



Western  
Australian  
Government

**Gazette**

ISSN 2204-4264 (online)

1021

PERTH, TUESDAY, 16 APRIL 2024 No. 41 **SPECIAL**

PUBLISHED BY AUTHORITY GEOFF O. LAWN, GOVERNMENT PRINTER  
© STATE OF WESTERN AUSTRALIA

**FAIR TRADING ACT 2010**

The following instruments are published under the *Fair Trading Act 2010* Section 21(2)

---

**Consumer Goods (Bicycle  
Helmets) Safety Standard 2024**





# Consumer Goods (Bicycle Helmets) Safety Standard 2024

I, Stephen Jones, Assistant Treasurer and Minister for Financial Services, make the following safety standard.

Dated 20 March 2024.

Stephen Jones  
Assistant Treasurer  
Minister for Financial Services

\_\_\_\_\_



**CONTENTS**

**PART 1—PRELIMINARY ..... 1027**

1 Name ..... 1027

2 Commencement..... 1027

3 Authority ..... 1027

4 Schedules..... 1027

5 Definitions ..... 1027

6 Regulated bicycle helmets ..... 1028

**PART 2—BASIC REQUIREMENTS ..... 1028**

7 Requirements during the transitional period..... 1028

8 Requirements after the transitional period..... 1028

**PART 3—DETAILS OF REQUIREMENTS..... 1028**

9 Requirements for regulated bicycle helmets ..... 1028

**SCHEDULE 1—REPEALS..... 1028**

*Trade Practices (Consumer Product Safety Standard) (Bicycle Helmets) Regulations 2001..... 1028*





## PART 1—PRELIMINARY

**1 Name**

This instrument is the *Consumer Goods (Bicycle Helmets) Safety Standard 2024*.

**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	The day after this instrument is registered.	22 March 2024

Note: This table relates only to the provisions of this instrument as originally made.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 subsection 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 Schedules**

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

**5 Definitions**

In this instrument—

**Australian/New Zealand Standard 1** means the Australian/New Zealand Standard AS/NZS 2063:2020, *Helmets for use on bicycles and wheeled recreational devices*, published jointly by, or on behalf of, Standards Australia and Standards New Zealand, as amended and in force or existing at the time when this instrument commences.

Note: This standard (and an amendment) could in 2024 be purchased from Intertek Inform's website (<https://www.intertekinform.com>) or Techstreet's website (<https://www.techstreet.com>). The Australian Competition and Consumer Commission can make a copy of the standard (and the amendment) available for viewing at one of its offices, subject to licensing conditions.

**Australian/New Zealand Standard 2** means the Australian/New Zealand Standard AS/NZS 2063:2008, *Bicycle helmets*, published jointly by, or on behalf of, Standards Australia and Standards New Zealand, as amended and in force or existing at the time when this instrument commences.

Note: This standard (and an amendment) could in 2024 be purchased from Intertek Inform's website (<https://www.intertekinform.com>) or Techstreet's website (<https://www.techstreet.com>). The Australian Competition and Consumer Commission can make a copy of the standard (and the amendment) available for viewing at one of its offices, subject to licensing conditions.

**European Standard** means the European Standard EN 1078:2012+A1:2012, *Helmets for pedal cyclists and for users of skateboards and roller skates*, published by the European Committee for Standardization, as amended and in force or existing at the time when this instrument commences.

Note: This standard could in 2024 be purchased from Intertek Inform's website (<https://www.intertekinform.com>) or Techstreet's website (<https://www.techstreet.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.

**regulated bicycle helmet** has the meaning given by section 6.

**Snell Standard** means the Snell B-95, 1995 Bicycle Helmet Standard, *1998 revision Standard for Protective Headgear for Use in Bicycling*, published by the Snell Memorial Foundation, as amended and in force or existing at the time when this instrument commences.

Note: This standard could in 2024 be viewed on the Snell Foundation's website (<https://smf.org/stds>).

**transitional period** means the period of 18 months beginning on the day this instrument commences.

**US Standard 1** means the American Society for Testing and Materials Standard ASTM F1447:2018, *Standard Specification for Helmets Used in Recreational Bicycling or Roller Skating*, published by the American Society for Testing and Materials International, as amended and in force or existing at the time when this instrument commences.

Note: This standard could in 2024 be purchased from Intertek Inform's website (<https://www.intertekinform.com>) or Techstreet's website (<https://www.techstreet.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.

**US Standard 2** means the U.S. Consumer Product Safety Commission (16 C.F.R. Part 1203), *Safety Standard for Bicycle Helmets*, published by the United States Consumer Product Safety Commission, as amended and in force or existing at the time when this instrument commences.

Note: This standard could in 2024 be viewed on the Electronic Code of Federal Regulations website (<https://www.ecfr.gov>).

## 6 Regulated bicycle helmets

(1) A helmet for use when riding a bicycle is a **regulated bicycle helmet**, whether or not it is also for use with one or more other wheeled-recreational devices.

Example: This includes a helmet supplied for skateboarding if it is also supplied for bicycling, but does not include a helmet supplied only for skateboarding.

(2) However, a **regulated bicycle helmet** is not any of the following—

- (a) a helmet for use mainly—
  - (i) for downhill mountain bicycle competitive racing (or related practice); or
  - (ii) for BMX bicycle competitive racing (or related practice);
- (b) a helmet that is a toy;
- (c) a motorcycle helmet.

## PART 2—BASIC REQUIREMENTS

### 7 Requirements during the transitional period

(1) During the transitional period, a regulated bicycle helmet must comply with—

- (a) the requirements in Part 3; or
- (b) the *Trade Practices (Consumer Product Safety Standard) (Bicycle Helmets) Regulations 2001*, as in force immediately before the commencement of this section.

Note: The *Trade Practices (Consumer Product Safety Standard) (Bicycle Helmets) Regulations 2001* could in 2024 be viewed on the Federal Register of Legislation website (<https://www.legislation.gov.au>).

(2) This section is repealed at the end of the last day of the transitional period.

### 8 Requirements after the transitional period

After the transitional period, a regulated bicycle helmet must comply with the requirements in Part 3.

## PART 3—DETAILS OF REQUIREMENTS

### 9 Requirements for regulated bicycle helmets

A regulated bicycle helmet complies with the requirements in this Part if the regulated bicycle helmet complies with each provision of any of the following standards—

- (a) the Australian/New Zealand Standard 1;
- (b) the Australian/New Zealand Standard 2;
- (c) the European Standard;
- (d) the US Standard 1;
- (e) the US Standard 2;
- (f) the Snell Standard.

## SCHEDULE 1—REPEALS

*Trade Practices (Consumer Product Safety Standard) (Bicycle Helmets) Regulations 2001*

### 1 The whole of the instrument

Repeal the instrument.

---