

Australian Capital Territory

Trans-Tasman Mutual Recognition (Commonwealth Regulations) Endorsement 2013 (No 1)

Notifiable instrument NI2013–282

made under the

Trans-Tasman Mutual Recognition Act 1997, Section 6A (Endorsement of Cwlth regulations)

I endorse the proposed Trans-Tasman Mutual Recognition Legislation Amendment (Tobacco Plain Packaging) Regulation 2013 for the *Trans-Tasman Mutual Recognition Act 1997* (Cwlth) set out in the attachment.

Katy Gallagher MLA
Chief Minister
16 June 2013

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Each instrument or Act that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

2 *Trans-Tasman Mutual Recognition Legislation Amendment (Tobacco Plain Packaging) Regulation 2013* No. , 2013

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Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au