



New South Wales

Licensing and Registration (Uniform Procedures) Amendment Bill 2021

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are—

- (a) to amend the *Licensing and Registration (Uniform Procedures) Act 2002*—
 - (i) to streamline procedures for certain licences, registrations and other authorisations, and
 - (ii) to make provision for issuing digital licences, and
- (b) to make consequential amendments to other legislation.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

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

1.1 Amendment concerning digital licences

Schedule 1.1 includes provisions facilitating the issuing and use of licences in digital form.

1.2 Amendments concerning uniform procedures and terminology

Schedule 1.2[2] replaces the *Licensing and Registration (Uniform Procedures) Act 2002*, Parts 2 and 3 with a single proposed Part setting out uniform procedures for certain authorisations specified in Schedule 1 as amended by the proposed Act. Currently, Parts 2 and 3 essentially duplicate the procedures for licences and registration, respectively. **Schedule 1.2[1], [3]–[26] and [30]** make consequential amendments.

The principal reforms made to the current procedures are as follows—

- (a) adding objects for the Act to assist with its interpretation,
- (b) defining key words and expressions to clarify the application of provisions and provide for the consistent use of terminology in the Act,
- (c) modernising references to technology and communication by removing references to defunct processes and technologies like facsimile transmissions to facilitate digital service delivery,
- (d) adding further provisions to enable relevant regulatory authorities to conduct public consultation when required by excluding the time taken to consult from the time frame for dealing with applications,
- (e) implementing a single longer period for the renewal of authorisations to make it easier for customers to renew their authorisations,
- (f) enabling relevant regulatory authorities to restore authorisations without an application if they are cancelled in error,
- (g) allowing customers to apply to amend the name or address for their authorisations,
- (h) providing for uniform procedures for taking disciplinary actions, including by requiring relevant regulatory authorities to provide show cause notices,
- (i) ensuring relevant regulatory authorities indicate in the notice for a decision the provisions relied on when an application for an authorisation has been refused or an authorisation granted with conditions,
- (j) requiring relevant regulatory authorities to offer internal review for reviewable decisions even if the decisions are not reviewable by the Civil and Administrative Tribunal,
- (k) providing relevant regulatory authorities with a broad power concerning waivers, postponements, reductions and refunds of fees.

Schedule 1.2[27]–[29] set out savings and transitional provisions consequent on the commencement of provisions of the proposed Act.

Schedule 2 Amendment of other legislation

Schedule 2 makes amendments to other legislation consequential on the amendments made to the *Licensing and Registration (Uniform Procedures) Act 2002* by Schedule 1.