



Automatic Mutual Recognition (New South Wales) (Exemption - Various Building Occupations) Declaration 2025

I, the Honourable Daniel Mookhey, Treasurer of New South Wales, make the following Declaration.

Dated: 30 June 2025

The Honourable Daniel Mookhey MLC
Treasurer of New South Wales

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1 Name

This instrument is the *Automatic Mutual Recognition (New South Wales) (Exemption-Various Building Occupations) Declaration 2025*.

2 Commencement

- (1) Each provision of this instrument 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
Provisions	Commencement	Date/Details
1. The whole of this instrument	1 July 2025	1 July 2025

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under section 42S of the *Mutual recognition Act 1992* of the Commonwealth.

4 Simplified outline of this instrument

The purpose of this instrument is to exempt registrations for occupations, or for activities covered by occupations, from the automatic deemed registration provisions of the *Mutual Recognition Act 1992* of the Commonwealth.

This instrument has effect only in relation to New South Wales.

This instrument is repealed at the end of 1 October 2027.

5 Definitions

In this instrument:

Act means the *Mutual Recognition Act 1992* of the Commonwealth.

6 Exemptions

- (1) For the purposes of paragraph 42S(1)(a) of the Act, a registration in column 1 of the table in subsection (3) of this section is excluded from the operation of automatic deemed registration in New South Wales.
- (2) For the purposes of subsection 42S(2) of the Act, column 2 of the table in subsection (3) of this section sets out a statement of the risk to consumer protection, the environment, animal welfare or the health or safety of workers or the public in relation to each registration in column 1.
- (3) The table is as follows:

Exemptions for the purposes of paragraph 42S(1)(a)		
Item	Column 1 Registration	Column 2 Statement of risk
1.	Contractor licence and supervisor certificate for general building work under the <i>Home Building Act 1989</i> (NSW)	Significant risk to consumer protection and the health or safety of workers or the public. The building and construction sector in NSW is subject to additional requirements and protections. Building failures result in costs to homeowners in remedying defects and an increased risk to safety for people living with non-compliant building work. The NSW Government and consumers need to have confidence in the building and construction sector.
2.	Contractor licence and supervisor certificate for the erection of prefabricated metal-framed home additions and structures under the <i>Home Building Act 1989</i> (NSW)	Significant risk to consumer protection and the health or safety of workers or the public. The building and construction sector in NSW is subject to additional requirements and protections. Building failures result in costs to homeowners in remedying defects and an increased risk to safety for people living with non-compliant building work. The NSW Government and consumers need to have confidence in the building and construction sector.
3.	Registration or recognition within the meaning of the <i>Design and Building Practitioners Act 2020</i> (NSW): <ul style="list-style-type: none">• Design practitioner - fire systems (all classes)• Design practitioner – fire safety engineering• Professional engineer – fire safety; Registered certifiers – fire safety and accredited practitioner – fire safety under	Significant risk to consumer protection and the health or safety of workers or the public. The building and construction sector in NSW is subject to additional requirements and protections. Building failures result in costs to homeowners in remedying defects and an increased risk to safety for people living with non-compliant building work. If fire safety equipment is incorrectly installed, it could lead to loss of life. The NSW Government and consumers need to have

Exemptions for the purposes of paragraph 42S(1)(a)		
	Column 1	Column 2
Item	Registration	Statement of risk
	the <i>Building and Development Certifiers Act 2018</i> (NSW); Licences and certificates for water plumbing – fire protection and fire sprinkler systems under the <i>Home Building Act 1989</i> (NSW)	confidence in the building and construction sector.
4.	Licences and certificates for mechanical services and medical gas work, medical gas technician work, medical gas fitting work under the <i>Home Building Act 1989</i> (NSW)	Significant risk to consumer protection and the health or safety of workers or the public. The risks of improper medical gas work can lead to loss of life. A new framework for medical gas was implemented in New South Wales to ensure that medical gas work is done to a high standard and safety. Interstate licence holders would not have the relevant expertise to work in New South Wales.
5.	Licences and certificates for electrical wiring, air-conditioning and refrigeration work under the <i>Home Building Act 1989</i> (NSW)	Significant risk to consumer protection and the health or safety of workers or the public. Licensing bodies and regulators will be unable to verify or validate interstate workers' skills, knowledge and understanding against NSW standards and regulations. The failure to understand or comply with the relevant legislation can result in potential dire consequences, including equipment failure, fires, electrical shock, and death.

7 Sunset

The whole of this instrument is repealed at the end of 1 October 2027.

8 Repeals

Each instrument that is specified in Schedule 1 is repealed as set out in the applicable items in that Schedule.

Schedule 1—Repeals

1 Automatic Mutual Recognition (New South Wales) (Exemption—12-months) Declaration 2024

Repeal the whole of this instrument.