles should not apply. Therefore, it makes sense that the Premier's Trans-Tasman Mutual Recognition (Queensland) Authorisation Bill be passed in the Queensland parliament. Without this bill, the Queensland parliament would not have the opportunity to carefully consider certain legislative amendments to the Commonwealth act. This is particularly important in relation to putting our own standards of energy efficiency on New Zealand goods and preventing the sale and possession of offensive weapons and body armour in Queensland. I commend the bill to the House.

---