



New South Wales

# Licensing and Registration (Uniform Procedures) Amendment Act 2022 No 2

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New South Wales

# Licensing and Registration (Uniform Procedures) Amendment Act 2022 No 2

Act No 2, 2022

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An Act to amend the *Licensing and Registration (Uniform Procedures) Act 2002* to streamline procedures for certain licences, registrations and other authorisations and make provision for issuing digital licences; and to make consequential amendments to other legislation. [Assented to 4 March 2022]

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**The Legislature of New South Wales enacts—**

**1 Name of Act**

This Act is the *Licensing and Registration (Uniform Procedures) Amendment Act 2022*.

**2 Commencement**

- (1) This Act commences on a day or days to be appointed by proclamation, except as provided by subsection (2).
- (2) Schedules 1.1, 2.10 and 2.15[1] commence on the date of assent to this Act.

## Schedule 1 Amendment of Licensing and Registration (Uniform Procedures) Act 2002 No 28

### 1.1 Amendment concerning digital licences

#### Part 4B

Insert after Part 4A—

#### Part 4B Digital form of licences

##### 80L Application of Part

This Part applies to a licence arising under licensing legislation, subject to any modifications or limitations—

- (a) specified in the licensing legislation, or
- (b) prescribed by the regulations under this Act.

##### 80M Definitions

In this Part—

*issue* includes grant or give.

*issue a licence* includes restore, renew or replace a licence.

*licence* means—

- (a) a licence, certification, enrolment, registration, accreditation, permit or other authorisation, or
- (b) another document or thing prescribed by the regulations as a licence.

*licensing authority* means a person or body authorised under the licensing legislation to issue a licence.

*licensing legislation* means the Act or statutory rule under which a licence is issued.

##### 80N Licences issued in digital form

- (1) A licensing authority may issue a licence in a physical form, digital form or both.
- (2) The licensing authority may vary the form and content of the digital form of a licence at any time so long as the licence still complies with the particulars or other matter required by this Act or the relevant licensing legislation.

##### 80O Inspection of licences in digital form

- (1) The holder of a licence who is required to produce the licence for inspection by a person must, if opting or required to use the digital form of the licence, show the licence to the person in a way that enables the person to properly inspect the licence.
- (2) The holder of a licence is not required, when a person is inspecting the digital form of the licence, to hand over the device used to display the digital form of the licence.
- (3) In this section—  
*produce* a licence for inspection, includes show, display, provide or keep available.

**80P Special provisions for licences in digital form**

- (1) Provisions in this Act, or another Act or law, requiring a licence to be carried or displayed are satisfied if the holder of the licence carries the device on which the digital form of the licence is capable of being displayed.
- (2) Provisions in this Act, or another Act or law, requiring a licence to be physically surrendered, lodged or returned do not apply to the digital form of the licence.
- (3) If a provision in this Act, or another Act or law, allows the holder of a licence to cancel the licence by physically surrendering, lodging or returning the licence together with a notice—
  - (a) only the physical form of the licence needs to be surrendered, lodged or returned, or
  - (b) if the holder of the licence only holds a digital form of the licence, only the notice needs to be submitted.
- (4) Provisions in this Act, or another Act or law, requiring or permitting a licence to be physically retained or seized do not extend to the device on which the digital form of a licence is being displayed.

**80Q Regulations**

The regulations may exclude a licence or class of licences from the operation of this Part.

**1.2 Amendments concerning uniform procedures and terminology**

**[1] Sections 3–5**

Omit section 2A. Insert instead—

**3 Object of Act**

The object of this Act is to create an efficient and customer focused system for New South Wales authorisations by establishing a consistent framework for—

- (a) applications, disciplinary action and administrative action for authorisations, and
- (b) the consensual sharing of information between the agencies involved concerning authorisations, and
- (c) the sharing and reuse of information about authorisations having regard to risk, and
- (d) the use of digital authorisations.

**4 Interpretation**

- (1) The Dictionary in Schedule 6 defines words and expressions used in this Act.  
**Note—** The *Interpretation Act 1987* contains definitions and other provisions that affect the interpretation and application of this Act.
- (2) Notes included in this Act do not form part of this Act.

**5 Act binds Crown**

This Act binds the Crown in right of New South Wales and, in so far as the legislative power of Parliament permits, the Crown in all its other capacities.

**[2] Part 2**

Omit Parts 2 and 3. Insert instead—

## **Part 2 Uniform procedures for certain authorisations**

### **Division 1 Introduction**

#### **6 Application of Part**

- (1) This Part applies only to an authorisation mentioned in Schedule 1.
- (2) This Part applies to an authorisation subject to any modifications or limitations prescribed by or under the relevant regulatory legislation.
- (3) A statutory rule that establishes, amends or repeals an authorisation scheme may amend Schedule 1 to include, amend or omit matters arising from the establishment, amendment or repeal of the scheme.
- (4) The relevant regulatory legislation prevails to the extent of an inconsistency between this Part as applied to an authorisation and the relevant regulatory legislation.
- (5) This Part does not limit or otherwise affect the operation of—
  - (a) the *Mutual Recognition Act 1992* of the Commonwealth, or
  - (b) the *Trans-Tasman Mutual Recognition Act 1997* of the Commonwealth.

### **Division 2 Applications**

#### **7 Applications for issuing authorisations**

- (1) An application for the issuing of an authorisation may be made to the relevant regulatory authority by—
  - (a) an individual aged 18 years or more, or
  - (b) a partnership or other association whose members are all individuals aged 18 years or more, or
  - (c) a corporation.
- (2) If the relevant regulatory legislation provides for the issuing of different classes of authorisation, the application must specify the class of authorisation sought by the applicant.
- (3) If the relevant regulatory legislation for a fixed-term authorisation provides for the issuing of authorisations for varying terms, the application must specify the term of authorisation sought by the applicant.

#### **8 Applications for amendment of authorisations**

- (1) An application for the amendment of an authorisation may be made to the relevant regulatory authority by the holder at any time while the authorisation is in force.
- (2) Unless the relevant regulatory legislation provides differently, an authorisation may be amended only to change the following—
  - (a) particulars relating to the holder of the authorisation, including the holder's name and address,
  - (b) other particulars prescribed by the regulations.

## **9 Applications for transfer of authorisations**

- (1) This section applies to an authorisation that may be transferred under the relevant regulatory legislation.
- (2) An application for the transfer of an authorisation may be made to the relevant regulatory authority by the holder, together with the proposed transferee, at any time while the authorisation is in force.
- (3) The proposed transferee may be—
  - (a) an individual aged 18 years or more, or
  - (b) a partnership or other association whose members are all individuals aged 18 years or more, or
  - (c) a corporation.

## **10 Applications for renewal of authorisations**

- (1) An application for the renewal of a fixed-term authorisation may be made to the relevant regulatory authority by the holder at any time within 12 weeks before the authorisation expires.
- (2) If the relevant regulatory legislation provides for the issuing of authorisations for varying terms, the application must specify the term of authorisation sought by the applicant.

## **11 Applications for restoration of authorisations**

- (1) An application for the restoration of an authorisation may be made to the relevant regulatory authority by the holder at any time after the authorisation expires or is cancelled.
- (2) If the relevant regulatory legislation for a fixed-term authorisation provides for the issuing of authorisations for different terms, the application must specify the term of authorisation sought by the applicant.

## **12 Applications for replacement of authorisations**

An application for the replacement of an authorisation document may be made to the relevant regulatory authority by the holder if the authorisation document is lost, damaged or destroyed.

## **13 Procedure for making applications**

- (1) An application may be made in a non-electronic way or an electronic way.
- (2) An application in relation to a partnership or other association may be made on its behalf by an authorised member or employee.
- (3) An application in relation to a corporation may be made on its behalf by a director or a duly authorised employee.
- (4) An application made in a non-electronic way—
  - (a) must contain the information, if any, required by the relevant application form or as otherwise required by or under the relevant regulatory legislation, and
  - (b) must be signed, if provided in writing—
    - (i) by the applicant, and
    - (ii) for an application for the transfer of an authorisation—by the proposed transferee, and

- (c) must be lodged with, or sent or provided to, the relevant regulatory authority in the way required by the relevant regulatory authority.
- (5) An application made in an electronic way—
  - (a) must contain the information, if any, required by the relevant application form or as otherwise required by or under the relevant regulatory legislation, and
  - (b) must be authenticated, as required by the relevant regulatory authority—
    - (i) by the applicant, and
    - (ii) for an application for the transfer of an authorisation—by the proposed transferee, and
  - (c) must be lodged with the relevant regulatory authority in accordance with the authority's information technology requirements for the receipt of electronic communications.
- (6) A single application may be made to the same regulatory authority in relation to more than 1 authorisation.

#### **14 Amendment of applications**

An applicant may amend an application before it is determined—

- (a) to alter an option selected concerning the authorisation sought, including about the term of the authorisation, or
- (b) to update personal details that have changed since the application was made.

### **Division 3 Determination of applications**

#### **15 Provision of further information and supporting evidence**

- (1) The relevant regulatory authority may serve notice on an applicant requiring the applicant to provide either or both of the following to enable it to deal with the application—
  - (a) information additional to the original information contained in the application,
  - (b) documentary or other evidence, for example a photograph of the applicant, in support of the original or additional information.

**Note—** Part 4A makes special provision for photographic identification for some authorisations.
- (2) Without limiting subsection (1), the relevant regulatory authority may require an applicant to provide—
  - (a) details of offences for which the applicant has been convicted or found guilty in this State or another place, together with details of penalties imposed for the offences, and
  - (b) details of criminal proceedings pending against the applicant in this State or another place.
- (3) If the applicant fails to comply with the requirements of a notice under this section within 14 days after the notice is served, the relevant regulatory authority may refuse the application without dealing with it further.
- (4) The refusal of an application under this section entitles the applicant to a refund of fees under section 27, but not to a right of review under section 23.

**16 Withdrawal of applications**

- (1) An applicant may withdraw an application at any time before an authorisation document is issued.
- (2) The withdrawal of an application under this section entitles the applicant to a refund of fees under section 27.

**17 Period within which applications to be dealt with**

- (1) For the purpose of enabling an applicant to exercise any rights of appeal or review, the relevant regulatory authority is taken to have made a decision to refuse the application if it has failed to determine the application within—
  - (a) 28 days after the application is made, or
  - (b) a longer period agreed to by both the applicant and the authority.
- (2) The relevant regulatory authority's failure to determine an application within a period mentioned in subsection (1) does not prevent the authority from continuing to deal with the application after the period has expired.
- (3) In calculating a period mentioned in subsection (1), the following periods are to be excluded—
  - (a) the period between—
    - (i) the date on which a request for further information or supporting evidence is made under section 15, and
    - (ii) the date on which the further information or supporting evidence is provided,
  - (b) for applications that are required to be advertised under the relevant regulatory legislation—the period between—
    - (i) the date on which a notice is published about the application, and
    - (ii) the date fixed by the notice as the date by which submissions about the application must be lodged,
  - (c) for applications that the relevant regulatory authority is required to refer to some other person or body for consideration, whether under the relevant regulatory legislation or otherwise—the period, not exceeding 14 days, between—
    - (i) the date on which the authority refers the application to the other person or body, and
    - (ii) the date on which the authority receives a response to the reference from the other person or body,
  - (d) for an application in relation to a person whom the relevant regulatory authority has referred for assessment, whether or not to some other person or body, in connection with the determination of the application—the period between—
    - (i) the date on which the authority refers the applicant for assessment, and
    - (ii) the date on which the authority obtains or receives the results of the assessment,
  - (e) for an application about which the relevant regulatory authority is required to consult another person or body under the relevant regulatory legislation—the period between—
    - (i) the date on which the consultation period begins, and
    - (ii) the date on which the consultation period ends.

## **18 Decision on applications**

- (1) The relevant regulatory authority may make either of the following decisions in relation to an application—
  - (a) a decision to grant the application, either unconditionally or subject to conditions as are authorised or required by the relevant regulatory legislation,
  - (b) a decision to refuse the application.
- (2) Before making its decision in relation to an advertised application, the regulatory authority must have regard to submissions made in accordance with the relevant regulatory legislation.

## **19 Notice of decision on applications**

- (1) The relevant regulatory authority must cause notice of its decision under section 18 on an application to be served within 14 days after the decision is made—
  - (a) on the applicant, and
  - (b) for an advertised application to which any objection has been made—on each objector.
- (2) The notice of decision must include the following if the application is refused or the authorisation is granted subject to discretionary conditions that were not sought or agreed to by the applicant—
  - (a) a statement setting out the provisions of the relevant regulatory legislation on which the relevant regulatory authority relied for the decision,
  - (b) information about the rights of appeal or review concerning the decision, if any, of the applicant or objector, including the periods within which an appeal or review may be sought.

## **20 Issue of authorisation documents generally**

- (1) The relevant regulatory authority that grants an application for an authorisation must issue to the applicant an authorisation document.  
**Note—** This section does not apply if section 21 applies.
- (2) The authorisation document must be issued—
  - (a) if the relevant regulatory legislation requires payment of any fee in connection with the authorisation before it is issued—on payment of the fee, or
  - (b) in other circumstances—when notice of the regulatory authority's decision is served on the applicant under section 19.
- (3) An authorisation document—
  - (a) must be in a form approved by the regulatory authority, and
  - (b) must include the following particulars—
    - (i) a unique identifier,
    - (ii) the name of the holder,
    - (iii) the kind of authorisation it is, whether by reference to the provision of the relevant regulatory legislation or otherwise,
    - (iv) the authority conferred by the authorisation and, for an authorisation that is subject to discretionary conditions, a statement to the effect that it is subject to conditions,

- (v) the date on which the authorisation comes into force and, for a fixed-term authorisation, the date on which the authorisation expires, and
  - (c) may include other particulars the regulatory authority considers appropriate to include in the authorisation document.
- (4) An authorisation document may indicate the kind of authorisation the holder has, and the authority the authorisation confers, by reference to words, codes or symbols.
- (5) A single authorisation document may contain 1 or more authorisations.

## **21 Issue of certificates of registration**

- (1) This section applies instead of section 20 if the relevant regulatory legislation for an authorisation involving registration provides for this section to apply instead of section 20 in relation to the registration.
- (2) A relevant regulatory authority that grants an application for registration—
- (a) must record the following particulars in the relevant register—
    - (i) the name of the registered person,
    - (ii) the kind of registration it is, whether by reference to the provision of the relevant registration legislation or otherwise,
    - (iii) the authority conferred by registration and, in the case of registration that is subject to discretionary conditions, a statement to that effect,
    - (iv) the date on which registration comes into force and, in the case of fixed-term registration, the date on which registration expires, and
  - (b) must record in the relevant register other particulars as the relevant registration legislation requires to be recorded in the register, and
  - (c) may include other particulars the regulatory authority considers appropriate to include in the relevant register, and
  - (d) must issue a certificate of registration to the applicant.
- (3) The certificate of registration must be issued—
- (a) if the relevant regulatory legislation requires payment of any fee in connection with registration before the certificate is issued—on payment of the fee, or
  - (b) otherwise—when notice of the decision is served on the applicant under section 19.
- (4) A certificate of registration—
- (a) must be in a form approved by the relevant regulatory authority, and
  - (b) must include the following particulars—
    - (i) a unique identifier,
    - (ii) the particulars recorded in the register under subsection (2)(a), and
  - (c) may include other particulars the registration authority considers appropriate to include in the certificate.
- (5) The registration authority may issue replacement certificates of registration not only in response to an application by the registered person under Division

2, but also when there is a change in the particulars recorded in the register under subsection (2)(a) in relation to the registered person.

- (6) A certificate of registration may indicate the kind of registration it refers to, and the authority conferred by registration, by reference to words, codes or symbols prescribed for that purpose by the relevant registration legislation.
- (7) A single authorisation document may contain 1 or more certificates of registration together with 1 or more other authorisations.

## **22 Duration of authorisation**

- (1) Subject to subsection (2), an authorisation comes into force—
  - (a) on the date on which the authorisation document is issued, or
  - (b) on another date, whether earlier or later, specified in the authorisation document.
- (2) A renewed, but not a restored, authorisation comes into force, or is taken to have come into force, on the date following the expiry date of the authorisation it renews.
- (3) An authorisation that comes into force before the date on which the authorisation document is issued has effect in relation to the period before the date for the purposes only of this Act and the relevant regulatory legislation.
- (4) Unless sooner cancelled, a fixed-term authorisation remains in force for the period, if any, specified in the authorisation document.
- (5) If an application for renewal of an authorisation is made before the date on which the authorisation would otherwise expire, the authorisation remains in force, for the purposes only of this Act and the relevant regulatory legislation, until the date on which the applicant is notified of the relevant regulatory authority's decision on the application.
- (6) Subsection (5) does not affect any requirements, for example requirements about insurance, that must be complied with by a holder under the relevant regulatory legislation.
- (7) Without limiting other circumstances in which an authorisation may be cancelled, an authorisation is taken to be cancelled for the purposes of this section if the holder surrenders the authorisation document to the relevant regulatory authority together with a notice to the effect that the holder intends for the authorisation to be cancelled.
- (8) Subject to subsection (7), nothing in this section authorises the suspension or cancellation of an authorisation.

## **23 Review of decisions**

- (1) An applicant who is aggrieved by the relevant regulatory authority's decision to refuse the application, or to grant the application subject to discretionary conditions, may apply for a review of the decision—
  - (a) if the relevant regulatory legislation provides the applicant with a right of appeal or review—in accordance with the right provided, or
  - (b) if the relevant regulatory legislation does not provide the applicant with a right of appeal or review—to the Civil and Administrative Tribunal for an administrative review under the *Administrative Decisions Review Act 1997*.
- (2) An objector who is aggrieved by the relevant regulatory authority's decision to grant an advertised application, either generally or because the authority has

- failed to impose particular discretionary conditions, may apply for a review of the decision—
- (a) if the relevant regulatory legislation provides the objector with a right of appeal or review—in accordance with the right provided, or
  - (b) if the relevant regulatory legislation does not provide the objector with a right of appeal or review—to the Civil and Administrative Tribunal for an administrative review under the *Administrative Decisions Review Act 1997*.
- (3) If the relevant regulatory legislation mentioned in subsection (1)(a) or (2)(a) provides the applicant or objector with a right of appeal or review of the decision, the right may be exercised only if—
- (a) the applicant or objector has applied for an internal review of the decision and the internal review has been finalised or taken to be finalised, or
  - (b) the decision is exempted from the requirement for an internal review.
- Note—** The *Administrative Decisions Review Act 1997* provides for internal reviews for decisions that are administratively reviewable by the Civil and Administrative Tribunal.
- (4) The regulations may provide for the following in relation to internal reviews of decisions mentioned in subsection (3)—
- (a) the making of applications for internal reviews, including periods within which applications must be made and fees for internal reviews,
  - (b) the conduct of internal reviews,
  - (c) the circumstances in which an internal review is finalised or taken to be finalised,
  - (d) exempting decisions from the requirement for internal reviews.

#### **Division 4      Disciplinary action**

**Note—** This Division does not have effect in relation to relevant regulatory legislation that provides for it not to have effect in relation to authorisations under the legislation.

##### **24 Show cause notice required before disciplinary action**

- (1) The relevant regulatory authority must not take disciplinary action against the holder of an authorisation unless it first serves a show cause notice on the holder of the authorisation.
- (2) A show cause notice is not required for a suspension of an authorisation if the relevant regulatory legislation allows or requires the suspension until it is decided whether to take disciplinary action.
- (3) A show cause notice must—
  - (a) specify the allegations the relevant regulatory authority considers support taking the proposed disciplinary action, and
  - (b) allow the holder at least 14 days after the service of the notice to show cause why the proposed disciplinary action should not be taken, and
  - (c) include contact details for the holder to provide a response to the notice to the relevant regulatory authority, and
  - (d) if the authorisation is being suspended as mentioned in subsection (2)—have a copy of the notice of suspension attached.
- (4) The relevant regulatory authority may allow a shorter period than the 14 days mentioned in subsection (3)(b) for proposed disciplinary action involving the

suspension or cancellation of an authorisation other than a suspension mentioned in subsection (2) if—

- (a) the authority considers there is a significant risk or threat to the community or an individual if the authorisation continues in force, and
- (b) the shorter period still provides the holder of the authorisation with a reasonably practicable period to show cause.

## **25 Notice of disciplinary action**

- (1) If the relevant regulatory authority decides to take disciplinary action against the holder of an authorisation, it must cause a notice of the decision to be served on the holder within 14 days after it decides to take the action.
- (2) The notice of decision must include the following—
  - (a) a statement setting out the provisions of the relevant regulatory legislation on which the relevant regulatory authority is proposing to rely for the disciplinary action,
  - (b) information about the rights of appeal or review concerning the decision, if any, of the holder, including the periods within which an appeal or review may be sought.

## **Division 5 Fees**

### **26 Application fees**

An applicant must provide, as required by the relevant regulatory authority, for the payment of fees payable under the relevant regulatory legislation for the application.

### **27 Refund of certain fees**

Fees paid in connection with an application that is refused, other than a processing fee, are to be refunded to the applicant.

### **28 Periodic administration fees for continuing authorisations**

It is a condition of a continuing authorisation that the holder must, within 14 days after each anniversary of the date on which the authorisation document was issued, pay to the relevant regulatory authority an authorisation administration fee of an amount prescribed by or under the relevant regulatory legislation.

### **29 Fees**

- (1) This section applies to fees payable in connection with an authorisation or an application for an authorisation, including for an internal review of a decision made in connection with an application.
- (2) The relevant regulatory authority may waive, reduce, postpone or refund a fee if satisfied it is appropriate because—
  - (a) the person who paid, or is liable to pay, the fee is suffering financial hardship, or
  - (b) special circumstances exist.
- (3) Without limiting subsection (2), the relevant regulatory authority may refund a fee, or an overpayment of a fee, if satisfied the fee or overpayment was in error.

- (4) Fees may be recovered by the relevant regulatory authority as a debt in any court of competent jurisdiction.

## **Division 6 Administration of regulatory schemes**

### **30 Restoration of authorisation cancelled in error without application**

- (1) The relevant regulatory authority may, on its own initiative, restore an authorisation it considers was cancelled in error.
- (2) The relevant regulatory authority may impose the same conditions on an authorisation it restores under this section to which the authorisation was subject immediately before its cancellation, to the extent it remains permissible under the relevant regulatory legislation.
- Note—** Section 18 enables the relevant regulatory authority to impose conditions if an application for a restoration of an authorisation is made.
- (3) This section does not limit the grounds on which an application for restoration of an authorisation may be made under section 11.

### **31 Periodic updating of registered particulars**

- (1) It is a condition of an authorisation, whether fixed-term or continuing, that the holder must notify the relevant regulatory authority, within 14 days after the change, of a change occurring in the holder's name, address or other registered particulars.
- (2) This section does not apply in relation to a person who is deemed to hold an authorisation because of the operation of the *Mutual Recognition Act 1992* of the Commonwealth, Part 3A.

### **32 Evidentiary certificates**

- (1) This section applies to the certification of the following matters (a *certifiable matter*)—
- (a) a specified person was or was not a holder of a specified authorisation, or of an authorisation of a specified kind, on a specified date or during a specified period,
  - (b) a specified person's authorisation was or was not in specified terms on a specified date or during a specified period,
  - (c) a specified person's authorisation was or was not subject to specified conditions on a specified date or during a specified period,
  - (d) a specified person's authorisation was or was not suspended or cancelled on a specified date or during a specified period.
- (2) A certificate issued by the relevant regulatory authority stating 1 or more certifiable matters is admissible in legal proceedings as evidence of the matters stated.

### **33 Exercise of regulatory authority's functions**

A relevant regulatory authority's functions under this Part may be exercised on its behalf—

- (a) by the principal officer of the regulatory authority, or
- (b) by another person authorised by the regulatory authority.

### **34 Application of Electronic Transactions Act 2000**

Subject to the provisions of the relevant regulatory legislation—

- (a) any question as to the time and place of dispatch or receipt of an electronic communication made for the purposes of this Part must be decided in accordance with the *Electronic Transactions Act 2000*, section 13, and
- (b) any question as to whether the purported originator of an electronic communication made for the purposes of this Part is bound by the communication is to be decided in accordance with the *Electronic Transactions Act 2000*, section 14.

**[3] Sections 80A, 80B (definitions of “information” and “relevant criminal proceedings”), 80C(1)–(4), 80F(1) and (2), 80G, 80H(1), 80I(1), 80J and 80K**

Omit “licensing authority”, “a licence” and “the licence” wherever occurring.

Insert instead “regulatory authority”, “an authority” and “the authorisation”, respectively.

**[4] Section 80B Definitions**

Omit the definitions of *issue*, *licence* and *licensing authority*.

**[5] Section 80C, heading**

Omit “licences”. Insert “authorisations”.

**[6] Section 80E Functions for purposes of information-access arrangements**

Omit “Licensing authorities” and “licensing authority” wherever occurring.

Insert instead “Relevant regulatory authorities” and “relevant regulatory authority”, respectively.

**[7] Section 80F, heading**

Omit “Licensing authorities”. Insert instead “Relevant regulatory authorities”.

**[8] Section 80F(2)(a)**

Omit “or certificate of registration”.

**[9] Part 4B, heading**

Omit “licences”. Insert instead “authorisation documents”.

**[10] Section 80L Application of Part**

Omit “a licence” and “licensing legislation” wherever occurring.

Insert instead “an authorisation document” and “relevant regulatory legislation”, respectively.

**[11] Section 80M**

Omit the section. Insert instead—

**80M Definition**

In this Part—

*issue an authorisation document* includes restore, renew or replace an authorisation document.

**[12] Section 80N, heading**

Omit “Licences”. Insert instead “Authorisation documents”.

**[13] Section 80N(1) and (2)**

Omit “licensing authority”, “a licence”, “the licence” and “licensing legislation” wherever occurring.

Insert instead “relevant regulatory authority”, “an authorisation document”, “the authorisation document” and “regulatory legislation”, respectively.

**[14] Sections 80O and 80P, headings**

Omit “licences” wherever occurring. Insert instead “**authorisation documents**”.

**[15] Section 80O(1) and (2)**

Omit “a licence” and “the licence” wherever occurring.

Insert instead “an authorisation” and “an authorisation document”, respectively.

**[16] Section 80O(3), definition of “produce”**

Omit “a licence”. Insert instead “an authorisation document”.

**[17] Section 80P(1) and (2)**

Omit “a licence” and “the holder of the licence” and “digital form of the licence”.

Insert instead “an authorisation document”, “the holder of the authorisation” and “digital form of the authorisation document”, respectively.

**[18] Section 80P(3)**

Omit the subsection. Insert instead—

(3) If a provision in this Act, or another Act or law, allows the holder of an authorisation to cancel the authorisation by physically surrendering, lodging or returning the authorisation document together with a notice—

- (a) only the physical form of the authorisation document needs to be surrendered, lodged or returned, or
- (b) if the holder of the authorisation only holds a digital form of the authorisation document, only the notice needs to be submitted.

**[19] Section 80P(4)**

Omit “a licence” wherever occurring. Insert instead “an authorisation document”.

**[20] Section 80Q Regulations**

Omit “a licence” and “licences”.

Insert instead “an authorisation document” and “authorisation documents”, respectively.

**[21] Section 80R**

Omit section 81. Insert instead in Part 5—

**80R Service of documents**

(1) A document that is authorised or required by this Act or the regulations to be served on a person may be served by any of the following methods—

- (a) for an individual—
  - (i) by delivering it personally to the individual, or

- (ii) by sending it by post, addressed to the individual at the address recorded in the register as the individual's residential address, business address or address for service of notices, or
  - (iii) by leaving it with a person apparently aged 16 years or more at the address recorded in the register as the individual's residential address or business address, or
  - (iv) by sending it using electronic communication, addressed to the individual at the address recorded in the register as the individual's address for service of electronic communications, in accordance with the individual's information technology requirements about the receipt of electronic communications,
- (b) for a corporation—
- (i) by delivering it personally to a person concerned in the corporation's management, or
  - (ii) by sending it by post, addressed to the corporation at the address recorded in the register as the corporation's business address or address for service of notices, or
  - (iii) by leaving it with a person apparently aged 16 years or more at the address recorded in the register as the corporation's business address, or
  - (iv) by sending it using electronic communication, addressed to the corporation at the address recorded in the register as the corporation's address for service of electronic communications, in accordance with the corporation's information technology requirements about the receipt of electronic communications.
- (2) For joint applicants for, or joint holders of, an authorisation, a document that is required under this Act to be served on an applicant or holder is taken to have been served on all of them when it is served on any 1 of them.
- (3) This section does not affect any other Act or law about the service of notices or other documents.
- (4) In this section—  
*serve* includes give or send.

**[22] Schedule 1, heading**

Omit “Licences”. Insert instead “Authorisations”.

**[23] Schedule 1**

Insert in alphabetical order of Acts—

**Architects Act 2003**

section 22(1)(a), full registration as architect

section 22(1)(b), temporary registration as architect

**Surveying and Spatial Information Act 2002**

section 10(1)(a), registration as a land surveyor

section 10(1)(b), registration as a mining surveyor

**[24] Schedule 1**

Omit the matter relating to the *Veterinary Practice Act 2003*. Insert instead—

### **Veterinary Practice Act 2003**

section 17(1)(a), full registration as veterinary practitioner

section 17(1)(b), honorary registration as veterinary practitioner

section 17(1)(c), limited registration as veterinary practitioner

section 17(1)(d), provisional registration as veterinary practitioner

section 17(1)(e), specialist registration as veterinary practitioner

section 69(1), veterinary hospital licence

**[25] Schedule 2 Registration to which Part 3 of Act applies**

Omit the Schedule.

**[26] Schedule 4 Amendment of other Acts and statutory rules**

Omit the Schedule.

**[27] Schedule 5 Savings, transitional and other provisions**

Insert before existing Part 1—

## **Part 1 General**

### **1A Regulations**

- (1) The regulations may contain provisions of a savings or transitional nature consequent on the commencement of—
  - (a) a provision of this Act, or
  - (b) a provision amending this Act.
- (2) A savings or transitional provision consequent on the commencement of a provision must not be made more than 2 years after the commencement.
- (3) A savings or transitional provision made consequent on the commencement of a provision is repealed 2 years after the commencement.
- (4) A savings or transitional provision made consequent on the commencement of a provision may take effect before the commencement but not before—
  - (a) for a provision of this Act—the date of assent to this Act, or
  - (b) for a provision amending this Act—the date of assent to the amending Act.
- (5) A savings or transitional provision taking effect before its publication on the NSW legislation website does not—
  - (a) affect the rights of a person existing before the publication in a way prejudicial to the person, or
  - (b) impose liabilities on a person for anything done or omitted to be done before the publication.
- (6) In this clause—

*person* does not include the State or an authority of the State.

**[28] Schedule 5**

Re-number Part 1 **Provisions consequent on enactment of this Act** as Part 2.

**[29] Schedule 5, Part 3**

Omit clause 8. Insert instead—

## Part 3 Provisions consequent on enactment of Licensing and Registration (Uniform Procedures) Amendment Act 2022

### 8 Definitions

In this Part—

**amending Act** means the *Licensing and Registration (Uniform Procedures) Amendment Act 2022*.

**existing application provisions** for an authorisation means the provisions of another Act or a statutory rule that, immediately before the substitution day, applied the provisions of Part 2 or 3, whether with or without modification, to the authorisation.

**substitution day** means the day on which Part 3 is repealed by the amending Act.

### 9 Application of amendments to current Part 2 or 3 applications

- (1) This Act, as in force immediately before the substitution day, continues to apply to applications for an authorisation made for the purposes of Part 2 or 3, but not yet been determined, before the substitution day.
- (2) The existing application provisions for the authorisation also continue to apply to applications mentioned in subclause (1).

### 10 Application of provisions relating to disciplinary action

Part 2, Division 4, as inserted by the amending Act, does not apply to disciplinary action commenced before the substitution day.

### 11 Effect of amendments on information-access arrangements under Part 4A

An information-access arrangement in force immediately before the substitution day continues in force as an information-access arrangement under Part 4A, as amended by the amending Act, between the same parties.

## [30] Schedule 6

Insert after Schedule 5—

## Schedule 6 Dictionary

section 4

**advertised application** means an application that is required to be advertised by the relevant regulatory legislation.

**application**, in relation to an authorisation to which Part 2 applies, means an application made under Part 2, Division 2.

**authorisation** means—

- (a) a licence, certification, enrolment, registration, accreditation, permit or other authorisation issued for an Act or statutory rule to carry on an activity, or
- (b) another document or thing prescribed by the regulations as an authorisation, whether for this Act generally or for specified provisions of this Act.

**authorisation document** means a document evidencing the issue of an authorisation, including a certificate of registration.

**cancellation**, in relation to an authorisation, means—

(a) for an authorisation resulting from inclusion in a register—removal from the register other than temporarily, or

(b) for another authorisation—the revocation of the authorisation other than temporarily.

**certificate of registration** means a certificate of registration issued under section 21.

**continuing authorisation** means an authorisation that is not a fixed-term authorisation.

**disciplinary action**, in relation to an authorisation, means the taking of action under relevant regulatory legislation by the relevant regulatory authority against the holder of the authorisation for—

(a) misconduct, or

(b) unprofessional conduct, or

(c) improper, dishonest or other unacceptable conduct, or

(d) not being a fit and proper person, or

(e) another ground that the relevant regulatory legislation provides is a disciplinary ground.

**discretionary condition**, in relation to an authorisation, means a condition the relevant regulatory legislation authorises to be imposed on the authorisation, but does not include a condition that—

(a) the relevant regulatory legislation or Part 2 imposes, or requires to be imposed, on the authorisation, or

(b) the relevant regulatory legislation authorises to be imposed on the authorisation because of any disciplinary proceedings against the holder.

**electronic communication** has the same meaning as in the *Electronic Transactions Act 2000*.

**electronic way**, in relation to the making of an application, means making the application by using an electronic communication, including—

(a) an SMS text message, or

(b) a computer program, or

(c) a website, or

(d) an application on a smartphone or other mobile device.

**fixed-term authorisation** means an authorisation that, under the relevant regulatory legislation, has effect for a fixed period or until a fixed date.

**holder**, in relation to an authorisation, means the individual, a partnership or other association or a corporation to whom the authorisation is issued.

**information technology requirements** includes software requirements.

**issue** includes grant or give.

**issue an authorisation**, for Part 4B—see section 81B.

**non-electronic way**, in relation to the making of an application, means—

(a) making the application in a written form other than by using an electronic way, or

(b) making the application by providing the information for it to a person at premises.

**objector**, in relation to an advertised application, means a person other than the applicant who has made submissions by or under the relevant regulatory legislation about whether the application should be granted.

**principal officer**, in relation to a relevant regulatory authority, means the person prescribed by or under the relevant regulatory legislation as the principal officer of the authority for the purposes of Part 2 or, if no person is prescribed—

(a) where the authority is a statutory body—

- (i) for a body corporate that has no members—the person who manages the authority’s affairs, or
  - (ii) for a body constituted by 1 person—the person, or
  - (iii) for a body constituted by more than 1 person—the person entitled to preside at meetings of the persons, or
- (b) where the authority is the council of a local government area—the general manager of the council, or
- (c) where the authority is a public office—the holder of the office.

**processing fee**, in relation to an application, means any fee prescribed or determined by or under the relevant regulatory legislation as a fee for the purposes of Part 2 to cover—

- (a) the costs incurred by the relevant regulatory authority in processing the application, and
- (b) for an advertised application, the costs incurred by the relevant regulatory authority in advertising the application.

**registered particulars** means particulars in relation to an authorisation required by or under the relevant regulatory legislation to be registered or recorded by the relevant regulatory authority.

**relevant regulatory authority**, in relation to an authorisation, means the person or body that, under the relevant regulatory legislation, is authorised to issue the authorisation.

**relevant regulatory legislation**, in relation to an authorisation, means the Act or statutory rule under which the authorisation is issued.

**renewal**, in relation to an authorisation, means the renewal of the authorisation before it expires or within the period after the expiry allowed by Part 2 or the relevant regulatory legislation for renewal.

**restoration**, in relation to an authorisation, means the reinstatement or reactivation of the authorisation after it is cancelled or expires without renewal.

**surrender**, in relation to an authorisation, means for the holder or the holder’s authorised representative to give up the authorisation voluntarily.

**suspension**, in relation to an authorisation, means—

- (a) for an authorisation resulting from inclusion in a register—temporarily denying the holder the authority conferred by inclusion in the register, including by temporarily removing the holder from the register, or
- (b) for another authorisation—temporarily denying the holder the authority to use the authorisation.

## Schedule 2 Amendment of other legislation

### 2.1 Architects Act 2003 No 89

[1] **Section 22 Application to registration of Licensing and Registration (Uniform Procedures) Act 2002**

Omit “Part 3 (other than section 39)” from section 22(2).

Insert instead “Part 2, other than section 11,”.

[2] **Section 22(2), note**

Omit the note.

[3] **Section 22(3)**

Omit the subsection. Insert instead—

(3) For the purpose of applying the applied Act, Part 2 to full registration and temporary registration under this Act—

(a) the applied Act, section 21 applies instead of section 20 in relation to registration, and

**Note—** Section 21 provides for certain information to be recorded in the Register and the issuing of certificates of registration.

(b) the requirement of the applied Act, section 28 for an authorisation administration fee to be paid to the relevant regulatory authority within 14 days after each anniversary of the date on which the authorisation document was issued is to be read as a requirement for the approved fee for annual registration to be paid in this way on or before 31 March in each year.

[4] **Section 22(4)**

Omit “Part 3”. Insert instead “Part 2”.

[5] **Section 25 Register of architects**

Omit “Part 3” from section 25(1). Insert instead “Part 2”.

[6] **Section 25, note**

Omit “49”. Insert instead “21”.

[7] **Section 29 Change of particulars to be notified**

Omit “53” wherever occurring in section 29(1). Insert instead “31”.

[8] **Section 30 Evidentiary certificates**

Omit “section 55” from the note. Insert instead “section 32”.

### 2.2 Architects Regulation 2017

**Clause 5 Particulars to be recorded in Register**

Omit the note to clause 5(1). Insert instead—

**Note—** The Act, section 25(1) requires the Registrar to establish and maintain a register of architects (the **Register**) for the purposes of the Act, and for the purposes of the *Licensing and Registration (Uniform Procedures) Act 2002*, Part 2, as applied by the Act, section 22. The *Licensing and Registration (Uniform Procedures) Act 2002*,

section 21 requires certain particulars, which are additional to the particulars set out above, to be recorded in the Register.

## **2.3 Charitable Fundraising Act 1991 No 69**

### **[1] Section 13A Application to authorities of Licensing and Registration (Uniform Procedures) Act 2002**

Omit section 13A(3)(a).

### **[2] Section 13A(3)**

Omit “14(3)” and “24(1)”. Insert instead “15(3)” and “31(1)”, respectively.

## **2.4 Commercial Agents and Private Inquiry Agents Act 2004 No 70**

### **[1] Section 6 Application to master licences of Licensing and Registration (Uniform Procedures) Act 2002**

Omit section 6(3) and (4). Insert instead—

- (3) For the purpose of applying the applied Act, Part 2 to a master licence, an application for the granting of a master licence may only be made by an individual aged 18 years or more or a corporation.
- (4) A master licence is a fixed-term authorisation for the purposes of the applied Act, Part 2.

### **[2] Section 12 Application to operator licences of Licensing and Registration (Uniform Procedures) Act 2002**

Omit section 12(3) and (4). Insert instead—

- (3) For the purpose of applying the applied Act, Part 2 to an operator licence, an application for the granting of an operator licence may only be made by an individual aged 18 years or more.
- (4) An operator licence is a fixed-term licence for the purposes of the applied Act, Part 2.

### **[3] Section 22 Evidentiary certificates**

Omit “26” from the note. Insert instead “32”.

## **2.5 Commercial Agents and Private Inquiry Agents Regulation 2017**

### **[1] Clauses 6, 7 and 13**

Omit “12” wherever occurring in the notes. Insert instead “13”.

### **[2] Clause 11 Condition as to periodic updating of registered particulars**

Omit “24”. Insert instead “31”.

### **[3] Clause 17 Condition as to collection of licence**

Omit “3” from clause 17(3). Insert instead “6”.

### **[4] Clause 17, note**

Omit “22”. Insert instead “27”.

**[5] Clause 18 Condition as to periodic updating of registered particulars**

Omit “24” from clause 18(1). Insert instead “31”.

**2.6 Community Gaming Act 2018 No 60**

**Section 11 Authorities to conduct gaming activities**

Omit the note to section 11(9). Insert instead—

**Note—** The effect of amending the Schedule is to apply uniform authorisation provisions under the *Licensing and Registration (Uniform Procedures) Act 2002*. The application of the provisions may be varied by regulation under this Act—see the *Licensing and Registration (Uniform Procedures) Act 2002*, section 6.

**2.7 Community Gaming Regulation 2020**

**[1] Clause 17 Amendment of Licensing and Registration (Uniform Procedures) Act 2002 No 28**

Omit clause 17(2)(a).

**[2] Clause 17(2)(b)**

Omit “10(1), 15 and 18”. Insert instead “11(1) and 18”.

**[3] Clause 17(2)(c)**

Omit “14(3)”. Insert instead “15(3)”.

**[4] Clause 51 Fees**

Omit the note. Insert instead—

**Note—** This amount is consequently a processing fee for the purposes of the *Licensing and Registration (Uniform Procedures) Act 2002*, Part 2. If an application is refused or withdrawn, the applicant is entitled to a refund of all fees paid, other than the processing fee—see the *Licensing and Registration (Uniform Procedures) Act 2002*, section 27.

**2.8 Conveyancers Licensing Act 2003 No 3**

**[1] Section 11 Application to licences of Licensing and Registration (Uniform Procedures) Act 2002**

Omit “10” from section 11(2). Insert instead “11”.

**[2] Section 11(3) and (4)**

Omit the subsections. Insert instead—

- (3) For the purpose of applying the applied Act, Part 2 to a licence—
- (a) the Secretary is taken to be the relevant regulatory authority, and
  - (b) the reference to 12 weeks in the applied Act, section 10(1) is to be read as a reference to 4 weeks, and
  - (c) the reference to 28 days in the applied Act, section 17(1)(a), about the period within which an application must be determined, is to be read as a reference to 8 weeks, and
  - (d) the following provisions of the applied Act have no effect—
    - (i) section 22(1) and (4),
    - (ii) Part 2, Division 4,
    - (iii) section 28, and

- (e) the reference to 14 days in the applied Act, section 31(1), about the period within which changed particulars must be notified, is to be read as a reference to 7 days, and
  - (f) a licence is not transferable.
- (4) A licence is taken to be a fixed-term authorisation for the purposes of the applied Act, Part 2.

## 2.9 Conveyancers Licensing Regulation 2021

### Clause 5 Fees for licence—the Act, s 12(1)

Omit the note to clause 5(2). Insert instead—

**Note—** This amount is consequently a processing fee for the purposes of the *Licensing and Registration (Uniform Procedures) Act 2002*, Part 2. If an application is refused or withdrawn, the applicant is entitled to a refund of all fees paid, other than the processing fee—see the *Licensing and Registration (Uniform Procedures) Act 2002*, section 27.

## 2.10 Design and Building Practitioners Regulation 2021

### Clause 42 Certificates of registration may be issued in digital or physical form

Omit the clause.

## 2.11 Explosives Act 2003 No 39

### [1] Section 12 Application to licences of Licensing and Registration (Uniform Procedures) Act 2002

Omit “10” from section 12(1). Insert instead “11”.

### [2] Section 12(2)

Omit the subsection. Insert instead—

- (2) For the purpose of applying the applied Act, Part 2 to a licence, the licence may be transferred under the applied Act.

## 2.12 Fair Trading Act 1987 No 68

### Schedule 6 Provisions consequent on enactment of Fair Trading Amendment (Commercial Agents) Act 2016 No 52

Omit “10” from clause 6. Insert instead “11”.

## 2.13 Fair Trading Amendment (Commercial Agents) Act 2016 No 52

### Schedule 1 Amendment of Fair Trading Act 1987 No 68

Omit proposed section 60E(4) from Schedule 1[1]. Insert instead—

- (4) For the purpose of applying the Licensing Act, Part 2 to a commercial agent licence—
  - (a) the licence may not be transferred under the Licensing Act, and
  - (b) the reference to 12 weeks in the Licensing Act, section 10(1) is to be read as a reference to 6 weeks, and
  - (c) the reference to 14 days in the Licensing Act, section 31(1), about the period within which changed particulars must be notified, is to be read as a reference to 7 days, and

- (d) the licence may be granted subject to the conditions the Secretary thinks fit and the Secretary may subsequently impose, vary or revoke conditions at any time, and
- (e) the licence is subject to a restriction order made under this Part against the holder of the licence.

## **2.14 Home Building Act 1989 No 147**

### **[1] Section 19 Application to contractor licences of Licensing and Registration (Uniform Procedures) Act 2002**

Omit “10” from section 19(2). Insert instead “11”.

### **[2] Section 19(3)**

Omit the subsection. Insert instead—

- (3) For the purpose of applying the applied Act, Part 2 to a contractor licence—
  - (a) the reference to 12 weeks in the applied Act, section 10(1) is to be read as a reference to 6 weeks, and
  - (b) the applied Act, Part 2, Division 4 has no effect, and
  - (c) the reference to 14 days in the applied Act, section 31(1), about the period within which changed particulars must be notified, is to be read as a reference to 7 days.

### **[3] Section 20 Issue of contractor licences**

Omit “6” from the note to section 20(1). Insert instead “7”.

### **[4] Section 24 Application to tradesperson and supervisor certificates of Licensing and Registration (Uniform Procedures) Act 2002**

Omit “10” from section 24(2). Insert instead “11”.

### **[5] Section 24(3)**

Omit the subsection. Insert instead—

- (3) For the purpose of applying the applied Act, Part 2 to a tradesperson certificate or supervisor certificate—
  - (a) the reference to 12 weeks in the applied Act, section 10(1) is to be read as a reference to 6 weeks, and
  - (b) the applied Act, Part 2, Division 4 has no effect, and
  - (c) the reference to 14 days in the applied Act, section 31(1), about the period within which changed particulars must be notified, is to be read as a reference to 7 days.

### **[6] Section 30 Application to owner-builder permits of Licensing and Registration (Uniform Procedures) Act 2002**

Omit section 30(3). Insert instead—

- (3) For the purpose of applying the applied Act, Part 2 to an owner-builder permit, the reference to 14 days in the applied Act, section 31(1), about the period within which changed particulars must be notified, is to be read as a reference to 7 days.

### **[7] Schedule 3 Conditions of authorities**

Omit “24(1)” wherever occurring in the notes to clauses 2–5. Insert instead “31(1)”.

## 2.15 Home Building Regulation 2014

- [1] **Clause 18A Authorities may also be issued in digital form**  
Omit the clause.
- [2] **Clause 22 Modification of Part 2 of Licensing and Registration (Uniform Procedures) Act 2002**  
Omit “9 and 10” from clause 22(a). Insert instead “10 and 11”.
- [3] **Clause 22(b)**  
Omit “14(1)” and “licensing”. Insert instead “15(1)” and “regulatory”, respectively.
- [4] **Clause 22(c) and (d)**  
Omit “21”, “21(2)” and “22(8) wherever occurring”.  
Insert instead “22”, “22(2)” and “22(8)”, respectively.
- [5] **Clause 66 Application fees**  
Omit the note to clause 66(3). Insert instead—  
**Note—** This amount is consequently a processing fee for the purposes of the *Licensing and Registration (Uniform Procedures) Act 2002*, Part 2. If an application is refused or withdrawn, the applicant is entitled to a refund of all fees paid, other than the processing fee—see the *Licensing and Registration (Uniform Procedures) Act 2002*, section 27.
- [6] **Clause 68 Modification of Part 2 of Licensing and Registration (Uniform Procedures) Act 2002**  
Omit “sections 24(2) and 25 of that Act do”. Insert instead “section 28 of the Act does”.

## 2.16 Motor Dealers and Repairers Act 2013 No 107

- [1] **Section 21 Application to licences of Licensing and Registration (Uniform Procedures) Act 2002**  
Omit “10” from section 21(1). Insert instead “11”.
- [2] **Section 21(2)**  
Omit the subsection. Insert instead—  
(2) The Licensing Act, Part 2, Division 4 has no effect.
- [3] **Section 25 Grounds for refusal—licences other than tradespersons’ certificates**  
Omit the note to the section.

## 2.17 Motor Dealers and Repairers Regulation 2014

### Clause 8 Fees

- Omit the note to clause 8(3). Insert instead—  
**Note—** This amount is consequently a processing fee for the purposes of the *Licensing and Registration (Uniform Procedures) Act 2002*, Part 2. If an application is refused or withdrawn, the applicant is entitled to a refund of all fees paid, other than the processing fee—see the *Licensing and Registration (Uniform Procedures) Act 2002*, section 27.

## 2.18 Pawnbrokers and Second-hand Dealers Act 1996 No 13

[1] **Section 9 Application to licences of Licensing and Registration (Uniform Procedures) Act 2002**

Omit “10” from section 9(2). Insert instead “11”.

[2] **Section 9(3)**

Omit the subsection. Insert instead—

- (3) The applied Act, Part 2, Division 4 has no effect.

## 2.19 Property and Stock Agents Act 2002 No 66

[1] **Section 17 Application of Licensing and Registration (Uniform Procedures) Act 2002**

Omit “10” from section 17(2). Insert instead “11”.

[2] **Section 17(3)**

Omit the subsection. Insert instead—

- (3) For the purpose of applying the applied Act, Part 2 to a licence or certificate of registration—
- (a) the Secretary is taken to be the relevant regulatory authority, and
  - (b) the licence or certificate of registration may not be transferred, and
  - (c) for a licence—the reference to 12 weeks in the applied Act, section 10(1) is to be read as a reference to 6 weeks, and
  - (d) the applied Act, section 10 does not have effect in relation to a certificate of registration, and
  - (e) the following provisions of the applied Act do not have effect in relation to a licence or certificate of registration—
    - (i) section 22(4),
    - (ii) Part 2, Division 4, and
  - (f) the reference to 14 days in the applied Act, section 31(1), about the period within which changed particulars must be notified, is to be read as a reference to 7 days.

## 2.20 Property and Stock Agents Regulation 2014

**Clause 53 Fees and Compensation Fund contributions**

Omit the note to clause 53(3). Insert instead—

**Note—** This amount is consequently a processing fee for the purposes of the *Licensing and Registration (Uniform Procedures) Act 2002*, Part 2. If an application is refused or withdrawn, the applicant is entitled to a refund of all fees paid, other than the processing fee—see the *Licensing and Registration (Uniform Procedures) Act 2002*, section 27.

## 2.21 Surveying and Spatial Information Act 2002 No 83

[1] **Section 10 Application to registration of Licensing and Registration (Uniform Procedures) Act 2002**

Omit “Part 3” wherever occurring in section 10(2)–(5). Insert instead “Part 2”.

[2] **Section 10(3)(b)**

Omit the paragraph.

**[3] Section 10(3)**

Omit “46(1)” and “48(1)”. Insert instead “17(1)(a)” and “19(1)”, respectively.

**[4] Section 10(3)(e) and (f)**

Omit section 10(3)(e) and (f). Insert instead—

- (e) the applied Act, section 21 applies instead of section 20 in relation to registration, and

**Note—** Section 21 provides for certain information to be recorded in the Register and the issuing of certificates of registration.

- (f) the requirement of the applied Act, section 28 for an authorisation administration fee to be paid to the relevant regulatory authority within 14 days after each anniversary of the date on which the authorisation document was issued is to be read as a requirement for the approved fee for annual registration to be paid in this way on or before 31 August in each year.

**[5] Section 10(4)**

Omit “continuing registration”. Insert instead “continuing authorisation”.

**[6] Section 15 Register of surveyors**

Omit “Part 3” from section 15(1). Insert instead “Part 2”.

**[7] Section 15, note**

Omit “49”. Insert instead “21”.

**[8] Section 16 Evidentiary certificates**

Omit “section 55” from the note. Insert instead “section 32”.

## **2.22 Surveying and Spatial Information Regulation 2017**

**[1] Clause 81 Provision of further information and supporting evidence**

Omit “43(1)”. Insert instead “15”.

**[2] Clause 84 Register of surveyors**

Omit “49(1)”. Insert instead “21(2)”.

**[3] Clause 85 Certificates of meritorious service**

Omit “50(7)”. Insert instead “22(7)”.

## **2.23 Tow Truck Industry Regulation 2020**

**Clause 87 Application fees**

Omit the note.

## **2.24 Veterinary Practice Act 2003 No 87**

**[1] Section 17 Application to registration of Licensing and Registration (Uniform Procedures) Act 2002**

Omit “Part 3” wherever occurring in section 17(2), (3) and (5). Insert instead “Part 2”.

**[2] Section 17(3)(c) and (d)**

Omit section 17(3)(c) and (d). Insert instead—

- (c) the applied Act, section 21 applies instead of section 20 in relation to registration, and

**Note—** Section 21 provides for certain information to be recorded in the Register and the issuing of certificates of registration.

- (d) the following provisions of the applied Act have no effect—
  - (i) section 28,
  - (ii) Part 2, Division 4, and

**[3] Section 17(3)(e) and (f)**

Omit “46(1)” and “48(1)”. Insert instead “17(1)(a)” and “19(1)”, respectively.

**[4] Section 17(4)**

Omit the subsection. Insert instead—

- (4) Full registration, honorary registration or specialist registration is a continuing authorisation for the purposes of the applied Act, Part 2.

**[5] Section 31 Change of particulars to be notified**

Omit “53” wherever occurring. Insert instead “31”.

**[6] Section 32 Evidentiary certificates**

Omit “section 55” from the note. Insert instead “section 32”.

**[7] Section 69 Application to licensing of Licensing and Registration (Uniform Procedures) Act 2002**

Omit section 69(3)(b).

**[8] Section 69(4)**

Omit “continuing licence”. Insert instead “continuing authorisation”.

## **2.25 Veterinary Practice Regulation 2013**

### **Clause 14 Licensing procedures**

Omit “24(1)”. Insert instead “31(1)”.

[Second reading speech made in—

Legislative Assembly on 17 November 2021

Legislative Council on 22 February 2022]