



Western Australia

## **Fair Trading (Product Safety Standard) Regulations 2001**

Compare between:

[20 Oct 2006, 01-c0-02] and [29 Dec 2006, 01-d0-03]



Western Australia

Fair Trading Act 1987

# **Fair Trading (Product Safety Standard) Regulations 2001**

## **Part 1 — Preliminary**

### **1. Citation**

These regulations may be cited as the *Fair Trading (Product Safety Standard) Regulations 2001*<sup>1</sup>.

## Part 2 — Lighters

### Division 1 — General

#### 2. Interpretation

In this Part, unless the contrary intention appears —

**“adjustable lighter”** means a lighter with provision for flame height adjustment;

**“American Standard”** means the Consumer Product Safety Standard for Cigarette Lighters (16 CFR 1210) —

- (a) set out in Part 1210, Title 16 of the Code of Federal Regulations; and
- (b) published in the Federal Register of the United States of America, Vol. 58, No. 131, on 12 July 1993;

**“lighter”** means a disposable lighter, a novelty lighter or a refillable lighter;

**“disposable lighter”** means a flame producing device that is designed to light cigarettes, cigars and pipes and is designed —

- (a) to be discarded when its supply of fuel is exhausted; or
- (b) to incorporate a separate container of fuel that is designed to be discarded when empty;

**“non-adjustable lighter”** means a lighter with no provision for flame height adjustment;

**“novelty lighter”** means a flame producing device that is designed to light cigarettes, cigars and pipes and —

- (a) is designed to have an entertaining audio or visual effect (other than the production of a flame), for example, playing musical notes or displaying flashing lights; or

- (b) depicts or resembles, in physical form or function, an article commonly recognised as appealing to, or intended for use by, a young child, for example, a cartoon character, toy, gun, watch, musical instrument, vehicle, toy animal, food or beverage;

**“refillable lighter”** means a flame producing device that —

- (a) is designed to light cigarettes, cigars and pipes;
- (b) is designed to be refilled with fuel; and
- (c) if —
  - (i) imported into Australia, has a customs value (as determined under section 159 of the *Customs Act 1901* of the Commonwealth) that is less than the relevant amount determined under regulation 3; or
  - (ii) manufactured in Australia, has a supply price that is less than the relevant amount determined under regulation 3;

**“safe operation”** of a lighter means operation of a lighter so that it —

- (a) does not spit or sputter;
- (b) does not produce an abnormal or unsafe flame; and
- (c) cannot be operated easily by a young child;

**“spit or sputter”**, for a lighter, means the escape of burning liquid fuel droplets from the lighter as flame is produced;

**“young child”** means an individual who is under 5 years of age.

*[Regulation 2 amended in Gazette 10 Oct 2003 p. 4399.]*

### **3. Relevant amount for refillable lighters**

- (1) For the definition of “refillable lighter”, the **“relevant amount”** is —

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- (a) for a lighter imported into Australia, or supplied to a buyer by its manufacturer at the manufacturer's premises, before 1 August 2003 — \$5; or
  - (b) for any other lighter — the indexed amount determined in accordance with subregulation (2) and (3).
- (2) For subregulation (1)(b), the “**indexed amount**” is the amount determined in accordance with the following formula —

$$\frac{\$5 \times \text{latest CPI number}}{\text{March 2003 CPI number}}$$

where —

“**CPI number**” means the All Groups Consumer Price Index number (that is the weighted average of the 8 capital cities) published by the Statistician;

“**latest CPI number**” means the CPI number for the most recent quarter;

“**March 2003 CPI number**” means the CPI number for the quarter beginning on 1 January 2003;

“**quarter**” means a period of 3 months beginning on 1 January, 1 April, 1 July or 1 October in a year;

“**Statistician**” has the meaning given to that term in section 3 of the *Australian Bureau of Statistics Act 1975* of the Commonwealth.

- (3) The indexed amount is to be rounded to the nearest 25 cents and, if the amount to be rounded is 12.5 cents, rounded up.

*[Regulation 3 amended in Gazette 10 Oct 2003 p. 4399-400.]*

**4. Product safety standard for a lighter**

The product safety standard for a lighter consists of the requirements set out in this Part.

**Division 2 — Flame testing, structural safety and labelling of a  
disposable lighter or a refillable lighter**

**5. Application of this Division**

This Division applies only to a disposable lighter or a refillable lighter.

**6. Testing procedures**

When a lighter is tested in accordance with the procedures set out in Schedule 1 Division 2, 3, 4, 5 or 6, the test must be performed in accordance with the procedures set out in Schedule 1 Division 1.

**7. Ignition and adjustment of flame**

- (1) A lighter must be designed so that deliberate action is necessary to ignite and sustain a flame.
- (2) An adjustable lighter must be designed so that deliberate action is necessary to adjust the height of the flame.

**8. Abnormal burning**

A lighter, after being tested in accordance with Schedule 1 Divisions 4, 5 and 6, must not, when tested in accordance with Schedule 1 Divisions 2 and 3, spit or sputter or produce an abnormal or unsafe flame.

*[Regulation 8 amended in Gazette 10 Oct 2003 p. 4400.]*

**9. Flame height**

- (1) A lighter must comply with subregulation (2) when tested in accordance with Schedule 1 Division 2 —
  - (a) after being tested in accordance with Schedule 1 Division 4 or 5; or
  - (b) after being tested in accordance with Schedule 1 Divisions 4 and 5.

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- (2) For subregulation (1), the height of the flame produced by a lighter must not exceed —
  - (a) in the case of a non-adjustable lighter, 50 mm; and
  - (b) in the case of an adjustable lighter —
    - (i) where the lighter is adjusted to produce the maximum flame height, 150 mm; and
    - (ii) where the lighter is adjusted to produce the minimum flame height, 100 mm.
- (3) If the flame height of an adjustable lighter has not been adjusted after being supplied in trade or commerce, the lighter must not, when first used after being supplied, produce a flame exceeding 125 mm in height.

**10. Flame extinction**

- (1) A lighter must comply with subregulation (2) after being tested in accordance with the procedures set out in Schedule 1 Divisions 3, 4 and 5.
- (2) For subregulation (1), where —
  - (a) a non-adjustable lighter produces a flame for 10 seconds; or
  - (b) an adjustable lighter —
    - (i) produces a flame for 5 seconds at the maximum flame height adjustment; or
    - (ii) produces a flame for 10 seconds at the minimum flame height adjustment,

the flame produced must extinguish after cessation of the action sustaining the flame within 2 seconds if the lighter has no flameguard or 4 seconds if it has a flameguard.

**11. Structural safety**

- (1) A lighter must have no sharp external edges.



- (2) A lighter, when tested in accordance with Schedule 1 Division 3, 4 or 5, must not be damaged so as to affect its safe operation.
- (3) A lighter, when tested in accordance with Schedule 1 Division 4, must not spontaneously ignite.
- (4) The internal pressure of the fuel reservoir of a lighter when tested in accordance with Schedule 1 Division 6 must not suddenly decrease.

## **12. Labelling**

- (1) A lighter must incorporate (as a permanent part of the lighter) in a legible form —
  - (a) the name or other identification of the manufacturer or distributor of the lighter; and
  - (b) where the lighter is an adjustable lighter, symbols indicating the direction in which force is to be applied to increase or decrease the flame height and the effect of the application of force in that direction.
- (2) In addition to subregulation (1) —
  - (a) the following information that is enclosed by inverted commas must be displayed in legible form on a lighter, or an adhesive label that is affixed to the lighter —
    - (i) “WARNING” in capital letters and adjacent to the words that must be displayed under subparagraphs (ii) to (ix);
    - (ii) “KEEP AWAY FROM CHILDREN” or “KEEP OUT OF REACH OF CHILDREN” in capital letters;
    - (iii) “Ignite lighter away from face and clothing”;
    - (iv) “Never expose to heat above 50° C or to prolonged sunlight”;
    - (v) “Never puncture or put in fire”;

- (vi) for a lighter that contains flammable gas under pressure — “Contains flammable gas under pressure”;
- (vii) for a lighter that contains flammable liquid — “Contains flammable liquid”;
- (viii) for a self-extinguishing lighter — “Be sure flame is out after use”;
- (ix) for a non-self-extinguishing lighter — “This lighter does not extinguish itself — close the cover to put out”;

or

- (b) if a lighter is contained in a package when it is sold at retail, the information in paragraph (a) must be displayed in a legible form on the package.

### **Division 3 — Young child resistance**

#### **13. Application of this Division**

This Division only applies to a lighter to which the American Standard would apply if the lighter were to be imported into the United States of America after 12 July 1994.

#### **14. Young child resistance**

- (1) The lighter must be of a kind that has been —
  - (a) tested in the manner set out in section 1210.4 of the American Standard; and
  - (b) shown to be resistant to successful operation by at least 85% of the child-test panel when tested in that manner.
- (2) The mechanism or system of the lighter that is designed or intended to make the lighter resistant to successful operation by at least 85% of the child-test panel must —
  - (a) reset itself automatically after each operation of the ignition mechanism of the lighter;

- (b) not impair safe operation of the lighter when used in a normal and convenient manner;
- (c) be effective for the functional life of the lighter; and
- (d) not be easily overridden or deactivated.

**15. Certification**

A certificate of compliance, within the meaning of the American Standard, must have been issued for the kind of lighter in accordance with that standard.

### Part 3 — Elastic luggage straps

#### 16. Interpretation

In this Part —

**“elastic luggage strap”** means an elastic strap or cord, or 2 or more elastic straps or cords permanently joined —

- (a) having a hook, buckle or other fastening device at each extremity; and
  - (b) designed to be used for the purpose of securing luggage or other objects,
- but does not include;
- (c) elasticised cargo nets; or
  - (d) elasticised straps specifically made for the purpose of securing a vehicle jack or toolkit within a vehicle.

*[Regulation 16 amended in Gazette 1 Jul 2005 p. 2997.]*

#### 17. Product safety standard for an elastic luggage strap

- (1) The product safety standard for an elastic luggage strap consists of the requirements set out in this regulation.
- (2) An elastic luggage strap must have permanently affixed to it a label bearing the following warning —

“

WARNING. Avoid eye injury. DO NOT overstretch. ALWAYS keep face and body out of recoil path. DO NOT use when strap has visible signs of wear or damage.

”.

- (3) The label must —
  - (a) bear the word “WARNING” in upper case black letters of not less than 4 mm in height on a yellow background;

- (b) bear the words “DO NOT” and “ALWAYS” in upper case black letters of not less than 2 mm in height on a yellow background; and
  - (c) bear the remaining words in lower case black letters of not less than 2 mm in height on a yellow background.
- (4) The label must be clearly displayed.

*[Regulation 17 amended in Gazette 5 Nov 2004 p. 4981;  
1 Jul 2005 p. 2998.]*

## **Part 4 — Pedal cycle helmets**

### **18. Application**

- (1) This Part applies to a protective helmet for a pedal cyclist.
- (2) However, this Part does not apply to —
  - (a) a protective helmet of a size too small to be reasonably fitted to “Headform AA” as defined in Australian Standard AS 2512.1: 1998 published by Standards Australia on 5 September 1998;
  - (b) a helmet for use as a toy that cannot be reasonably mistaken for a protective helmet for a pedal cyclist;
  - (c) a helmet for use as a toy that may be reasonably mistaken for a protective helmet for a pedal cyclist, if the words “Warning: Toy helmet only — do not use as safety headgear” are marked clearly and legibly in a conspicuous position on —
    - (i) the helmet or on a label attached to the helmet at the time of supply to the consumer; and
    - (ii) the principal outer display face of any packaging in which the helmet is supplied to the consumer, with the word “WARNING” in capital letters not less than 5 mm high, and the remaining words in letters not less than 2.5 mm high;
  - (d) a helmet (except a BMX helmet) designed and constructed principally for use by a cyclist engaged in competitive racing, if the words “Warning: Racing headgear only — inadequate impact protection for normal road use” are marked clearly and legibly in a conspicuous position on —
    - (i) the helmet or on a label attached to the helmet at the time of supply to the consumer; and

- (ii) the principal outer display face of any packaging in which the helmet is supplied to the consumer, with the word “WARNING” in capital letters not less than 5 mm high, and the remaining words in letters not less than 2.5 mm high.

**19. Product safety standard for a pedal cycle helmet until 31 August 2006**

Until the end of 31 August 2006, the product safety standard for a protective helmet for a pedal cyclist consists of the standard set out in —

- (a) Schedule 2 Division 1, as varied by Schedule 2 Division 2; or
- (b) Schedule 2 Division 3.

## **Part 5 — Portable fire extinguishers**

### **20. Interpretation**

In this Part and Schedule 3 —

**“aerosol type portable fire extinguisher”** means a portable, non-rechargeable, stored-pressure fire extinguisher of the aerosol type.

### **21. Product safety standard for a portable fire extinguisher (except aerosol type) until 31 December 2002**

Until the end of 31 December 2002, the product safety standard for a portable fire extinguisher, except an aerosol type portable fire extinguisher, consists of the relevant standards set out in Schedule 3 Division 1, as varied by Schedule 3 Division 2.

### **22. Product safety standard for an aerosol type portable fire extinguisher until 31 December 2004**

Until the end of 31 December 2004, the product safety standard for an aerosol type portable fire extinguisher consists of the relevant standards set out in Schedule 3 Division 3, as varied by Schedule 3 Division 4.



## **Part 6 — Trolley jacks**

**23. Application**

This Part applies to a trolley jack with a capacity nominated by the manufacturer of not more than 2.5 tonnes.

**24. Product safety standard for a trolley jack**

The product safety standard for a trolley jack consists of the standard set out in Schedule 4.

## **Part 7 — Vehicle jacks**

**25.        Application**

This Part applies to a vehicle jack with a capacity nominated by the manufacturer of not more than 8 tonnes.

**26.        Product safety standard for a vehicle jack**

The product safety standard for a vehicle jack consists of either —

- (a) the standard set out in Schedule 5 Division 1 clause 1, as varied by Schedule 5 Division 2 Subdivision 1; or
- (b) the standard set out in Schedule 5 Division 1 clause 2, as varied by Schedule 5 Division 2 Subdivision 2.

*[Regulation 26 inserted in Gazette 31 Dec 2004 p. 7134-5.]*

## **Part 8 — Vehicle support stands**

**27. Application**

This Part applies to a vehicle support stand with a capacity nominated by the manufacturer of not more than 1.5 tonnes.

**28. Product safety standard for a vehicle support stand**

The product safety standard for a vehicle support stand consists of the standard set out in Schedule 6.

**Part 9 — Bunk beds**

*[Heading inserted in Gazette 23 Apr 2002 p. 2121.]*

**29.      Product safety standard for bunk beds until 30 April 2007**

Until the end of 30 April 2007, the product safety standard for a bunk bed consists of the standard set out in Schedule 7 Division 1, as varied by Schedule 7 Division 2.

*[Regulation 29 inserted in Gazette 23 Apr 2002 p. 2121.]*

## Part 10 — Baby walkers

*[Heading inserted in Gazette 1 Nov 2002 p. 5361.]*

### 30. Interpretation

In this Part —

“**baby walker**” means a device that —

- (a) consists of a frame on wheels designed to support, inside the frame and with the child’s feet touching the ground, a child who has not yet learned to walk; and
- (b) is propelled by the movement of the child.

*[Regulation 30 inserted in Gazette 1 Nov 2002 p. 5361-2.]*

### 31. Product safety standard for a baby walker

The product safety standard for a baby walker consists of the standard set out in Schedule 8.

*[Regulation 31 inserted in Gazette 1 Nov 2002 p. 5362.]*

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## **Part 11 — Children's nightwear and limited daywear having reduced fire hazard**

*[Heading inserted in Gazette 6 May 2003 p. 1555.]*

### **32. Interpretation**

In this Part —

**“children's nightwear and limited daywear having reduced fire hazard”** means children's nightwear, including pyjamas, pyjama-style overgarments, nightdresses, nightshirts, dressing gowns, bathrobes, and infant sleepbags, and garments such as all-in-ones and boxer shorts which may be suitable for daywear or nightwear of any of the sizes 00 to 14 as specified in clause 0.2 of *Australian/New Zealand Standard AS/NZS 1249:1999 Children's nightwear and limited daywear having reduced fire hazard* and *Australian Standard 1182 — 1997 Size coding scheme for infants' and children's clothing — Underwear and outerwear*, published by Standards Australia on 5 March 1997, but excluding T shirts and any articles of headwear, leggings either with or without foot, footwear or handwear.

NOTE: Appendix C of *Australian/New Zealand AS/NZS 1249:1999, Children's nightwear and limited daywear having reduced fire hazard*, provides guidance on classification of garments as nightclothes/nightwear within the scope of the product safety standard prescribed under this Part.

*[Regulation 32 inserted in Gazette 6 May 2003 p. 1555-6.]*

### **33. Product safety standard for children's nightwear and limited daywear having reduced fire hazard**

The product safety standard for children's nightwear and limited daywear having reduced fire hazard consists of the standard set out in Schedule 9 Division 1, as varied by Schedule 9 Division 2.

*[Regulation 33 inserted in Gazette 6 May 2003 p. 1556.]*

## Part 12 — Paper patterns for children's nightwear

[Heading inserted in Gazette 6 May 2003 p. 1556.]

### 34. Interpretation

In this Part —

“**paper patterns for children's nightwear**” means paper patterns for garments worn as children's nightwear, including pyjamas, pyjama-style overgarments, nightdresses, nightshirts, dressing gowns, bathrobes, and infant sleepbags, and garments such as all-in-ones and boxer shorts which may be suitable for daywear or nightwear of any of the sizes 00 to 14 as specified in clause 0.2 of *Australian/New Zealand Standard AS/NZS 1249:1999 Children's nightwear and limited daywear having reduced fire hazard* and *Australian Standard 1182 — 1997 Size coding scheme for infants' and children's clothing — Underwear and outerwear*, published by Standards Australia on 5 March 1997, but excluding paper patterns for T shirts and any articles of headwear, leggings either with or without foot, footwear or handwear.

NOTE: Appendix C of *Australian/New Zealand AS/NZS 1249:1999, Children's nightwear and limited daywear having reduced fire hazard*, provides guidance on classification of garments as nightclothes/nightwear within the scope of the product safety standard prescribed under this Part.

[Regulation 34 inserted in Gazette 6 May 2003 p. 1556-7.]

### 35. Product safety standard for paper patterns for children's nightwear

The product safety standard for paper patterns for children's nightwear consists of the standard set out in Schedule 10 Division 1, as varied by Schedule 10 Division 2.

[Regulation 35 inserted in Gazette 6 May 2003 p. 1557.]

## Part 13 — Pedal bicycles

*[Heading inserted in Gazette 6 May 2003 p. 1557.]*

### 36. Interpretation

In this Part —

“**pedal bicycles**” includes fully assembled or partially assembled bicycles but does not include —

- (a) bicycles having a wheel base of less than 640 mm;
- (b) bicycles which are designed and intended for use as a competitive bicycle having single crank-to-wheel ratio and no free-wheeling feature between the pedal and the front wheel;
- (c) one of a kind bicycles, being bicycles that are uniquely constructed to the order of an individual consumer;
- (d) bicycles which are designed to be hinged or folded, or to be taken apart beyond removal of the front wheel, for ease of storage or portability;
- (e) tandem bicycles;
- (f) power assisted bicycles; and
- (g) bicycles showing signs of appreciable wear or second hand bicycles.

*[Regulation 36 inserted in Gazette 6 May 2003 p. 1557.]*

### 37. Product safety standard for pedal bicycles

The product safety standard for pedal bicycles consists of the standard set out in Schedule 11 Division 1, as varied by Schedule 11 Division 2.

*[Regulation 37 inserted in Gazette 6 May 2003 p. 1557.]*



## **Part 14 — Sunglasses and fashion spectacles**

*[Heading inserted in Gazette 1 Oct 2004 p. 4273.]*

### **38. Product safety standard for sunglasses and fashion spectacles**

- (1) Until the end of 31 March 2005, the product safety standard for sunglasses and fashion spectacles to which this Part applies consists of either —
  - (a) the standard set out in Schedule 12 Division 1 clause 1, as varied by Schedule 12 Division 2 Subdivision 1; or
  - (b) the standard set out in Schedule 12 Division 1 clause 2, as varied by Schedule 12 Division 2 Subdivision 2.
- (2) On and from 1 April 2005, the product safety standard for sunglasses and fashion spectacles to which this Part applies consists of the standard set out in Schedule 12 Division 1 clause 2, as varied by Schedule 12 Division 2 Subdivision 2.
- (3) This Part applies to —
  - (a) spectacles comprising tinted lenses of nominal zero refractive power mounted in a spectacle frame;
  - (b) individual tinted lenses of nominal zero refractive power intended for use in sunglasses;
  - (c) rimless sunshields and one piece visors;
  - (d) clip-on and slip-on type sunglasses; and
  - (e) children's sunglasses.
- (4) This Part does not apply to [the following](#) —
  - (a) safety glasses and safety goggles intended to provide protection against optical radiation;
  - (b) eyewear for protection against radiation in solaria;
  - (c) ski goggles; **and**
  - (d) glasses for use as toys that are clearly and legibly labelled as toys.

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(e) medical shields especially designed for use by vision impaired persons.

*[Regulation 38 inserted in Gazette 1 Oct 2004 p. 4273-4;  
amended in Gazette 29 Dec 2006 p. 5879.]*

## **Part 15 — Toys for young children up to and including 3 years of age**

*[Heading inserted in Gazette 1 Oct 2004 p. 4274.]*

### **39. Product safety standard for toys for young children**

- (1) Until the end of 30 June 2005, the product safety standard for toys to which this Part applies consists of either —
  - (a) the standard set out in Schedule 13 Division 1 clause 1, as varied by Schedule 13 Division 2 Subdivision 1; or
  - (b) the standard set out in Schedule 13 Division 1 clause 2, as varied by Schedule 13 Division 2 Subdivision 2.
- (2) On and from 1 July 2005, the product safety standard for toys to which this Part applies consists of the standard set out in Schedule 13 Division 1 clause 2, as varied by Schedule 13 Division 2 Subdivision 2.
- (3) This Part applies to —
  - (a) rattles, toy dummies, teethingers and squeeze toys;
  - (b) toys to be attached to a crib, stroller, playpen or baby carriage;
  - (c) pull and push toys;
  - (d) pounding toys;
  - (e) blocks and stacking toys;
  - (f) toys for use in a bathtub;
  - (g) rocking, spring and stick horses and figures;
  - (h) musical chime toys;
  - (i) jacks-in-the-box;
  - (j) stuffed, plush and flocked animals and figures;
  - (k) toys with pompoms;
  - (l) games;
  - (m) puzzles;

- (n) dolls; and
  - (o) toy cars, trucks and other vehicles.
- (4) This Part does not apply to —
- (a) balloons;
  - (b) marbles;
  - (c) tapes and compact discs;
  - (d) books;
  - (e) writing materials (including crayons, chalk, pencils and pens);
  - (f) paints (including finger paints and water paints), paint brushes and other painting implements;
  - (g) modelling material (including clay, plasticine and play dough);
  - (h) bicycles having a wheel base of not less than 640 mm;
  - (i) playground equipment for parks, schools and domestic use (including swings, see-saws, slides, agility apparatus, climbing, swinging, rotating and rocking apparatus, cubby houses, sand pits, apparatus for use in sand, sliding poles and ladders);
  - (j) goods supplied wholly or partially unassembled for assembly by an adult after supply if the goods are supplied with written assembly instructions and the goods, when assembled in accordance with instructions, comply with this Part;
  - (k) flotation toys;
  - (l) pacifiers;
  - (m) toys made wholly from highly porous material (for example cheesecloth), except toys with pompoms; and
  - (n) toys made with closed cell polyethylene, ethylene vinyl acetate or like material which are labelled with the word “WARNING” in red upper case letters at least 5 mm high on a white background adjacent to the words

“NOT SUITABLE FOR CHILDREN UNDER  
3 YEARS AS FOAM PIECES MAY BREAK OFF  
AND CAUSE A CHOKING HAZARD” in red upper  
case letters at least 2.5 mm high on a white background.

- (5) For the purposes of subregulation (4)(n), a toy is labelled as described in subregulation (4)(n) if a label, that complies with subregulation (4)(n), is attached to the toy in a conspicuous position or, if the toy is displayed in packaging for retail sale, on a principal outer display face of the packaging in which the toy is displayed.

*[Regulation 39 inserted in Gazette 1 Oct 2004 p. 4274-6.]*

## **Part 16 — Child carrying seats for bicycles**

*[Heading inserted in Gazette 21 Mar 2006 p. 1080.]*

### **40. Interpretation**

In this Part —

**“child carrying seat”** means a seat attached or capable of being attached to a bicycle and which is principally designed to carry a child as a passenger on the bicycle.

*[Regulation 40 inserted in Gazette 21 Mar 2006 p. 1080.]*

### **41. Instructions and load labelling**

- (1) Every child carrying seat must when supplied —
  - (a) be accompanied by instructions for correct fitting to a bicycle —
    - (i) printed on the packaging of the seat; or
    - (ii) printed on a leaflet accompanying the seat, unless it is an integral part of a bicycle; and
  - (b) be clearly labelled with a statement of the maximum load which it is designed to carry —
    - (i) printed on the seat;
    - (ii) printed on the packaging of the seat; or
    - (iii) printed on a leaflet accompanying the seat.
- (2) This regulation does not apply to the supply of a second-hand child carrying seat.

*[Regulation 41 inserted in Gazette 21 Mar 2006 p. 1080.]*

### **42. Design**

Every child carrying seat must be designed —

- (a) for location immediately behind the seat of the rider;

- (b) so that the occupant of the seat faces towards the front of the bicycle;
- (c) to incorporate a foot rest for the occupant;
- (d) to incorporate a restraining device which is an integral part of the seat comprising a webbed seat belt manufactured from high tenacity synthetic fibre and a buckling device for securing the restraint, which cannot be easily or accidentally released by the occupant of the seat; and
- (e) to be constructed without sharp edges and to be attached to a tubular metal support by which it can be securely fastened to the bicycle frame.

*[Regulation 42 inserted in Gazette 21 Mar 2006 p. 1081.]*

## Part 17 — Bean bags

*[Heading inserted in Gazette 21 Mar 2006 p. 1081.]*

### 43. Interpretation

In this Part —

**“bean bag”** means a cushion or similar item which consists of a bag or cover surrounding the bean bag filling and includes bean bags for use in swimming pools;

**“bean bag cover”** means a bag or cover capable of being filled with bean bag filling and which, if filled with bean bag filling, would constitute a bean bag and includes a bag or cover intended as a separate inner lining for a bean bag;

**“bean bag filling”** means pellets, or small particles, of polystyrene or other similar synthetic material;

**“child-resistant slide-fastener”** means a slide-fastener having a sliding piece which —

- (a) does not have attached to it any tag, handle or other object which would facilitate the movement of the sliding piece; and
- (b) incorporates a locking mechanism, which prevents the sliding piece opening the slide-fastener unless a wholly separate device is used to disengage the locking mechanism and act as a handle in the moving of the sliding piece between the teeth;

**“slide-fastener”** means a device comprising 2 sets of teeth, each set of teeth being located on adjacent edges of the device and having an attached sliding piece, which by moving between the adjacent teeth of each edge, causes the teeth to interlock, or cease to interlock, as the case may be, with the teeth of the adjacent edge.

*[Regulation 43 inserted in Gazette 21 Mar 2006 p. 1081-2.]*



**44. Requirements for bean bags**

- (1) Bean bags, bean bag covers and packages of every description containing bean bag filling must have fixed securely to or stamped on them a label or notice in the following form —  
“WARNING: Small Lightweight Beads Present a Severe Danger to Children if Swallowed or Inhaled”.
- (2) In the label or notice —
  - (a) “WARNING” must appear in upper case red letters of not less than 5 mm in height, on a white background;
  - (b) “Small Lightweight Beads Present a Severe Danger to Children if Swallowed or Inhaled”, must appear in upper and lower case letters as the case may be, with the upper case letters of not less than 5 mm in height.
- (2) The label or notice must be displayed on the goods in a conspicuous position.
- (3) Every bean bag and every bean bag cover must have a child-resistant slide-fastener fitted to every opening through which bean bag filling can be inserted or removed.

*[Regulation 44 inserted in Gazette 21 Mar 2006 p. 1082.]*

## **Part 18 — Basketball rings and backboards**

*[Heading inserted in Gazette 20 Oct 2006 p. 4461.]*

### **45. Warnings labels**

- (1) Every basketball ring or backboard must when supplied be accompanied by —
  - (a) a warning; and
  - (b) a warning symbol.
- (2) The warning mentioned in subregulation (1)(a) —
  - (a) must contain the words —  
“WARNING: IMPROPER INSTALLATION OR SWINGING ON THE RING MAY CAUSE SERIOUS INJURY OR DEATH”; and
  - (b) must be clearly legible, in upper case, in red letters on a white background; and
  - (c) for the word “WARNING:” — must be in characters not less than 15 mm in height; and
  - (d) for the words other than the word “WARNING:” — must be in characters not less than 10 mm in height.
- (3) The warning symbol mentioned in subregulation (1)(b) —
  - (a) must be in the form of the graphic set out in Schedule 14; and
  - (b) for the circle that forms part of the graphic — must have a diameter of not less than 120 mm from outer edge to outer edge; and
  - (c) for the circle and the diagonal line that form part of the graphic — must be in red, and drawn with a line not less than 5 mm in width; and
  - (d) for the basketball player figure that forms part of the graphic — must be entirely black; and

- (e) for the ring and backboard that form part of the graphic — must be outlined in black.
- (4) If a basketball ring or backboard is supplied in a package, the warning and warning symbol mentioned in subregulation (1) must accompany the ring or backboard by being marked —
  - (a) in a conspicuous position on the package; or
  - (b) on a label affixed in a conspicuous position on the package.
- (5) If a basketball ring or backboard is not supplied in a package, the warning and warning symbol mentioned in subregulation (1) must accompany the ring or backboard by being marked —
  - (a) in a conspicuous position on the ring or backboard; or
  - (b) on a label affixed in a conspicuous position on the ring or backboard; or
  - (c) on a tag attached in a conspicuous position on the ring or backboard.

*[Regulation 45 inserted in Gazette 20 Oct 2006 p. 4461-2.]*

**46. Permanent warning on backboard**

- (1) Every basketball backboard must when supplied be accompanied by a warning that is permanently marked on the backboard.
- (2) A warning mentioned in subregulation (1) —
  - (a) must contain the following words —  
“WARNING: SWINGING ON THE RING MAY CAUSE SERIOUS INJURY OR DEATH”; and
  - (b) must be clearly legible, in characters not less than 10 mm in height; and
  - (c) must be marked on the backboard in a conspicuous position —
    - (i) in permanent writing; or

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- (ii) on a label that is permanently fixed to the backboard.

*[Regulation 46 inserted in Gazette 20 Oct 2006 p. 4462.]*

## Part 19 — Household cots

*[Heading inserted in Gazette 20 Oct 2006 p. 4462.]*

### 47. Interpretation

In this Part —

“**AS/NZS 2172:2003**” means the Australian/New Zealand Standard AS/NZS 2172:2003 “Cots for household use — Safety requirements”, approved by Standards Australia on 19 September 2005 as amended by Amendment No. 1 of 9 January 2006;

“**cot**” means a cot, as defined in AS/NZS 2172:2003, to which that standard applies.

*[Regulation 47 inserted in Gazette 20 Oct 2006 p. 4462.]*

### 48. Product safety standard for cots

- (1) This regulation applies on and after 1 November 2006.
- (2) The product safety standard for new cots consists of AS/NZS 2172:2003 varied by deleting clauses 1, 2, 4, 6.1(f), 7, 8, 9.2(c) and 10.
- (3) The product safety standard for second hand cots consists of AS/NZS 2172:2003 varied by —
  - (a) deleting clauses 1, 2, 4, 6.1(f), 6.1(g), 6.8(c), 6.8(d), 6.8(e), 7, 8, 9.2(b), 9.2(c), 9.3, 9.4, 9.5, 9.6, 9.7, 9.8, 10, 11 and 12; and
  - (b) amending clause 6.7 by deleting “5 mm” and inserting instead —  
“ 8 mm ”.

*[Regulation 48 inserted in Gazette 20 Oct 2006 p. 4463.]*

**49. Antique or collectable cots**

- (1) The product safety standards prescribed by regulation 48 do not apply in relation to an antique or collectable cot if the cot when supplied —
- (a) is accompanied by a certificate from the supplier to the consumer stating that it is not safe to place a child in the cot; and
  - (b) has clearly visible external and internal warning statements permanently attached (by means of glue, nails or screws) to the upper half of the side or end of the cot.
- (2) A warning statement mentioned in subregulation (1)(b) —
- (a) must contain the following words —  
“WARNING: this cot does not meet the mandatory safety standard.  
For display purposes only.  
It is dangerous to place a child in this cot.”; and
  - (b) must be capitalised and underlined as set out in paragraph (a); and
  - (c) must have lettering that is in sharp contrast to the background; and
  - (d) for the capital letters — must be in characters not less than 5 mm in height; and
  - (e) for the lower case letters — must be in characters not less than 2.5 mm in height.

*[Regulation 49 inserted in Gazette 20 Oct 2006 p. 4463.]*

## Part 20 — External corded blinds

[Heading inserted in Gazette 20 Oct 2006 p. 4464.]

### 50. Interpretation

In this Part —

“**blind**” includes a screen, shade, awning or other window covering;

“**bottom rail**” of a blind means the rail, rod, batten or other rigid component forming the bottom edge of the blind when it is fully lowered, or if the blind does not have a rigid bottom edge, the bottom edge of the blind;

“**external corded blind**” means a blind that is —

- (a) designed to be raised and lowered by means of a pull cord which forms a closed loop with a circumference exceeding 300 mm; and
- (b) supplied for external use;

“**pull cord**” means a rope, string, cord, strap or other flexible component by means of which a blind is raised and lowered.

[Regulation 50 inserted in Gazette 20 Oct 2006 p. 4464.]

### 51. Design

- (1) Every external corded blind must be designed to incorporate —
    - (a) a device that enables the pull cord to be secured in a manner that —
      - (i) maintains tension on the pull cord; and
      - (ii) holds the pull cord as close as practicable to the blind or to the wall or surface on which the blind is mounted; and
      - (iii) holds the pull cord out of reach of young children;
- and

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- (b) a device that enables the bottom rail of the blind, when the blind is lowered, to be secured to the ground, a wall or another surface in a manner that maintains tension on the bottom rail.
- (2) Every external corded blind must when supplied be accompanied by all the screws or other fasteners required to install all components of the devices referred to in subregulation (1).

*[Regulation 51 inserted in Gazette 20 Oct 2006 p. 4464.]*

**52. Warning labels**

- (1) Every external corded blind must when supplied —
  - (a) have attached to the bottom rail a warning label in the form set out in Schedule 15 clause 1; and
  - (b) have attached to the blind a warning label in the form set out in Schedule 15 clause 2; and
  - (c) have attached to each of the devices referred to in regulation 51(1) a warning label in the form set out in Schedule 15 clause 3 containing an explanation of how the device is designed to operate and how it should be used to minimise the risk to young children of strangulation.
- (2) On a warning label referred to in subregulation (1) —
  - (a) the word “WARNING” must be in letters not less than 8 mm in height; and
  - (b) the other capital letters must be not less than 3 mm in height; and
  - (c) the top panel of the label must be orange with the word “WARNING” and triangular symbol in black.

*[Regulation 52 inserted in Gazette 20 Oct 2006 p. 4465.]*



**53. Installation instructions**

- (1) Every external corded blind must when supplied be accompanied by written information that —
  - (a) explains how to install —
    - (i) the blind; and
    - (ii) each of the devices referred to in regulation 51(1);and
  - (b) incorporates a copy of the warning label referred to in regulation 52(1)(b).
- (2) This regulation does not apply in relation to a blind that is installed by the supplier or a person engaged by the supplier.

*[Regulation 53 inserted in Gazette 20 Oct 2006 p. 4465.]*

r.

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## **Part 21 — Objects intended to hold or decorate candles**

*[Heading inserted in Gazette 29 Dec 2006 p. 5879.]*

### **54. Interpretation**

In this Part —

“candle accessory” means an object intended to hold or decorate a candle.

*[Regulation 54 inserted in Gazette 29 Dec 2006 p. 5879.]*

### **55. Product safety standard for candle accessories**

- (1) The product safety standard for a candle accessory consists of the requirements set out in this regulation.
- (2) A candle accessory, when subjected to flame or heat emanating from a candle being held or decorated by it, must not ignite and continue to flame for a period of 5 seconds or more after ignition.

*[Regulation 55 inserted in Gazette 29 Dec 2006 p. 5880.]*

## **Schedule 1 — Test procedures for disposable lighters or refillable lighters**

[r. 6, 8, 9, 10 and 11]

### **Division 1 — General test procedures**

**1. Temperature of lighter before testing**

The lighter must be maintained at a temperature of 23° C ( $\pm$  2° C) for at least 10 hours immediately preceding testing in accordance with Divisions 2, 3 and 4.

**2. Temperature of area during testing**

The area in which tests are carried out must be maintained at a temperature of 23° C ( $\pm$  2° C) during testing in accordance with Divisions 2, 3 and 4.

**3. Lighter to be tested**

The lighter to be tested must be new, free of mechanical damage and must not (except where required by these regulations) have been previously tested.

### **Division 2 — Flame height test procedures**

**4. Carrying out the test**

- (1) The test must be carried out in a draft free chamber constructed from suitable non-flammable material.
- (2) The flame height must be measured to the nearest 10 mm.

**5. Testing an adjustable lighter**

Except as provided in clause 8, an adjustable lighter must be tested with the lighter adjusted to produce the maximum flame height and then with the lighter adjusted to produce the minimum flame height.

**6. Flame during testing**

- (1) The lighter must produce a flame for a continuous 5 second period.

- (2) The flame height must be determined by measuring from the tip of the flame to the top of the flameguard or to the base of the flame (in the case of a lighter that does not have a flameguard) by means of a board, marked with 10 mm increments, positioned at least 25 mm behind the lighter.

### **Division 3 — Inversion test procedures**

#### **7. General inversion test procedures**

The lighter must be operated to produce a flame for a continuous 10 second period in a draft free chamber, while being held at 45° below the horizontal.

#### **8. Inversion testing of an adjustable lighter**

An adjustable lighter must be adjusted to produce a 50 mm flame when it is tested in accordance with clause 7.

### **Division 4 — Drop test procedures**

#### **9. General drop test procedures**

The lighter must be dropped onto a concrete surface from a point 1.5 m above it from —

- (a) first, an upright position;
- (b) second, an inverted position; and
- (c) third, a horizontal position.

#### **10. Inspection after dropping**

The lighter must be inspected after every drop and any spontaneous ignition or damage must be recorded.

### **Division 5 — Temperature test procedures**

#### **11. Testing oven**

The oven to be used in the test must be capable of —

- (a) withstanding the explosion of a lighter; and
- (b) maintaining a temperature of 54° C ( $\pm$  2° C).

**12. Period and temperature**

The lighter must be placed in the oven for 4 hours, during which time the oven temperature must be maintained at 54° C ( $\pm 2^\circ$  C).

**13. Inversion test after cooling**

The lighter, when removed from the oven and when cool, must be tested in accordance with Division 3.

**Division 6 — Pressure test procedures**

**14. Test apparatus**

The test apparatus must consist of a device capable of producing gauge pressure of 2 MPa.

**15. Lighter to be emptied of fuel**

The lighter must be emptied of fuel.

**16. Testing the fuel reservoir**

- (1) The fuel reservoir of the lighter must be subjected to an internal pressure equal to twice the vapour pressure at 54° C of the fuel normally used in the lighter.
- (2) The pressure rise must not exceed a rate of 69 kPa per second.

## **Schedule 2 — Standards for pedal cycle helmets**

[r. 19]

### **Division 1 — AS/NZS 2063: 1996**

**1. AS/NZS 2063: 1996**

Australian/New Zealand Standard AS/NZS 2063: 1996 “Pedal cycle helmets”, published by Standards Australia on 5 May 1996 as amended by Amendment No. 1 of 5 November 1996.

### **Division 2 — Variations to AS/NZS 2063: 1996**

**2. Clause 1**

Delete the clause.

**3. After clause 5.6**

Insert —

“

**5.7 BMX Helmets** Helmets designed and constructed principally for use by cyclists engaged in BMX competition racing need not comply with provisions regarding ventilation openings or type testing.

”.

**4. Clause 8.1(e)**

Delete the clause.

### **Division 3 — Snell Standards**

**5. Snell Standards**

“1995 Standard For Protective Headgear For Use In Bicycling”, including the “Child Helmet Addendum To Standards For Protective Headgear” published by the Snell Memorial Foundation of the United States of America and available on the Internet as the document <http://www.smf.org/standards/b95-2std.html>.

**6. Compliance with Snell Standards**

A person is not required to comply with a provision of the Standard that requires the person to obtain third party certification of a helmet.

## **Schedule 3 — Standards for portable fire extinguishers**

[r. 21 and 22]

### **Division 1 — Standards for portable fire extinguishers (except aerosol type)**

**1. Water type portable fire extinguisher**

Australian/New Zealand Standard AS/NZS 1841.1: 1997 “Portable fire extinguishers Part 1: General requirements” approved by the Standards Australia on 24 January 1997, and Australian/New Zealand Standard AS/NZS 1841.2: 1997 “Portable fire extinguishers Part 2: Specific requirements for water type extinguishers” approved by the Standards Australia on 24 January 1997.

**2. Wet-chemical type portable fire extinguisher**

Australian/New Zealand Standard AS/NZS 1841.1: 1997 “Portable fire extinguishers Part 1: General requirements” approved by the Standards Australia on 24 January 1997, and Australian/New Zealand Standard AS/NZS 1841.3: 1997 “Portable fire extinguishers Part 3: Specific requirements for wet-chemical type extinguishers” approved by the Standards Australia on 24 January 1997.

**3. Foam type portable fire extinguisher**

Australian/New Zealand Standard AS/NZS 1841.1: 1997 “Portable fire extinguishers Part 1: General requirements” approved by the Standards Australia on 24 January 1997, and Australian/New Zealand Standard AS/NZS 1841.4: 1997 “Portable fire extinguishers Part 4: Specific requirements for foam type extinguishers” approved by the Standards Australia on 24 January 1997.

**4. Powder type portable fire extinguisher**

Australian/New Zealand Standard AS/NZS 1841.1: 1997 “Portable fire extinguishers Part 1: General requirements” approved by the Standards Australia on 24 January 1997, and Australian/New Zealand Standard AS/NZS 1841.5: 1997 “Portable fire extinguishers Part 5: Specific requirements for powder type extinguishers” approved by the Standards Australia on 24 January 1997.



**5. Carbon dioxide type portable fire extinguisher**

Australian/New Zealand Standard AS/NZS 1841.1: 1997 “Portable fire extinguishers Part 1: General requirements” approved by the Standards Australia on 24 January 1997, and Australian/New Zealand Standard AS/NZS 1841.6: 1997 “Portable fire extinguishers Part 6: Specific requirements for Carbon dioxide type extinguishers” approved by the Standards Australia on 24 January 1997.

**6. Vaporising-liquid type portable fire extinguisher**

Australian/New Zealand Standard AS/NZS 1841.1: 1997 “Portable fire extinguishers Part 1: General requirements” approved by the Standards Australia on 24 January 1997, and Australian/New Zealand Standard AS/NZS 1841.7: 1997 “Portable fire extinguishers Part 7: Specific requirements for vaporising-liquid type extinguishers” approved by the Standards Australia on 24 January 1997.

**7. Non-rechargeable type portable fire extinguisher**

Australian/New Zealand Standard AS/NZS 1841.1: 1997 “Portable fire extinguishers Part 1: General requirements” approved by the Standards Australia on 24 January 1997, and Australian/New Zealand Standard AS/NZS 1841.8: 1997 “Portable fire extinguishers Part 8: Specific requirements for non-rechargeable type extinguishers” approved by the Standards Australia on 24 January 1997.

**Division 2 — Variations to Standards in Division 1**

**Subdivision 1 — AS/NZS 1841.1: 1997**

**8. Clause 1.2**

After “Parts 2, 3, 4, 5, 6, 7 and 8.”, insert —

“

This standard does not apply to aerosol type fire extinguishers.

”.

**9. Clause 1.3**

Delete the clause.

**10. Clause 2.2**

Delete “austenitic stainless steel, carbon steel or non-ferrous metal”,  
insert instead —

“ materials. ”.

**11. Clause 2.4**

(1) Delete “austenitic stainless steel, carbon steel or non-ferrous metal”,  
insert instead —

“ materials. ”.

(2) Delete the second and third paragraphs.

(3) After “AS/NZS 1841.6.” insert —

“

Components of plastic materials that have been fitted to  
extinguishers of 1.5 kg capacity or less, approved under a  
previous Australian Standard (before 1 November 1991) and  
that have demonstrated satisfactory performance are  
excluded from the provisions of clause 6.13.

”.

**12. Clause 3.3.3**

Delete the clause.

**13. Table 3.1**

Delete the Table.

**14. Clause 3.5**

Delete all the text after “design ullage.”.

**15. Clause 3.8.3**

Delete paragraphs 2, 3 and 5.

**16. Clause 3.9**

Delete the clause, insert instead —

“

**3.9 CHARGE AND RECHARGE** Where necessary appropriate charging instructions shall be provided with all extinguishers.

”.

**17. Clause 4.1.1**

- (1) Delete “made by welding, brazing or riveting and soldering”, insert instead —

“

capable of withstanding the designed pressure loading of the cylinder

”.

- (2) In the third paragraph, delete “welded”.

**18. Clause 4.1.2**

Delete the clause, insert instead —

“

**4.1.2 Neck ring** Any neck ring shall be permanently secured to the cylinder or integral with the cylinder.

”.

**19. Clause 4.1.3**

Delete “(see clause 3.3.3)”, insert instead —

“

of a sufficient size to allow inspection using a mirror and light.

”.

**20. Clause 4.1.5**

- (1) Delete paragraph 2.

- (2) Delete “Any carry handle or hanging bracket fixed to the cylinder shall be welded or brazed to the cylinder”, insert instead —

“

Any carry handle or hanging bracket fixed to the cylinder shall be permanently attached to the cylinder.

”.

**21. Section 7**

Delete the section.

**22. Clause 8.2(ii)**

Delete “90%”, insert instead —

“ 90° ”.

**23. Clause 9.1**

Delete the clause, insert instead —

“

**9.1 GENERAL** The cylinder of each extinguisher shall be marked with identification and operating instructions (see Clause 9.3.3) which shall be clearly visible and legible when the extinguisher is mounted in the support fixture.

”.

**24. Clause 9.2**

Delete the clause, insert instead —

“

**9.2 PERMANENT MARKING** Each cylinder shall be permanently externally marked with the year of manufacture. The marking shall be clearly visible and legible.

”.

**25. Clause 9.3.1**

- (1) Delete “approved”.
- (2) After “durable labels”, insert —
- “ or other permanent means ”.

**26. Clause 9.3.3.1**

Delete all the text after “main label or band.”.

**27. Clause 9.3.3.7**

Delete the third paragraph.

**28. Clause 9.3.5(b)**

Delete the clause.

**29. Clause 9.3.6**

Delete the clause.

**30. Clause 10.1**

Delete the clause.

**31. Clause 10.2**

Delete the clause.

**32. Clause 10.3**

Delete the clause.

**Subdivision 2 — AS/NZS 1841.2: 1997**

**33. Clause 2**

Delete the clause.

**34. Clause 3**

- (1) Delete “1841 Portable fire extinguishers”.
- (2) Delete “1841.1 Part 1: General requirements”.

**35. Clause 6**

Delete “In addition to the requirements of AS/NZS 1841.1,”.

**Subdivision 3 — AS/NZS 1841.3: 1997**

**36. Clause 1**

Delete all the text after “the body of the extinguisher.”.

**37. Clause 2**

Delete the clause.

**38. Clause 3**

Delete the clause.

**39. Clause 5**

Delete “In addition to the requirements of AS/NZS 1841.1”.

**Subdivision 4 — AS/NZS 1841.4: 1997**

**40. Clause 2**

Delete the clause.

**41. Clause 3**

Delete the clause.

**42. Clause 5**

Delete “In addition to the requirements of AS/NZS 1841.1,”.

**Subdivision 5 — AS/NZS 1841.5: 1997**

**43. Clause 2**

Delete the clause.

**44. Clause 3**

Delete the clause.

**45. Clause 7**

Delete “In addition to the requirements of AS/NZS 1841.1,”.

**Subdivision 6 — AS/NZS 1841.6: 1997**

**46. Clause 2**

Delete the clause.

**47. Clause 12**

Delete “In addition to the requirements of AS/NZS 1841.1,”.

**Subdivision 7 — AS/NZS 1841.7: 1997**

**48. Clause 2**

Delete the clause.

**49. Clause 3**

Delete the clause.

**50. Clause 5**

Delete “In addition to the requirements of AS/NZS 1841.1,”.

**Subdivision 8 — AS/NZS 1841.8: 1997**

**51. Clause 1**

Delete the second paragraph, insert instead —

“

This standard does not apply to aerosol type fire extinguishers.

”.

**52. Clause 2**

Delete the first paragraph.

**Fair Trading (Product Safety Standard) Regulations 2001**

**Schedule 3** Standards for portable fire extinguishers

**Division 3** Standards for aerosol type portable fire extinguishers

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**53. Clause 3**

Delete the following —

“

AS

1851 Maintenance and fire protection equipment

1851.1 Part 1: Portable fire extinguishers and fire blankets

NZS

4503 The distribution, installation and maintenance of hand operated fire fighting equipment for use in buildings

”.

**54. Clause 4**

Delete “In addition to the requirements of AS/NZS 1841.1,”.

**55. Clause 7**

Delete the clause.

**56. Clause 8**

Delete the clause.

**57. Clause 9**

Delete “In addition to the requirements of AS/NZS 1841.1, with the exception of clauses 9.3.5(d), 9.3.5(g), 9.3.5(h), and 9.5,”.

**Division 3 — Standards for aerosol type portable fire extinguishers**

**58. AS/NZS 4353: 1995**

Australian/New Zealand Standard AS/NZS 4353: 1995 “Portable fire extinguishers — Aerosol type” published by the Standards Australia on 5 December 1995.



**Division 4 — Variations to AS/NZS 4353: 1995**

**59. Clause 1.1**

Delete the words “2 Production Certification Users for this Australian/New Zealand Standard are advised to consider the desirability of third party certification of product conformity with this Standard based on testing and continuing surveillance, which may be coupled with assessment of a supplier’s quality systems.”.

**60. Clause 1.3**

Delete the clause, insert instead —

“

**1.3 REFERENCED DOCUMENTS** The following documents are referred to in this Standard —

Australian Standard AS 2706 — 1984 “Numerical values — Rounding and interpretation of limiting values” as amended by amendment No. 1 of 1 September 1985;

Australian/New Zealand Standard AS/NZS 1850: 1997 “Portable fire extinguishers — Classification, rating and performance testing”; and Australian Standard AS 2278 — 1986, “Metal aerosol containers” as amended by amendment No. 1 of 1 June 1988.

”.

**61. Clause 1.4.13**

Delete the clause.

**62. Clause 1.5**

Delete the clause, insert instead —

“

**1.5 CLASSIFICATION AND RATING** Classification and rating of extinguishers shall be determined from the results of test fires set out in AS/NZS 1850.

”.

**63. After clause 1.5**

Insert —

“

**1.6 INTERPRETATION OF SPECIFIED LIMITING VALUES** For the purpose of assessing compliance with this standard, the specified limiting values shall be in accordance with the “rounding method” prescribed in AS 2706, ie. the observed or calculated value shall be rounded to the same number of figures as in the specified limiting value and then compared with the specified limiting value. For example, for specified limiting values of 2.5, 2.50, and 2.500 the observed or calculated value would be rounded to the nearest 0.1, 0.01, or 0.001.

”.

**64. Clause 2.2**

Delete the clause.

**65. Clause 2.5**

Delete the clause.

**66. Clause 3.4**

Delete the clause.

**67. Clause 3.5.1**

Delete “Every extinguisher shall be provided with a support fitting for, at least, static mounting.”.

**68. Clause 5.2**

Delete the clause.

**69. Clause 6.1**

Delete the clause, insert instead —

“

**6.1 RATINGS** Aerosol fire extinguishers shall be capable of achieving the following ratings —

- (a) for an extinguisher that contains AB(E) powder, a minimum classification and rating of 1A, 5B and (E) in accordance with AS/NZS 1850;
- (b) for an extinguisher that contains B (E) powder, a minimum classification and rating of, 5B, 1F and (E) in accordance with AS/NZS 1850;
- (c) for liquid based extinguishers, a minimum classification and rating of 5B, 1F in accordance with AS/NZS 1850.

Extinguishers not having an (E) capability shall be marked with the electrical prohibition sign given in clause 9.4.2.

”.

**70. Clause 6.1.1**

Delete “or NZS 4507”.

**71. Clause 6.1.2**

Delete “or NZS 4507”.

**72. Clause 6.6**

Delete the clause.

**73. Clause 6.7**

Delete the clause.

**74. Clause 6.9**

Delete “Every extinguisher shall be provided with a support fitting for at least static mounting.”.

**75. Clause 6.11**

Delete the clause.

**76. Clause 7.2**

Delete the clause, insert instead —

“

**7.2 INTERMITTENT DISCHARGE** The extinguisher shall be subject to an interrupted discharge test as follows: The extinguisher shall be discharged for 3 seconds nominal, followed by a pause of 10 seconds nominal, and then discharged for a further 3 seconds nominal, followed by a further pause of 10 seconds nominal. The balance of the contents shall then be discharged. The extinguisher shall discharge a minimum of 85% by weight of its contents.

”.

**77. Clause 7.5**

Delete “The maximum leak rate permitted shall be in accordance with Clause 6.5 after 5 years, the pressure in the extinguisher shall be not less than the minimum discharge pressure.”.

**78. Clause 7.6**

Delete the clause.

**79. Clause 7.7**

Delete the clause.

**80. Clause 7.8**

Delete the clause, insert instead —

“

**7.8 POWDER COMPACTION TEST**

**7.8.1 General** A minimum of 5 extinguishers shall be correctly charged and each extinguisher in turn shall be held in the vertical position and dropped 500 times from a height of  $15 \pm 1$  mm at a rate of  $1 \pm 0.02$  Hz onto a rigid horizontal steel plate having dimensions greater than those of the extinguisher base.

**7.8.2 Bonding** All the specimen extinguishers shall be stored at ambient temperature for not less than 3 months without being disturbed. Prior to the extinguishers being discharged, they shall be stored at a temperature of 10-25° C for not less than 24 hours.

**7.8.3 Discharge after compaction** At the completion of the bonding period, the testing authority shall select 3 of the bonded extinguishers and weigh and record their mass. The discharge time shall be determined as 125% of the time for an uncompacted extinguisher. The test extinguishers shall be discharged for this time in the normal operating mode in their designed configuration. Care shall be taken not to disturb the compacted contents. The discharged extinguishers shall be reweighed and the results recorded before proceeding to completely empty the residual powder from the body, of each extinguisher. Any evidence of lumps or compacted powder shall be recorded. The extinguishers in their empty state shall be weighed again and the results recorded. Calculations shall be performed to ascertain the percentage of the contents discharged.

**7.8.4 Acceptance Criteria** At least 2 of the 3 extinguishers selected shall have discharged not less than 85% by weight of their contents.

”.

**81. Clause 7.9**

Delete “The”, insert instead —

“

When an extinguisher is provided with a support fitting the

”.

**82. Clause 7.11**

Delete the clause.

**83. Clause 7.14(a)**

Delete the clause.

**84. Clause 7.14(b)**

Delete “and the procedures given in Appendix B”.

**85. Section 8**

Delete the section.

**86. Clause 9.1**

Delete the clause, insert instead —

“

**9.1 GENERAL** The container of each extinguisher shall be marked with identification and operating instructions in accordance with clause 9.4 which shall be clearly visible.

”.

**87. Clause 9.2**

Delete the clause, insert instead —

“

**9.2 MARKINGS** Every extinguisher shall be permanently and legibly marked with the following —

- (a) The words ‘STORED PRESSURE AEROSOL FIRE EXTINGUISHER’.
- (b) The type of charge, e.g. powder AB(E) or B(E).
- (c) The mass of the contents in grams or millilitres.
- (d) The words ‘DISCARD AFTER USE. DISCHARGE AND DISCARD BEFORE THE USE BY DATE’ followed by the expiry date.
- (e) The words ‘ONE USE ONLY-NOT REFILLABLE’.
- (f) Fire test rating, as specified in AS/NZS 1850 and this Standard.
- (g) The words ‘DO NOT PUNCTURE OR INCINERATE THIS CAN EVEN WHEN EMPTY. KEEP IN A COOL PLACE’.

- (h) The words ‘METAL OBJECTS CAN RUST OR CORRODE IN WET AND SALTY CONDITIONS. TO AVOID DETERIORATION OF THE EXTINGUISHER STORE IN A SUITABLE ENVIRONMENT’.
- (i) The words ‘STORE IN UPRIGHT POSITION — DO NOT INVERT.’

”.

**88. Clause 9.3**

Delete the clause, insert instead —

“

**9.3 SIZE OF LETTERING** The markings required by clauses 9.2(a), 9.2(b), 9.2(c), 9.2(d), 9.2(e), 9.2(f), 9.2(g), 9.2(h), 9.2(i) and 9.4.2 shall be in letters not less than 3 mm high and of a colour contrasting with its background.

”.

**89. Clause 9.4.2.1**

Delete “approximating G21 Jade of AS 2700 or safety green 14 E53 of NZS 5807”.

**90. Clause 9.4.2.2**

Delete “The red shall approximate R13 signal red of AS 2700 or 04 E53 of NZS 5807.”.

**91. Clause 9.4.3**

In the first paragraph, delete “in not more than 4 stages.”.

**92. Clause 9.5**

- (1) Delete “by”, insert instead —

“ be ”.

- (2) Delete “or NZS 4507”.

**Fair Trading (Product Safety Standard) Regulations 2001**

**Schedule 3** Standards for portable fire extinguishers

**Division 4** Variations to AS/NZS 4353: 1995

**cl. 93**

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**93. Clause 9.6**

Delete the clause.

**94. Clause 9.7**

Delete the clause.

**95. Section 10**

Delete the clause.

**96. Appendix A**

Delete the Appendix.

**97. Appendix B**

Delete the Appendix.



**Schedule 4 — Standards for trolley jacks**

[r. 24]

Australian/New Zealand Standard AS/NZS 2615: 1995 “Hydraulic Trolley Jacks”, approved by Standards Australia on 24 August 1995.

## **Schedule 5 — Standards for vehicle jacks**

[r. 26]

*[Heading inserted in Gazette 31 Dec 2004 p. 7135.]*

### **Division 1 — Standards for vehicle jacks**

*[Heading inserted in Gazette 31 Dec 2004 p. 7135.]*

**1. AS/NZS 2693:1993**

Australian/New Zealand Standard AS/NZS 2693:1993 “Vehicle Jacks”, approved by Standards Australia on 17 May 1993, as amended by Amendment No. 1 of 11 April 1994.

*[Clause 1 inserted in Gazette 31 Dec 2004 p. 7135.]*

**2. AS/NZS 2693:2003**

Australian/New Zealand Standard AS/NZS 2693:2003 “Vehicle Jacks”, approved by Standards Australia on 20 March 2003.

*[Clause 2 inserted in Gazette 31 Dec 2004 p. 7135.]*

### **Division 2 — Variations to Standards**

*[Heading inserted in Gazette 31 Dec 2004 p. 7135.]*

#### **Subdivision 1 — Variations to AS/NZS 2693:1993**

*[Heading inserted in Gazette 31 Dec 2004 p. 7135.]*

**3. Clause 5.9**

Delete the clause.

*[Clause 3 inserted in Gazette 31 Dec 2004 p. 7135.]*

#### **Subdivision 2 — Variations to AS/NZS 2693:2003**

*[Heading inserted in Gazette 31 Dec 2004 p. 7135.]*

**4. Clause 5.8**

Delete the clause.

*[Clause 4 inserted in Gazette 31 Dec 2004 p. 7135.]*

**5. Clause 6.3**

Delete the clause.

*[Clause 5 inserted in Gazette 31 Dec 2004 p. 7135.]*

**6. Clause 6.7(c)**

Delete the words “using an operating force not exceeding that specified in Clause 6.3”.

*[Clause 6 inserted in Gazette 31 Dec 2004 p. 7135.]*

**7. Appendix F clause F3(h)**

Delete the sentence “Do not exceed the operating force specified in clause 6.3.”.

*[Clause 7 inserted in Gazette 31 Dec 2004 p. 7135.]*

**8. Appendix F clause F4(c)**

Delete the words “without exceeding the operating force specified in clause 6.3”.

*[Clause 8 inserted in Gazette 31 Dec 2004 p. 7135.]*

**Schedule 6 — Standards for vehicle support stands**

[r. 28]

Australian Standard AS 2538: 1995 “Vehicle Support Stands”,  
approved by Standards Australia on 31 January 1995.

## **Schedule 7 — Standard for bunk beds**

[r. 29]

*[Heading inserted in Gazette 23 Apr 2002 p. 2122.]*

### **Division 1 — AS/NZS 4220: 1994**

*[Heading inserted in Gazette 23 Apr 2002 p. 2122.]*

#### **1. AS/NZS 4220: 1994**

Australian/New Zealand Standard AS/NZS 4220: 1994 “Bunk beds”, approved by Standards Australia on 8 June 1994.

*[Clause 1 inserted in Gazette 23 Apr 2002 p. 2122.]*

#### **Division 2 — Variations to AS/NZS 4220: 1994**

*[Heading inserted in Gazette 23 Apr 2002 p. 2122.]*

#### **2. Clauses 1 and 2**

Delete the clauses.

*[Clause 2 inserted in Gazette 23 Apr 2002 p. 2122.]*

#### **3. Clause 3.1**

Delete the text, insert instead —

“

Bunk Bed —

- (a) A set of components that are assembled or are ready for assembly into single beds or double/single combination beds which will be stacked one over the other; or
- (b) Any single bed, other than a hospital bed, where the upper surface of the mattress base is at least 800 mm above the floor surface.

”.

*[Clause 3 inserted in Gazette 23 Apr 2002 p. 2122.]*

**4. Clauses 4, 5, 6.1, 6.2, 6.3, 6.5, 6.6, 6.7 and 6.9**

Delete the clauses.

*[Clause 4 inserted in Gazette 23 Apr 2002 p. 2122.]*

**5. Clause 7.1**

- (1) In paragraph (b) delete the dimension “75 mm” and insert instead —  
“ 95 mm ”.

- (2) Delete paragraph (c).

*[Clause 5 inserted in Gazette 23 Apr 2002 p. 2122.]*

**6. Clauses 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10 and 8**

Delete the clauses.

*[Clause 6 inserted in Gazette 23 Apr 2002 p. 2122.]*

**7. Clause 9**

- (1) Delete paragraph (b)(i).

- (2) Insert at the beginning of paragraph (c) —

“

For the upper bed where the height of the guard rail  
is less than 360 mm above the mattress base:

”.

- (3) Delete paragraph (d).

*[Clause 7 inserted in Gazette 23 Apr 2002 p. 2122.]*

**8. Appendix A**

- (1) In part A3(a)(iv) delete the spherical probe diameter dimension  
“75 ± 0.5 mm” and insert instead —

“ 95 ± 0.5 mm ”.

- (2) Delete Part A3(b).

- (3) In part A5(a), delete “Place a mattress on each of the mattress bases of the bunk bed.”.
- (4) In parts A5(e) and A6(c) delete the dimension “75 mm” and insert instead —
- “ 95 mm ”.

*[Clause 8 inserted in Gazette 23 Apr 2002 p. 2123.]*

**9. Appendices B, C, D, E, F, G, H, I and J**

Delete the Appendices.

*[Clause 9 inserted in Gazette 23 Apr 2002 p. 2123.]*

**Schedule 8 — Standard for baby walkers**

[r. 31]

Sections 6.1, 6.4 and 9.3 of F977-00 published in July 2000 by the American Society for Testing and Materials International and available on its website at [www.astm.org](http://www.astm.org).

*[Schedule 8 inserted in Gazette 1 Nov 2002 p. 5362.]*





**Fair Trading (Product Safety Standard) Regulations 2001**

**Schedule 9** Standard for children's nightwear and limited daywear  
having reduced fire hazard

**Division 2** Variations to AS/NZS 1249:1999

**cl. 4**

---

specimens shall be cut and tested as a combination, that is to say as if the overlay were applied to the under fabric.

”.

- (2) In the third paragraph under clause 1.2(a) delete “four or more of six specimens” wherever those words occur and insert instead —

“ three or more specimens ”.

- (3) In the note to clause 1.2(a) delete “another set of three specimens are” and insert instead —

“ another specimen is ”.

*[Clause 3 inserted in Gazette 6 May 2003 p. 1558.]*

**4. Clause 1.3**

In clause 1.3 after the first sentence insert —

“

The outer fabric of a composite or appliqued area shall be considered the fabric face and shall be tested so that the flame impinges on that surface.

”.

*[Clause 4 inserted in Gazette 6 May 2003 p. 1559.]*

**5. Clause 5.6**

Delete clause 5.6.

*[Clause 5 inserted in Gazette 6 May 2003 p. 1559.]*

**6. International Standard ISO 6941:1984/Amd.1:1992 (E) as referred to in AS/NZS 1249:1999**

- (1) The International Standard ISO 6941:1984/Amd.1:1992 (E) as referred to in AS/NZS 1249:1999 is amended as prescribed in this clause.

- (2) In clause 8.8 delete the words “test another set of three specimens for that direction or face” wherever they occur and inserting instead —

“ test another specimen for that direction or face ”.

- (3) Clause 10 k) 4) is deleted and the following subclause is inserted instead —

“

- 4) If only four specimens are tested (refer to amended clause 8.8), determine the mean from all the results that burn to the respective marker threads. Report the number of specimens that failed to burn to the marker.

”.

*[Clause 6 inserted in Gazette 6 May 2003 p. 1559.]*

**Schedule 10 — Standard for paper patterns for children's nightwear**

[r. 35]

*[Heading inserted in Gazette 6 May 2003 p. 1559.]*

**Division 1 — AS/NZS 1249:1999**

*[Heading inserted in Gazette 6 May 2003 p. 1559.]*

**1. AS/NZS 1249:1999**

Clauses 0.2, 0.5.2, 0.5.3, 0.5.6, 0.5.10 and 5.6 of Australian/New Zealand Standard AS/NZS 1249:1999 "Children's nightwear and limited daywear having reduced fire hazard" published by Standards Australia on 5 April 1999.

*[Clause 1 inserted in Gazette 6 May 2003 p. 1559.]*

**Division 2 — Variations to AS/NZS 1249:1999**

*[Heading inserted in Gazette 6 May 2003 p. 1559.]*

**2. Clause 0.5.3**

Delete the notes to the clause.

*[Clause 2 inserted in Gazette 6 May 2003 p. 1559.]*

**3. Clause 0.5.10**

Delete the words "(See Note 1 to Clause 0.1)".

*[Clause 3 inserted in Gazette 6 May 2003 p. 1559.]*

**4. Clause 5.6**

After "shall bear a" insert —

" clearly legible ".

*[Clause 4 inserted in Gazette 6 May 2003 p. 1560.]*

## **Schedule 11 — Standard for pedal bicycles**

[r. 37]

*[Heading inserted in Gazette 6 May 2003 p. 1560.]*

### **Division 1 — AS/NZS 1927:1998**

*[Heading inserted in Gazette 6 May 2003 p. 1560.]*

#### **1. AS/NZS 1927:1998**

Joint Australian and New Zealand Standard AS/NZS 1927:1998  
“Pedal bicycles-Safety requirements” published by Standards  
Australia and Standards New Zealand on 5 September 1998.

*[Clause 1 inserted in Gazette 6 May 2003 p. 1560.]*

#### **Division 2 — Variations to AS/NZS 1927:1998**

*[Heading inserted in Gazette 6 May 2003 p. 1560.]*

#### **2. Clause 1.2**

Delete clause 1.2.

*[Clause 2 inserted in Gazette 6 May 2003 p. 1560.]*

#### **3. Clause 1.3**

Delete “New Zealand Traffic Regulations 1976”.

*[Clause 3 inserted in Gazette 6 May 2003 p. 1560.]*

#### **4. Clause 1.5**

In clause 1.5(a) delete “or New Zealand”.

*[Clause 4 inserted in Gazette 6 May 2003 p. 1560.]*

#### **5. Clause 2.15**

Delete clause 2.15.1.

*[Clause 5 inserted in Gazette 6 May 2003 p. 1560.]*

**Fair Trading (Product Safety Standard) Regulations 2001**

**Schedule 11** Standard for pedal bicycles

**Division 2** Variations to AS/NZS 1927:1998

**cl. 6**

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**6. Clause 2.16**

Delete “Note: There is no regulatory requirement in New Zealand for a warning device to be fitted to a bicycle.”.

*[Clause 6 inserted in Gazette 6 May 2003 p. 1560.]*

**7. Clause 2.17**

Delete clause 2.17.1.

*[Clause 7 inserted in Gazette 6 May 2003 p. 1560.]*

## **Schedule 12 — Standards for sunglasses and fashion spectacles**

[r. 38]

*[Heading inserted in Gazette 1 Oct 2004 p. 4276.]*

### **Division 1 — Standards for sunglasses and fashion spectacles**

*[Heading inserted in Gazette 1 Oct 2004 p. 4276.]*

**1. AS 1067.1:1990**

Australian Standard AS 1067.1:1990 “Sunglasses and Fashion Spectacles Part 1: Safety Requirements” approved by Standards Australia on 22 June 1990.

*[Clause 1 inserted in Gazette 1 Oct 2004 p. 4276.]*

**2. AS/NZS 1067:2003**

Australian/New Zealand Standard AS/NZS 1067:2003 “Sunglasses and Fashion Spectacles” approved by Standards Australia on 31 March 2003.

*[Clause 2 inserted in Gazette 1 Oct 2004 p. 4276.]*

### **Division 2 — Variations to Standards**

*[Heading inserted in Gazette 1 Oct 2004 p. 4276.]*

#### **Subdivision 1 — Variations to AS 1067.1:1990**

*[Heading inserted in Gazette 1 Oct 2004 p. 4276.]*

**3. Clause 1.1**

Delete the clause.

*[Clause 3 inserted in Gazette 1 Oct 2004 p. 4276.]*

**4. Clause 2.2.1**

- (1) In clause 2.2.1, delete the full stop in paragraph (b), insert instead —

“

except in the case of children’s sunglasses. Children’s sunglasses with frames too small for measurement from 32 mm from the centreline of the sunglass shall be measured at 6 selected points within a circle of 30 mm diameter around the datum centre of each lens.

”.

- (2) In clause 2.2.1, delete the full stop in paragraph (c), insert instead —

“

except in the case of children’s sunglasses. Children’s sunglasses with frames too small for measurement from 32 mm from the centreline of the sunglass shall be measured from a point 25% of the width of the lens measured on either side of the centreline which lies in the horizontal plane that would bisect the eyes when the visor is worn and at 6 selected points within a circle of 30 mm diameter centred on those points.

”.

*[Clause 4 inserted in Gazette 1 Oct 2004 p. 4277.]*

**5. Clause 4.2.1**

Delete “classification of the eyewear and other relevant”.

*[Clause 5 inserted in Gazette 1 Oct 2004 p. 4277.]*

**6. Clause 4.2.2**

Delete the box around the marking specified for fashion spectacles.

*[Clause 6 inserted in Gazette 1 Oct 2004 p. 4277.]*

**7. Clause 4.2.3**

- (1) Delete “The marking for general-purpose sunglasses shall be as follows:”.

- (2) Delete the box and the words in it.

*[Clause 7 inserted in Gazette 1 Oct 2004 p. 4277.]*



**Subdivision 2 — Variations to AS/NZS 1067:2003**

*[Heading inserted in Gazette 1 Oct 2004 p. 4277.]*

**8. Clauses 1.1 and 1.2**

Delete the clauses.

*[Clause 8 inserted in Gazette 1 Oct 2004 p. 4277.]*

**9. Clause 2.6**

(1) Before “When” insert the clause designation “2.6.1”.

(2) Insert —

“

2.6.2

Only lenses with labels, decorations or markings (other than those intended to be removed before use) within the area of the 2 ellipses defined in Clause 3.2.1 need to meet the requirements of Clause 2.6.1.

NOTE: See also Clause 3.2.2.

”.

*[Clause 9 inserted in Gazette 1 Oct 2004 p. 4277.]*

**10. Clauses 2.7 and 2.8**

Delete the clauses.

*[Clause 10 inserted in Gazette 1 Oct 2004 p. 4278.]*

**11. Clause 3.2.2**

After the clause, insert —

“

NOTE: Lenses with holograms or other transparent images applied to the outer (non-eye) side of the lens would generally pass the requirements of Clause 3.2.2 provided that the other requirements of the standard are met, in particular Clause 2.2.2 (Transmittance matching for pairs of sunglass lenses of all types), Clause 2.2.3 (Uniformity of colour for pairs of sunglass lenses of all types), and Clause 2.6 (Scattered light).

”.

**Fair Trading (Product Safety Standard) Regulations 2001**

**Schedule 12** Standards for sunglasses and fashion spectacles

**Division 2** Variations to Standards

**cl. 12**

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*[Clause 11 inserted in Gazette 1 Oct 2004 p. 4278.]*

**12. Clauses 3.3 and 3.6**

Delete the clauses.

*[Clause 12 inserted in Gazette 1 Oct 2004 p. 4278.]*

**13. Clause 4.1.1**

Delete clause 4.1.1(c).

*[Clause 13 inserted in Gazette 1 Oct 2004 p. 4278.]*

**14. Clause 4.2.1**

After “sunglass frame,” insert —

“ or ”.

*[Clause 14 inserted in Gazette 1 Oct 2004 p. 4278.]*

**15. Clause 4.2.2**

Delete the clause.

*[Clause 15 inserted in Gazette 1 Oct 2004 p. 4278.]*



**Fair Trading (Product Safety Standard) Regulations 2001**

**Schedule 13** Standards for toys for young children up to and including  
3 years of age

**Division 2** Variations to Standards

**cl. 3**

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**Division 2 — Variations to Standards**

*[Heading inserted in Gazette 1 Oct 2004 p. 4279.]*

**Subdivision 1 — Variations to AS 1647.2:1992**

*[Heading inserted in Gazette 1 Oct 2004 p. 4279.]*

**3. Clause 7.2**

Delete the clause, insert instead —

“

**7.2 Stuffed Toys** Stuffed toys must not produce an ingestion or inhalation hazard when tested in accordance with Appendix O.

”.

*[Clause 3 inserted in Gazette 1 Oct 2004 p. 4279.]*

**4. Clauses 10.2.1, 10.3.1, 10.3.2, 10.3.3, 10.3.4, 10.3.6, 10.3.7, 10.3.10 and 10.3.13**

Delete “a hazardous sharp edge, a hazardous sharp point or, if applicable,”.

*[Clause 4 inserted in Gazette 1 Oct 2004 p. 4279.]*

**5. Clauses 10.3.5 and 10.3.11**

Delete “a hazardous sharp edge, a hazardous sharp point or”.

*[Clause 5 inserted in Gazette 1 Oct 2004 p. 4279.]*

**6. Clause 10.3.9**

Delete “fracture or break”, insert instead —

“ produce an ingestion or inhalation hazard ”.

*[Clause 6 inserted in Gazette 1 Oct 2004 p. 4279.]*

**7. Clause 10.3.14**

Insert after “from the toy” —

“

, that would produce an ingestion or inhalation hazard

”.

*[Clause 7 inserted in Gazette 1 Oct 2004 p. 4279.]*

**8. Clause 10.3.15**

Delete all of the clause after “not”, insert instead —

“ produce an ingestion or inhalation hazard. ”.

*[Clause 8 inserted in Gazette 1 Oct 2004 p. 4279.]*

**9. Clause D5**

Delete “If”, insert instead —

“ Subject to Clause 9.4, if ”.

*[Clause 9 inserted in Gazette 1 Oct 2004 p. 4279.]*

**10. Clauses F5(d), G6(i), H5(f), I5(g), J5(e), K5(h), M5(h), N6(i) and Q5(g)**

Delete “Appendices B, C and, if applicable,”.

*[Clause 10 inserted in Gazette 1 Oct 2004 p. 4279.]*

**11. Clauses F6(d)(i) and (ii), G7(c)(i) and (ii), H6(c)(i) and (ii), I6(d)(i) and (ii), J6(b)(i) and (ii), K6(a) and (b), L6(b)(i) and (ii), M6(d)(i) and (ii), N7(d)(i) and (ii), Q6(a)(i) and (ii) and R6(d)(i) and (ii)**

Delete the clauses.

*[Clause 11 inserted in Gazette 1 Oct 2004 p. 4279.]*

**12. Clauses L5(b) and L5(g)**

Delete “a hazardous sharp edge, hazardous sharp point or”.

*[Clause 12 inserted in Gazette 1 Oct 2004 p. 4280.]*

**Fair Trading (Product Safety Standard) Regulations 2001**

**Schedule 13** Standards for toys for young children up to and including  
3 years of age

**Division 2** Variations to Standards

**cl. 13**

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**13. Clauses L5(f) and R5(h)**

Delete “Appendices B, C and D”, insert instead —

“ Appendix D ”.

*[Clause 13 inserted in Gazette 1 Oct 2004 p. 4280.]*

**14. Clause N2**

Delete “neither developed a hazardous sharp edge nor a hazardous sharp point, nor, if applicable, produced”, insert instead —

“ did not produce ”.

*[Clause 14 inserted in Gazette 1 Oct 2004 p. 4280.]*

**15. Clause U6(b)**

After “outlet”, insert —

“

and whether these objects produced an ingestion or  
inhalation hazard

”.

*[Clause 15 inserted in Gazette 1 Oct 2004 p. 4280.]*

**16. Clause V6(a)**

Delete “fractured through the entire thickness or matter visible to the naked eye has become detached from any portion of the test specimen”, insert instead —

“ produced an ingestion or inhalation hazard ”.

*[Clause 16 inserted in Gazette 1 Oct 2004 p. 4280.]*

**Subdivision 2 — Variations to AS/NZS ISO 8124.1:2002**

*[Heading inserted in Gazette 1 Oct 2004 p. 4280.]*

**17. Clauses 1 and 2**

Delete the clauses.

*[Clause 17 inserted in Gazette 1 Oct 2004 p. 4280.]*

**18. Clause 3.21**

Delete “or damage to property or the environment”.

*[Clause 18 inserted in Gazette 1 Oct 2004 p. 4280.]*

**19. Clauses 3.52 and 4.3**

Delete the clauses.

*[Clause 19 inserted in Gazette 1 Oct 2004 p. 4280.]*

**20. Clause 4.4.1**

(1) Delete “intended” from the first sentence.

*[(2) deleted]*

*[Clause 20 inserted in Gazette 1 Oct 2004 p. 4280; amended in Gazette 1 Jul 2005 p. 2998.]*

**21. Clause 4.4.2**

Delete the clause.

*[Clause 21 inserted in Gazette 1 Oct 2004 p. 4280.]*

**22. Clause 4.5.1**

Delete “intended” from the first dot point.

*[Clause 22 inserted in Gazette 1 Oct 2004 p. 4280.]*

**23. Clause 4.5.2**

(1) Delete “intended” from paragraph (a).

(2) Delete paragraph (b).

*[Clause 23 inserted in Gazette 1 Oct 2004 p. 4281.]*

**24. Clauses 4.5.3 and 4.5.4**

Delete “intended” from the first sentence.

*[Clause 24 inserted in Gazette 1 Oct 2004 p. 4281.]*

**Fair Trading (Product Safety Standard) Regulations 2001**

**Schedule 13** Standards for toys for young children up to and including  
3 years of age

**Division 2** Variations to Standards

**cl. 25**

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**25. Clause 4.5.5**

(1) Delete “intended” from the first sentence.

(2) Delete the note.

*[Clause 25 inserted in Gazette 1 Oct 2004 p. 4281.]*

**26. Clauses 4.5.6 to 4.24, 4.25(d), 4.26 and 4.27**

Delete the clauses.

*[Clause 26 inserted in Gazette 1 Oct 2004 p. 4281.]*

**27. Clause 5.1**

(1) In the fifth sentence, which commences “Certain test methods ...” —

(a) in the first dot point, insert after “months” —  
“ and ”;

(b) in the second dot point, delete “and” and insert a full stop  
instead;

(c) delete the third dot point.

(2) In the seventh sentence, which commences “If a toy or its  
packaging ...” —

(a) delete “intended or”;

(b) delete “96 months” and insert instead —  
“ 36 months ”.

(3) Delete the twelfth sentence, which commences “Toys reasonably  
intended ...”.

*[Clause 27 inserted in Gazette 1 Oct 2004 p. 4281.]*

**28. Clause 5.2**

(1) In the heading to the clause, delete “4.3.2,” and “, 4.18.2”.

(2) In the first sentence, which commences “Place the toy ...”, delete  
“any orientation” and insert instead —

“ all possible orientations ”.

*[Clause 28 inserted in Gazette 1 Oct 2004 p. 4281.]*



**29. Clauses 5.7 to 5.19, 5.21 and 5.22**

Delete the clauses.

*[Clause 29 inserted in Gazette 1 Oct 2004 p. 4281.]*

**30. Clause 5.23**

- (1) In the third sentence, which commences “Any commercially available ...”, delete “intended”.
- (2) Delete Note 1.

*[Clause 30 inserted in Gazette 1 Oct 2004 p. 4281.]*

**31. Clause 5.24.1**

Delete the second sentence, which commences “Unless ...”.

*[Clause 31 inserted in Gazette 1 Oct 2004 p. 4282.]*

**32. Clause 5.24.2**

In Table 4 row 2, delete “96”, insert instead —

“ 36 ”.

*[Clause 32 inserted in Gazette 1 Oct 2004 p. 4282.]*

**33. Clause 5.24.4**

Delete the clause.

*[Clause 33 inserted in Gazette 1 Oct 2004 p. 4282.]*

**34. Clause 5.24.6.2**

In the first sentence, which commences “For soft-filled ...”, delete “beanbags”, insert instead —

“

beanbag-type toys (i.e. a toy that contains plastic pellets,  
beads, polystyrene balls or similar materials)

”.

*[Clause 34 inserted in Gazette 1 Oct 2004 p. 4282.]*

**Fair Trading (Product Safety Standard) Regulations 2001**

**Schedule 13** Standards for toys for young children up to and including  
3 years of age

**Division 2** Variations to Standards

**cl. 35**

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**35. Clause 5.24.6.4**

Delete the clause.

*[Clause 35 inserted in Gazette 1 Oct 2004 p. 4282.]*

**36. Clause 5.24.7**

(1) In the second sentence, which commences “Determine the compression force ...”, delete “according to the age group for which the toy is intended”.

(2) Table 5 row 2, delete the row.

(3) In the eighth sentence, which commences “Apply the ...”, delete “required force”, insert instead —

“ force in Table 5 ”.

*[Clause 36 inserted in Gazette 1 Oct 2004 p. 4282.]*

**37. Clause 5.24.8**

Delete the clause.

*[Clause 37 inserted in Gazette 1 Oct 2004 p. 4282.]*

**38. Clauses A.1, A.2.1 and A.2.2**

Delete the clauses.

*[Clause 38 inserted in Gazette 1 Oct 2004 p. 4282.]*

**39. Clause A.2.3**

Delete the second sentence, which commences “The batteries ...”.

*[Clause 39 inserted in Gazette 1 Oct 2004 p. 4282.]*

**40. Clauses A.2.4 to A.2.10**

Delete the clauses.

*[Clause 40 inserted in Gazette 1 Oct 2004 p. 4282.]*

**41. Clause B.1**

In the fourth sentence, which commences “Further information ...”, delete “[12]”, insert instead —

“

the publication issued by the United States Consumer  
Product Safety Commission (CPSC) *Age Determination  
Guidelines*

”.

*[Clause 41 inserted in Gazette 1 Oct 2004 p. 4283.]*

**42. Clause B.4.1**

Delete the third and fourth sentences, which commence “Age grades ...” and “A parent remains ...” respectively.

*[Clause 42 inserted in Gazette 1 Oct 2004 p. 4283.]*

**43. Clause B.4.4**

Delete the clause.

*[Clause 43 inserted in Gazette 1 Oct 2004 p. 4283.]*

**44. Annexes C, D and F**

Delete the Annexes.

*[Clause 44 inserted in Gazette 1 Oct 2004 p. 4283.]*

**45. Appendix ZZ**

Delete the Appendix.

*[Clause 45 inserted in Gazette 1 Oct 2004 p. 4283.]*

**Schedule 14 — Warning symbol for basketball rings and backboards**

[r. 45(1)(b)]

*[Heading inserted in Gazette 20 Oct 2006 p. 4466.]*



*[Schedule 14 inserted in Gazette 20 Oct 2006 p. 4466.]*

## Schedule 15 — Warning labels for external corded blinds


[r. 52]

[Heading inserted in Gazette 20 Oct 2006 p. 4466.]

### 1. Bottom rail warning label

<b>⚠ WARNING</b>
Blind cords may create a strangulation hazard for young children. <b>KEEP BLIND CORDS OUT OF REACH OF YOUNG CHILDREN</b>

### 2. Blind warning label

<b>⚠ WARNING</b>
Blind cords may create a strangulation hazard for young children.

<b>KEEP BLIND CORDS OUT OF REACH OF YOUNG CHILDREN</b>

### 3. Tension device warning label

<b>⚠ WARNING</b>
<i>[Explanation of how the device is designed to operate and how it should be used to minimise the risk to young children of strangulation. See examples below.]</i>
<b>KEEP BLIND CORDS OUT OF REACH OF YOUNG CHILDREN</b>

Examples of explanations for tension device warning label to be modified or adapted as required, depending on the type of device used.

#### Example 1: cleat style pull cord tension device

This cleat is to secure the pull cord and keep it out of
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reach of young children.

Fix the cleat securely to a wall or other surface out of reach of young children. Pull the cord taut and wind it tightly around the cleat to hold it in place and keep it out of reach of young children.

The cleat should be positioned so that the pull cord will be out of reach of young children.

**Example 2: plate and straps style bottom rail tension device**

These straps and anchor plates are to secure the bottom rail in place when the blind is lowered.

Fix the anchor plates securely to a wall or other surface. When the blind is lowered use the straps to hold the bottom rail in place and under tension.

Securing the bottom rail reduces the risk of young children becoming entangled in the cords looped around the rail.

*[Schedule 15 inserted in Gazette 20 Oct 2006 p. 4466-7.]*

### Notes

- <sup>1</sup> This is a compilation of the *Fair Trading (Product Safety Standard) Regulations 2001* and includes the amendments made by the other written laws referred to in the following table<sup>2</sup>. The table also contains information about any reprint.

### Compilation table

Citation	Gazettal	Commencement
<i>Fair Trading (Product Safety Standard) Regulations 2001</i>	15 Jan 2002 p. 183-228	15 Jan 2002
<i>Fair Trading (Product Safety Standard) Amendment Regulations (No. 2) 2002</i>	23 Apr 2002 p. 2121-3	1 Nov 2002 (see r. 2)
<i>Fair Trading (Product Safety Standard) Amendment Regulations (No. 3) 2002</i>	1 Nov 2002 p. 5361-2	1 Nov 2002 (see r. 2)
<i>Fair Trading (Product Safety Standard) Amendment Regulations 2003</i>	6 May 2003 p. 1555-60	6 May 2003
<i>Fair Trading (Product Safety Standard) Amendment Regulations (No. 2) 2003</i>	10 Oct 2003 p. 4399-400	10 Oct 2003
<i>Fair Trading (Product Safety Standard) Amendment Regulations 2004</i>	1 Oct 2004 p. 4273-83	1 Oct 2004
<i>Fair Trading (Product Safety Standard) Amendment Regulations (No. 2) 2004</i>	5 Nov 2004 p. 4981	5 Nov 2004
<i>Fair Trading (Product Safety Standard) Amendment Regulations (No. 3) 2004</i>	31 Dec 2004 p. 7134-5	31 Dec 2004
<i>Fair Trading (Product Safety Standard) Amendment Regulations (No. 2) 2005</i>	1 Jul 2005 p. 2997-8	1 Jul 2005
<i>Fair Trading (Product Safety Standard) Amendment Regulations (No.3) 2005</i>	1 Jul 2005 p. 2998	1 Jul 2005 (see r. 2)

**Reprint 1: The Fair Trading (Product Safety Standard) Regulations 2001 as at 7 Oct 2005** (includes amendments listed above)

## Fair Trading (Product Safety Standard) Regulations 2001

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Citation	Gazettal	Commencement
<i>Fair Trading (Product Safety Standard) Amendment Regulations 2006</i>	21 Mar 2006 p. 1080-2	21 Mar 2006
<i>Fair Trading (Product Safety Standard) Amendment Regulations (No. 3) 2006</i>	20 Oct 2006 p. 4460-7	20 Oct 2006
<a href="#"><u><i>Fair Trading (Product Safety Standard) Amendment Regulations (No. 2) 2006</i></u></a>	<a href="#"><u>29 Dec 2006</u></a> <a href="#"><u>p. 5879-80</u></a>	<a href="#"><u>29 Dec 2006</u></a>

<sup>2</sup> The amendments in the *Fair Trading (Product Safety Standard) Amendment Regulations-2002* (published in *Gazette* 26 Mar 2002 p. 1741-3) are not included because, before it came into operation, it was repealed by the *Fair Trading (Product Safety Standard) Amendment Repeal Regulations 2002* (see *Gazette* 23 Apr 2002 p. 2123-4).