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**FAIR TRADING ACT 2010**

The following instrument is published under the *Fair Trading Act 2010*  
section 21



**Consumer Goods (Decorative Alcohol Fuelled  
Devices) Safety Standard 2017**

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I, Michael McCormack, Minister for Small Business, make the following safety  
standard.

Dated 5 July 2017.

MICHAEL McCORMACK,  
Minister for Small Business.

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## Part 1—Preliminary

### 1 Name

This instrument is the *Consumer Goods (Decorative Alcohol Fuelled Devices) Safety Standard 2017*.

### 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	15 July 2017.	15 July 2017

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

### 3 Authority

This instrument is made under section 104(1) of the Australian Consumer Law.

Note: The reference to the Australian Consumer Law is a reference to Schedule 2 to the *Competition and Consumer Act 2010* as it applies as a law of the Commonwealth, States and Territories: see section 140K of that Act and corresponding provisions of Acts of States and Territories applying that Schedule.

### 4 Definitions

In this instrument:

***automatic fuel pump system***, for a decorative alcohol fuelled device, means an electronic device that:

- (a) has a fuel hose that plugs into the decorative alcohol fuelled device; and
- (b) pumps alcohol from a fuel container directly to the fuel tank of the decorative alcohol fuelled device.

***decorative alcohol fuelled device*** means a consumer good that:

- (a) produces a flame using alcohol as fuel; and
- (b) is designed to be used primarily for decorative purposes.

***European Standard*** means European Standard EN16647:2015 Fireplaces for liquid fuels - Decorative appliances producing a flame using alcohol based or gelatinous fuel - Use in private households, approved by the European Committee for Standardization, as in force on the commencement of this instrument.

Note: In 2017 the European Standard could be purchased from SAI Global's website (<https://www.saiglobal.com>). The Australian Competition and Consumer Commission can make a copy of the Standard available for viewing at one of its offices, subject to licensing conditions.

***flame arrester***, in relation to a fuel container, means a device that:

- (a) is fitted securely into the neck of the fuel container; and
- (b) is designed to absorb heat when exposed to flame, for the purposes of preventing heat or flame entering the fuel container and causing a fire or explosion.

***footprint***, of a decorative alcohol fuelled device, means the projected area beneath the device when the device is placed on a horizontal surface in the device's normal operating configuration.

## Part 2—Requirements

### 5 Requirements

A decorative alcohol fuelled device supplied on or after 15 October 2017 must meet the requirements set out in sections 6, 7, 8 and 9.

### 6 Design

A decorative alcohol fuelled device must:

- (a) require installation in a fixed position; or
- (b) have both:
  - (i) a dry weight of at least 8 kg; and
  - (ii) a footprint of at least 900 cm<sup>2</sup>.

### 7 Stability

- (1) A decorative alcohol fuelled device must comply with clause 4.5 of the European Standard.
- (2) For the purposes of subsection (1), assume that:
  - (a) each reference in the European Standard to an appliance were a reference to a decorative alcohol fuelled device within the meaning of this instrument; and
  - (b) the reference in the second sentence of clause 4.5 to “Clause 5” were a reference to “5.1 to 5.6”.

### 8 Refuelling

A decorative alcohol fuelled device must be supplied with:

- (a) a fuel container that incorporates a flame arrester; or
- (b) an automatic fuel pump system for the device.

### 9 Markings

A decorative alcohol fuelled device must display a permanent, prominent, legible warning with the text set out in:

- (a) if the device has a fuel tank that must be removed from the device for refuelling—clause 1 of Schedule 1; or
- (b) otherwise:
  - (i) if the device is supplied with a fuel container that incorporates a flame arrester—clause 2 of Schedule 1; or
  - (ii) if the device is supplied with an automatic fuel pump system for the device—clause 3 of Schedule 1.

## Part 3—Transitional requirements

### 10 Requirements before 15 October 2017

A decorative alcohol fuelled device supplied on or after 15 July 2017 and before 15 October 2017 must meet:

- (a) the requirements set out in sections 6, 7, 8 and 9; or
- (b) the requirements set out in section 11.

### 11 Alternative requirements before 15 October 2017

(1) A decorative alcohol fuelled device must:

- (a) have a power output more than 4.5 kilowatts; or
- (b) require installation in a fixed position; or
- (c) meet all of the following requirements:
  - (i) the device must have a dry weight of at least 8 kg;
  - (ii) the device must have a footprint of at least 900 cm<sup>2</sup>;
  - (iii) if the device has a fuel tank that must be removed from the device for refuelling—the device must display a permanent, prominent, legible warning with the text set out in subsection (2);
  - (iv) if the device does not have a fuel tank that must be removed from the device for refuelling—the device must be supplied with a fuel container that incorporates a flame arrester, and the device must display a permanent, prominent, legible warning with the text set out in subsection (3).

(2) For the purposes of subparagraph (1)(c)(iii), the text of the warning is:

**WARNING**

**Filling an alcohol fuelled device while lit has caused severe burns.**

**You must remove the fuel tank from the device before refilling.**

**When refilling first check the flame is extinguished and that the device is cool.**

(3) For the purposes of subparagraph (1)(c)(iv), the text of the warning is:

**WARNING**

**Filling an alcohol fuelled device while lit has caused severe burns.**

**When refilling only use containers with a flame arrester.**

**When refilling first check the flame is extinguished and that the device is cool.**

## Schedule 1—Warnings

Note: See section 9.

### 1 Warnings—devices with fuel tanks that must be removed for refuelling

For the purposes of paragraph 9(a) of this instrument, the text of the warning is:

**WARNING**

**Filling an alcohol fuelled device while lit has caused severe burns and deaths.**

**You must remove the fuel tank from the device before refilling.**

**When refilling only use containers with a flame arrester.**

**When refilling first check the flame is extinguished and that the device is cool.**

### 2 Warnings—devices with fuel tanks that need not be removed for refuelling and which are supplied with fuel containers with flame arresters

For the purposes of subparagraph 9(b)(i) of this instrument, the text of the warning is:

**WARNING**

**Filling an alcohol fuelled device while lit has caused severe burns and deaths.**

**When refilling only use containers with a flame arrester.**

**When refilling first check the flame is extinguished and that the device is cool.**

### 3 Warnings—devices with fuel tanks that need not be removed for refuelling and which are supplied with automatic fuel pump systems

For the purposes of subparagraph 9(b)(ii) of this instrument, the text of the warning is:

**WARNING**

**Filling an alcohol fuelled device while lit has caused severe burns and deaths.**

**When refilling first check the flame is extinguished and that the device is cool.**

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