

South Australia

# Mutual Recognition (South Australia) (Further Adoption) Amendment Act 2021

An Act to amend the *Mutual Recognition (South Australia) Act 1993*.

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Amendment provisions

### Part 2—Amendment of *Mutual Recognition (South Australia) Act 1993*

- 4 Amendment of section 4—Adoption of Commonwealth Act
- 5 Insertion of sections 4A and 4B
  - 4A Termination of adoption
  - 4B Power to require evidence for purposes of Mutual Recognition laws

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**The Parliament of South Australia enacts as follows:**

## Part 1—Preliminary

### 1—Short title

This Act may be cited as the *Mutual Recognition (South Australia) (Further Adoption) Amendment Act 2021*.

### 2—Commencement

This Act comes into operation on a day to be fixed by proclamation.

### 3—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

## **Part 2—Amendment of *Mutual Recognition (South Australia) Act 1993***

### **4—Amendment of section 4—Adoption of Commonwealth Act**

Section 4—after subsection (1) insert:

- (2) Without limiting subsection (1), the provisions of the Commonwealth Act, as inserted, substituted or amended by the *Mutual Recognition Amendment Act 2021* of the Commonwealth, are, on and from the commencement of this subsection, also adopted under paragraph (xxxvii) of section 51 of the Commonwealth Constitution.
- (3) Despite any other provision of this section, the adoption under this Act terminates at the end of the day fixed under section 4A as the day on which the adoption is to terminate.

### **5—Insertion of sections 4A and 4B**

After section 4 insert:

#### **4A—Termination of adoption**

- (1) The Governor may, at any time, by proclamation, fix a day as the day on which the adoption under this Act is to terminate.
- (2) The Governor may, by proclamation, revoke a proclamation published under subsection (1), in which case the revoked proclamation is taken, for the purposes of this Act, never to have been published.
- (3) A revoking proclamation has effect only if published before the day fixed under subsection (1).
- (4) The revocation of a proclamation published under subsection (2) does not prevent publication of a further proclamation under that subsection.

#### **4B—Power to require evidence for purposes of Mutual Recognition laws**

- (1) The local registration authority in this State for an occupation that covers an activity may require a person who is applying for or holds any licence, permit, certificate, registration or other form of qualification or authorisation required by or under law to carry on the activity to provide evidence of one or more of the following:
  - (a) the person's current place of residence;
  - (b) the person's principal place of residence;
  - (c) the person's current place of work;
  - (d) the person's principal place of work.

- (2) A person who—
- (a) without reasonable excuse, refuses or fails to provide evidence required under this section within the period required by the local registration authority (which must be reasonable); or
  - (b) provides false or misleading information in response to a requirement under this section,

is guilty of an offence.

Maximum penalty: \$2 500.

- (3) All terms used in subsection (1) have the same meaning as in the Commonwealth Act.