



New South Wales

Mutual Recognition (New South Wales) Temporary Exemptions Regulation 2022

under the

Mutual Recognition (New South Wales) Act 1992

His Honour the Administrator, with the advice of the Executive Council, has made the following Regulation under the *Mutual Recognition (New South Wales) Act 1992*, section 6.

MATT KEAN, MP
Treasurer

Explanatory note

The object of this Regulation is to declare certain provisions of the *Plastic Reduction and Circular Economy Act 2021*, including the regulations made under that Act, to be exempt from the Commonwealth mutual recognition scheme for goods.

The mutual recognition scheme provides generally that goods that may lawfully be sold in another jurisdiction of Australia may also be sold in New South Wales without the necessity for compliance with certain requirements imposed on the goods in New South Wales.

The exemption—

- (a) is substantially for the purpose of preventing, minimising or regulating environmental pollution, and
- (b) will expire on 1 June 2023.

This Regulation comprises or relates to matters set out in the *Subordinate Legislation Act 1989*, Schedule 3, being matters arising under legislation that is substantially uniform or complementary with legislation of the Commonwealth and other States.

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Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Mutual Recognition (New South Wales) Temporary Exemptions Regulation 2022*.

2 Commencement

This Regulation commences on 1 June 2022.

3 Definition

In this Regulation—

the Act means the *Mutual Recognition (New South Wales) Act 1992*.

Note— The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Regulation.

4 Temporary exemption—the Act, s 6

- (1) The following are declared to be laws to which the Commonwealth Act, section 15 applies—
 - (a) the *Plastic Reduction and Circular Economy Act 2021* (the *Plastic Reduction Act*), Parts 2 and 3 and Schedule 1,
 - (b) to the extent to which the provisions relate to a regulated item within the meaning of the Plastic Reduction Act—
 - (i) all other provisions of the Plastic Reduction Act, and
 - (ii) the regulations made under the Plastic Reduction Act.
- (2) This section is repealed on 1 June 2023.