



Queensland

Trans-Tasman Mutual Recognition (Endorsement) Notice (No. 1) 2013

Subordinate Legislation 2013 No. 131

made under the

Trans-Tasman Mutual Recognition (Queensland) Act 2003

Contents

		Page
1	Short title	2
2	Endorsement of proposed Commonwealth regulations—Act, s 7	2
Schedule 1	Proposed Commonwealth regulation—Trans-Tasman Mutual Recognition Regulation 2013	3
Schedule 2	Proposed Commonwealth regulation—Trans-Tasman Mutual Recognition Legislation Amendment (Tobacco Plain Packaging) Regulation 2013	5

[s 1]

1 Short title

This notice may be cited as the *Trans-Tasman Mutual Recognition (Endorsement) Notice (No. 1) 2013*.

2 Endorsement of proposed Commonwealth regulations—Act, s 7

- (1) The proposed Commonwealth regulation titled ‘Trans-Tasman Mutual Recognition Regulation 2013’, the terms of which are set out in schedule 1, is endorsed.
- (2) The proposed Commonwealth regulation titled ‘Trans-Tasman Mutual Recognition Legislation Amendment (Tobacco Plain Packaging) Regulation 2013’, the terms of which are set out in schedule 2, is endorsed.

Schedule 1 Proposed Commonwealth regulation—Trans-Tasman Mutual Recognition Regulation 2013

section 2(1)

Part 1—Preliminary

1 Name of regulation

This regulation is the *Trans-Tasman Mutual Recognition Regulation 2013*.

2 Commencement

Each provision of this regulation 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
Provision(s)	Commencement	Date/Details
1. Sections 1 to 4, subsections 5(1) and (2), and anything in this regulation not elsewhere covered by this table	1 October 2013	1 October 2013
2. Subsections 5(3) and (4)	1 December 2013	1 December 2013

3 Authority

This regulation is made under the *Trans-Tasman Mutual Recognition Act 1997*.

4 Definition

In this regulation:

Act means the *Trans-Tasman Mutual Recognition Act 1997*.

5 Continuation of temporary exemption relating to specific laws—tobacco

- (1) For subsection 47(3) of the Act, the following laws of the Commonwealth are exempt from the operation of the Act:
 - (a) *Tobacco Plain Packaging Act 2011*;
 - (b) *Tobacco Plain Packaging Regulations 2011*.
- (2) Subsection (1) ceases to have effect on 30 September 2014.
- (3) For subsection 47(3) of the Act, the *Competition and Consumer Act 2010*, section 134 of Schedule 2 to that Act, to the extent that it relates to the *Competition and Consumer (Tobacco) Information Standard 2011* is exempt from the Act.
- (4) Subsection (3) ceases to have effect on 30 November 2014.

Schedule 2 Proposed Commonwealth regulation—Trans-Tasman Mutual Recognition Legislation Amendment (Tobacco Plain Packaging) Regulation 2013

section 2(2)

1 Name of regulation

This regulation is the *Trans-Tasman Mutual Recognition Legislation Amendment (Tobacco Plain Packaging) Regulation 2013*.

2 Commencement

This regulation commences on the day after it is registered.

3 Authority

This regulation is made under the following Acts:

- (a) subsection 45(3) of the *Trans-Tasman Mutual Recognition Act 1997*;
- (b) section 109 of the *Tobacco Plain Packaging Act 2011*.

4 Schedule(s)

Each instrument or Act that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Tobacco Plain Packaging Regulations 2011

1 At the end of regulation 1.1.5

Add:

Note 1: The *Tobacco Plain Packaging Act 2011* and these Regulations were temporarily exempted from the operation of the *Trans-Tasman Mutual Recognition Act 1997* under section 46 of that Act and section 109 of the *Tobacco Plain Packaging Act 2011*. The temporary exemption operated from 1 October 2012 until the commencement of the *Trans-Tasman Mutual Recognition Legislation Amendment (Tobacco Plain Packaging) Regulation 2013*.

Note 2: The *Tobacco Plain Packaging Act 2011* and these Regulations are permanently exempted from the operation of the *Trans-Tasman Mutual Recognition Act 1997* under subsection 4(2) and section 45 of that Act, and clause 3 to Part 2 of Schedule 2 to that Act. The permanent exemption began on the commencement of the *Trans-Tasman Mutual Recognition Legislation Amendment (Tobacco Plain Packaging) Regulation 2013*.

Trans-Tasman Mutual Recognition Act 1997

2 Clause 3 of Schedule 2 (at the end of the table)

Add:

Tobacco

Competition and Consumer Act 2010, section 134 of Schedule 2 to that Act, to the extent that it relates to the *Competition and Consumer (Tobacco) Information Standard 2011*

Tobacco Plain Packaging Act 2011

ENDNOTES

- 1 Made by the Governor on 27 June 2013.
- 2 Published in the gazette on 28 June 2013.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is Queensland Treasury and Trade.

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Authorised by the Parliamentary Counsel