



New South Wales

Mutual Recognition (New South Wales) Temporary Exemptions Regulation 2004

under the

Mutual Recognition (New South Wales) Act 1992

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Mutual Recognition (New South Wales) Act 1992*.

BOB CARR, M.P.,
Premier

Explanatory note

The object of this Regulation is to declare certain laws of New South Wales, relating to petrol volatility standards, to be exempt from the operation of the mutual recognition scheme for goods.

The mutual recognition scheme provides generally that goods produced in or imported into another jurisdiction of Australia, that may lawfully be sold in that jurisdiction, may be sold in New South Wales without the necessity for compliance with further requirements. The mutual recognition scheme includes the *Mutual Recognition Act 1992* of the Commonwealth and the *Mutual Recognition (New South Wales) Act 1992* of New South Wales.

The exemption provided by this Regulation is temporary (that is, it will operate for no longer than 12 months) and its effect is conditional upon the exemption being substantially for the purpose of protecting the health and safety of persons in New South Wales or preventing, minimising or regulating environmental pollution (including air, water, noise or soil pollution) in New South Wales.

This Regulation is made under section 6 of the *Mutual Recognition (New South Wales) Act 1992*.

This Regulation relates to matters arising under legislation that is substantially uniform or complementary with legislation of the Commonwealth and other States.

2004 No 730

Clause 1

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1 Name of Regulation

This Regulation is the *Mutual Recognition (New South Wales) Temporary Exemptions Regulation 2004*.

2 Commencement

This Regulation commences on 15 November 2004.

3 Temporary exemption relating to petrol volatility standards

In accordance with section 6 of the *Mutual Recognition (New South Wales) Act 1992*, Division 7 of Part 3 of the *Protection of the Environment Operations (Clean Air) Regulation 2002* is, for the purposes of section 15 of the Commonwealth Act, declared to be a law to which section 15 of the Commonwealth Act applies.

4 Repeal

In accordance with section 15 (3) of the Commonwealth Act, this Regulation is repealed at the beginning of 15 November 2005.

BY AUTHORITY