



## MUTUAL RECOGNITION OF INTERSTATE OCCUPATIONS INFORMATION FOR LICENCE APPLICANTS

Legislation now provides a scheme to recognise interstate occupational qualifications. Under the "mutual recognition principle", an individual who is registered to follow an occupation or use a skill in one State or Territory may apply for automatic registration to carry on the equivalent occupation in another State or Territory.

Mutual recognition is in force in New South Wales, Queensland, the A.C.T., the Northern Territory, Tasmania, South Australia, Victoria and Western Australia.

The occupational licences listed below are administered by NSW Fair Trading.

### **Motor Dealers and Repairers Act**

- Motor dealer
- Motor vehicle repairer
- Motor vehicle recycler
- Motor vehicle tradesperson's certificate

### **Pawnbrokers and Second-hand Dealers Act**

- Pawnbroker - lending money on the security of pawned goods
- Second-hand Dealer - buying and selling prescribed second-hand goods

### **Tattoo Parlours Act**

- Tattooist

Note: The mutual recognition principle does not apply to tattoo parlour operator licences.

The above licences and Acts are administered by NSW Fair Trading's Business Licence Centre. For other occupations in which you seek mutual recognition you must apply directly to the relevant licensing authority.

### **What does "mutual recognition" mean in practice?**

If you are currently registered (this includes a licence, permit, authority, etc.) in one of the participating States to carry on an occupation equivalent to one of those listed, you may apply for automatic registration to carry on that occupation in NSW.

### **Notice of Interstate Registration**

To have your interstate registration recognised in NSW, you must:

- Complete the standard application form for the relevant NSW licence; and
- Complete the special form called 'Notice for Registration of Equivalent Occupation' - the Notice must be accompanied by your interstate registration certificate, or a certified copy of it; and
- Pay the standard application and licence fee for that particular occupation.

We will then check the details you have provided. Your registration must be granted or refused within 1 month of you lodging your Notice. In the meantime, you have "deemed registration" until actual registration is confirmed or refused, but see section below on special requirements for some occupations.

In some cases, registration in NSW may be granted subject to specified conditions in order to ensure that you are carrying on an equivalent occupation.

### **Special requirements before you carry on an occupation**

Some occupations in NSW have special requirements such as adequate financial resources, suitable premises, and appropriate equipment. In these cases, you may not carry on that occupation in NSW until you have met this State's requirements on these matters.

Such special requirements apply to occupations licensed under the Motor Dealers and Repairers Act, Pawnbrokers and Second-hand Dealers Act and Tattoo Parlours Act.

When applying for registration in one of these occupations, you should make sure that you can meet these requirements before lodging your Notice. Otherwise your registration may be refused or postponed.

### **Postponement or refusal of registration**

Your registration may be postponed or refused if you:

- Provide information which is materially false or misleading;
- Fail to provide any information which is required; or
- Your circumstances have materially changed since you lodged the Notice.

### **Compliance with NSW laws**

Once you become registered in NSW under the mutual recognition legislation, your continued registration is subject to NSW law. This means, for example, that you are subject to laws relating to the actual conduct of that occupation (e.g. keeping prescribed records, advertising requirements) and to the relevant disciplinary provisions.

### **Disciplinary action**

If your registration for an occupation in any participating state is:

- cancelled or suspended; or
- becomes subject to a condition on disciplinary grounds or relating to civil, criminal, or disciplinary proceedings,

then your registration in NSW is affected in the same way. For example, if you are registered in both Queensland and NSW and your Queensland registration is cancelled, then your NSW registration is also cancelled unless the registration authority in NSW decides to reinstate your registration.

### **Further Information**

If you require assistance in completing your application, further information may be obtained from the Fair Trading Information Centre - telephone 13 32 20.