



Trans-Tasman Mutual Recognition (Continuation of Temporary Exemption for Water Heaters) Regulations (No 2) 2004

Dame Sian Elias, Administrator of the Government

Order in Council

At Wellington this 21st day of June 2004

Present:

Her Excellency the Administrator of the Government in Council

Pursuant to section 87(1)(a) of the Trans-Tasman Mutual Recognition Act 1997, Her Excellency the Administrator of the Government, acting on the advice and with the consent of the Executive Council and on the recommendation of the Minister of Commerce (made after being satisfied as to the matters set out in section 87(2) of the Act), makes the following regulations.

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Regulations

1 Title

These regulations are the Trans-Tasman Mutual Recognition (Continuation of Temporary Exemption for Water Heaters) Regulations (No 2) 2004.

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(Continuation of Temporary Exemption
for Water Heaters) Regulations
(No 2) 2004**

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2 Commencement

These regulations come into force on the day after the date of their notification in the *Gazette*.

3 Interpretation

In these regulations, unless the context otherwise requires,—

Efficiency Regulations means the Energy Efficiency (Energy Using Products) Regulations 2002

water heaters means goods in the product classes “Low-pressure copper thermal storage electric water heaters” or “Storage water heaters (electrically heated)” in Schedule 1 of the Efficiency Regulations; but does not include cylinders designed specifically for use with a solar collector or mains pressure cylinders with 3 or more heating elements.

4 Temporary exemption

- (1) Regulations 4 and 5 of the Efficiency Regulations are exempted from the Trans-Tasman Mutual Recognition Act 1997 to the extent that they apply to water heaters.
- (2) The period of exemption is the period beginning on the commencement of these regulations and ending on the close of 31 January 2005.

5 Revocation

The Trans-Tasman Mutual Recognition (Continuation of Temporary Exemption for Water Heaters) Regulations 2004 (SR 2004/6) are revoked.

Diane Morcom,
Clerk of the Executive Council.

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(No 2) 2004**

Explanatory note

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Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on the day after the date of their notification in the *Gazette*, exempt regulations 4 and 5 of the Energy Efficiency (Energy Using Products) Regulations 2002 from the Trans-Tasman Mutual Recognition Act 1997 (the Act) to the extent that those regulations apply to certain water heaters. The exemption is for the period beginning on the commencement of these regulations to 31 January 2005. The effect of these regulations is that for that period the water heaters to which these regulations apply, whether capable of being sold in Australia or not, must comply with regulations 4 and 5 of the Energy Efficiency (Energy Using Products) Regulations 2002.

These regulations revoke and replace the Trans-Tasman Mutual Recognition (Continuation of Temporary Exemption for Water Heaters) Regulations 2004, which had the same effect. The reason for the revocation and replacement is the omission of Australian jurisdictions to take a procedural step of notification required by the Act. A fuller explanation of the rationale for continuing the exemption in relation to water heaters is given in the Explanatory Note to the revoked and replaced regulations (SR 2004/6).

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 24 June 2004.
These regulations are administered in the Ministry of Economic Development.
