



Policy on registration under the Trans Tasman Mutual Recognition Act (TTMRA) 1997

1 Legislation

In August 1997 the New Zealand Parliament enacted the Trans-Tasman Mutual Recognition Act (TTMRA). This Act came into force by Order-in-Council on 1 May 1998. It recognises the regulatory standards adopted in Australia regarding goods and occupations.

2 Occupations

Under the Trans-Tasman Mutual Recognition Act:

- a person who is registered to practise an occupation under a law of an Australian participating State will be entitled to practise an equivalent occupation under the law of New Zealand, and
- a person who is registered to practise an occupation under a law of New Zealand will be entitled to practise an equivalent occupation under the law of an Australian participating State.

3 Registration under TTMRA

The TTMRA is an arrangement between the Government of New Zealand and the Commonwealth, State and Territory Governments of Australia. It is an extension of the Closer Economic Relations Trade Agreement (CER) and enhances the freedom of individuals to work in either country.

Under the TTMR Act, 1997, a person who is registered as a veterinarian in a participating jurisdiction in Australia is entitled, after applying to the Veterinary Council of New Zealand, to be registered as a veterinarian in New Zealand.

All Australian jurisdictions are parties to the Trans Tasman Mutual recognition agreement

TTMRA is based on the principle that all parties have confidence in each other's regulatory systems and decision-making process. Accordingly, the agreement does not directly recognise qualifications as such, but instead recognises each party's registration policy.

Registration under the TTMRA Act is not related to requirements for the possession of particular qualifications or experience. It is based on the equivalence of the practice of the occupation.

The mutual recognition principle only applies to registered occupations, which are “equivalent”. Two occupations are deemed to be equivalent when the activities authorised to be practised under registration are substantially similar. Equivalence can be achieved through the imposition of conditions on registration by a registration authority or, on appeal, by the relevant appeals body.

4 Application Process under the Trans-Tasman Mutual Recognition Act

Within one month of written notice, details, and fee being received by the Veterinary Council, an application for registration under the Trans-Tasman Mutual Recognition Act must be granted, postponed, or refused.

Incomplete applications will not be accepted by the Council. Payment of the application fee in New Zealand dollars must accompany every application.

The Council will contact the Registrar of each State Registration Board the applicant has been registered with to make enquiries as to the applicant’s good standing within that jurisdiction. If the applicant is registered in any overseas jurisdictions outside Australia the applicant is required to arrange for a letter of good standing to be sent directly to the Council.

The Registrar has delegated authority to approve straightforward applications for registration made under the TTMR provisions subject to any applications involving significant fitness to practise declarations being referred to the Registration Committee.

The Registration Committee has delegated authority to approve applications for TTMR registration referred by the Registrar or to postpone the granting of registration if:

- Any of the statements or information in the notice required by section 19 are materially false or misleading; or
- Any document or information required by section 19 is materially false or misleading; or
- Any document required by section 19 has not been provided; or
- The Council determines that the occupation in which registration is sought is not an equivalent occupation, and that equivalence cannot be achieved by the imposition of conditions; or
- The circumstances of the applicant have materially changed since the date of the notice or the date it was given.

Only the Council may refuse the granting of registration if:

- Any of the statements or information in the notice required by section 19 are materially false or misleading; or
- Any document or information required by section 19 is materially false or misleading; or
- Any document required by section 19 has not been provided; or
- The Council determines that the occupation in which registration is sought is not an equivalent occupation, and that equivalence cannot be achieved by the imposition of conditions; or
- The circumstances of the applicant have materially changed since the date of the notice or the date it was given.

Pending the decision on an application for registration, the applicant is deemed to be registered and is entitled to practise as a veterinarian in New Zealand. The Council may impose conditions on deemed registration to match conditions that apply to the applicant's registration in an Australian jurisdiction. The Council may also impose conditions on registration.

Deemed registrants will be notified of the Council's decision within one month of their completed application being lodged with the Council and commencement of deemed registration. There is a right of review of any Council decision to impose conditions on any applicant for registration.

Once granted, registration takes effect as if it had been granted immediately on the giving of the written notice.

Veterinarians registered under TTMRA are subject to the same statutory provisions as other registered veterinarians which include the requirement to hold an annual practising certificate, in order to be able to practise.

Policy reviewed and confirmed with minor amendments February 2012