EXPLANATORY STATEMENT

Mutual Recognition Act 1992

Automatic Mutual Recognition (Tasmania) (Notification Requirements—Shot-firers) Determination 2026

This explanatory statement provides notes on the operation of the Automatic Mutual Recognition (Tasmania) (Notification Requirements—Shot-firers) Determination 2026 (the Determination). The specific provisions in the Determination are outlined in Attachment A. The information in the explanatory statement is an aid to understanding the Determination and should not be substituted for the Determination.

Context and purpose

Part 3A of the *Mutual Recognition Act 1992* of the Commonwealth (the MR Act) provides for the automatic mutual recognition of occupational registrations (AMR). AMR allows an individual to carry on an activity in a second State, under the registration covering the activity in their home State through Automatic Deemed Registration (ADR).

Part 3A of the MR Act provides for the making of a determination that requires a person who intends to carry on an activity in reliance of ADR to notify the local registration authority for the occupation before the person begins to carry on the activity. The *Legislation Act 2003* of the Commonwealth provides for the making of legislative instruments.

The determination is exempt from disallowance under subsection 44(1) of the *Legislation Act 2003* (Cth). This is because the enabling legislation, the *Mutual Recognition Act 1992* (Cth) (MR Act), facilitates the Automatic Mutual Recognition Scheme, which is an intergovernmental scheme involving the Commonwealth and the States and Territories. Subsection 42J(4) of the MR Act authorises the instrument for the purposes of the scheme. A note in subsection 42J(4) of the MR Act also states that the determination is not subject to disallowance.

Summary

Through this Determination, the Treasurer (Tasmania) requires a person to notify a local registration authority before the person begins to rely on automatic deemed registration to carry out the activity under the occupation in Tasmania. The Determination comes into force on the day after the instrument is registered. It will be repealed on the first 1 April or 1 October falling on or after the tenth anniversary of its registration.

Consultation

In making this Determination, the Treasurer (Tasmania) consulted with WorkSafe Tasmania of the Department of Justice which is the relevant local registration authority for permits under the *Explosives Regulations 2022*. This is the appropriate consultation to have undertaken regarding whether a notification requirement for interstate workers is appropriate to meet the Government's obligations to protect consumers and to provide targeted compliance and enforcement activities to minimise risk. Requiring notification of intention to work is also a mechanism that can be utilised to provide appropriate information to those interstate workers about Tasmania's legislative requirements. The Treasurer (Tasmania) is satisfied that the consultation undertaken is appropriate and practicable for the purposes of making the Determination. The consultation drew on the knowledge of subject matter experts.

Authorised Version Explanatory Statement registered 02/10/2026 to F2026L01356

A regulation impact statement or analysis (RIS/RIA) is not required in Tasmania for this legislative instrument. To note, the Commonwealth engaged PricewaterhouseCoopers Australia to undertake an Economic Impact Assessment of AMR, which was finalised in December 2020.

Attachment A

Details of the Automatic Mutual Recognition (Tasmania) (Notification Requirements—Shot-firers) Determination 2026

Part 1 – Preliminary

Section 1 – Name

This section provides that this Determination is to be cited as the Automatic Mutual Recognition (Tasmania) (Notification Requirements—Shot-firers) Determination 2026 (the Determination).

Section 2 – Commencement

This section provides the date on which the Determination comes into operation. The Determination commences on the day after it is registered on the Federal Register of Legislation.

Section 3 – Authority

This section outlines the authority through which the Determination is made. The Determination is made under subsection 42J(4) of the *Mutual Recognition Act 1992* (Commonwealth).

Section 4 – Simplified outline of the instrument

This section explains that the purpose of this instrument is to require a person to notify a local registration authority before the person begins to rely on automatic deemed registration under the *Mutual Recognition Act 1992* of the Commonwealth to carry on an activity in Tasmania. This section outlines the application of the notification and the period of the Determination.

Section 5 – Definitions

This section provides, for the purposes of this Determination, self-explanatory definitions of the following terms:

- The **Act** is defined in this section as meaning the *Mutual Recognition Act 1992*

Section 6 – Notification requirement

This section lists the specific paragraph of the MR Act relied on to make the Determination and the registrations for which a person must notify a local registration authority before the person begins to rely on automatic deemed registration to carry out an activity covered by an occupation in Tasmania.

The Determination is made in accordance with paragraph 42J(4) of the MR Act. A person intending to carry on any of the activities covered by the registrations listed in reliance on ADR must notify the local registration authority. This means that an individual cannot carry

Authorised Version Explanatory Statement registered 02/10/2026 to F2026L01356

on the activity in Tasmania without first providing notification. An individual may obtain the notification requirements through the local registration authority for the activity.

Under section 50 of the *Legislation Act 2003* (Cth), the requirement for notification applies until the first 1 April or 1 October falling on or after the tenth anniversary of the registration of the instrument on the Federal Registration of Legislation.

Eric Abetz

Treasurer (Tasmania)

Authorised Version Explanatory Statement registered 02/10/2026 to F2026L01356