

CE301*

Fair Trading Act 1987

Fair Trading (Product Safety Standard) Amendment Regulations (No. 2) 2010

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Fair Trading (Product Safety Standard) Amendment Regulations (No. 2) 2010*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2010.

3. Regulations amended

These regulations amend the *Fair Trading (Product Safety Standard) Regulations 2001*.

4. Part 7 replaced

Delete Part 7 and insert:

Part 7 — Vehicle jacks

25. Term used: specific vehicle jack

In this Part —

specific vehicle jack means a vehicle jack with a nominated capacity of up to and including 8 tonnes manufactured before 1 July 2011 which is —

- (a) limited in its application to a specific vehicle or model or model designation of vehicle; and
- (b) intended to be used to lift the specific vehicle or model or model designation of vehicle at only the specific engagement points; and

- (c) supplied for use —
 - (i) with the specific vehicle or model or model designation of vehicle referred to in paragraph (a); or
 - (ii) as a replacement for the original vehicle jack supplied with the specific vehicle or model or model designation of vehicle referred to in paragraph (a).

26. Application

This Part applies to vehicle jacks with a nominated capacity of up to and including 8 tonnes.

27A. Product safety standard for vehicle jacks prior to 1 July 2011

Prior to 1 July 2011, the product safety standard for a vehicle jack consists of —

- (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; or
- (c) the standard set out in Schedule 5 Division 1 clause 3A, as varied by Schedule 5 Division 2 Subdivision 3.

27B. Product safety standard for vehicle jacks on and after 1 July 2011

- (1) On and from 1 July 2011 the product safety standard for a vehicle jack, other than a specific vehicle jack, consists of the standard set out in Schedule 5 Division 1 clause 3A, as varied by Schedule 5 Division 2 Subdivision 3.
- (2) On and from 1 July 2011 the product safety standard for a specific vehicle jack consists of —
 - (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; or
 - (c) the standard set out in Schedule 5 Division 1 clause 3A, as varied by Schedule 5 Division 2 Subdivision 3.

5. Regulation 92 amended

In regulation 92 delete “*children’s toys* means goods” and insert:

In this Part —

children’s toys means goods

6. Part 37 inserted

After Part 36 insert:

Part 37 — Children’s toys containing magnets

94. Product safety standard for children’s toys containing magnets

The product safety standard for toys to which this Part applies consists of the standard set out in Schedule 25 Division 1 as varied by Schedule 25 Division 2.

95. Application of this Part

- (1) This Part applies to products supplied new that are designed or clearly intended for use in play by children under the age of 14 years.
- (2) This Part does not apply to —
 - (a) sporting goods;
 - (b) camping goods;
 - (c) bicycles;
 - (d) home and public playground equipment;
 - (e) trampolines;
 - (f) electronic game units;
 - (g) models powered by combustion or steam engines;
 - (h) fashion jewellery.

7. Schedule 5 Division 1 amended

- (1) In Schedule 5 Division 1 clause 2 delete “on 20 March 2003.” and insert:

on 28 February 2003.

(2) At the end of Schedule 5 Division 1 insert:

3A. AS/NZS 2693:2007

Australian/New Zealand Standard AS/NZS 2693:2007
“Vehicle Jacks”, approved by Standards Australia on
15 November 2006.

8. Schedule 5 Division 2 amended

(1) At the beginning of Schedule 5 Division 2 Subdivision 1 insert:

3B. Clause 1

Delete clause 1 and insert:

1 SCOPE

This Standard specifies requirements for the design, construction, performance and labelling of jacks with a nominated capacity of up to and including 8 tonnes, which are designed to raise vehicles. It does not include devices that raise an entire vehicle.

NOTE: A summary of requirements according to vehicle jack type is given in Appendix A.

(2) At the beginning of Schedule 5 Division 2 Subdivision 2 insert:

4A. Clause 1

Delete clause 1 and insert:

1 SCOPE

This Standard specifies requirements for the design, construction, performance and labelling of jacks with a nominated capacity of up to and including 8 tonnes, which are designed to raise vehicles. It does not include devices that raise an entire vehicle.

NOTE: A summary of requirements according to vehicle jack type is given in Appendix A.

9. Schedule 5 Division 2 Subdivision 3 inserted

After Schedule 5 Division 2 Subdivision 2 insert:

Subdivision 3 — Variations to AS/NZS 2693:2007**9. Clause 1**

Delete clause 1 and insert:

1 SCOPE

This Standard specifies requirements for the design, construction, performance and labelling of jacks with a nominated capacity of up to and including 8 tonnes, which are designed to raise vehicles. It does not include devices that raise an entire vehicle.

NOTE: A summary of requirements according to vehicle jack type is given in Appendix A.

10. Clause 6.3

Delete clause 6.3.

11. Clause 6.7(c)

In clause 6.7(c) delete the words “using an operating force not exceeding that specified in Clause 6.3”.

12. Clause 7.1.2(f)

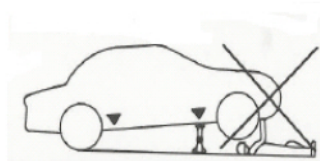
Delete clause 7.1.2(f) and insert:

- (f) Warning advice against getting under a vehicle that is supported by a jack, which may be a pictogram form of the warning advice where the pictogram shows either a —

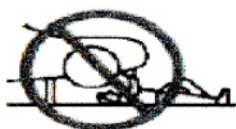
- (i) cross; or
- (ii) circle with a slash,

through a side view of a person, who is lying on the ground and partially or wholly underneath a side view of a vehicle, which is supported by a jack. Examples of such pictograms are provided below:

Example 1



Example 2



13. Clause 8.3(a)

In clause 8.3(a) delete the words “general and specific purpose jacks” and insert:

general purpose and specific vehicle jacks

14. Appendix F

- (1) In Appendix F clause F3(h) delete “Do not exceed the operating force specified in Clause 6.3.”.
- (2) In Appendix F clause F4(c) delete “without exceeding the operating force specified in Clause 6.3”.

10. Schedule 25 inserted

After Schedule 24 insert:

**Schedule 25 — Standard for children’s toys
containing magnets**

[r. 94]

**Division 1 — Standard for children’s toys
containing magnets**

1. AS/NZS ISO 8124.1:2002

Clause 4.28 of Australian/New Zealand Standard AS/NZS ISO 8124.1:2002, “Safety of toys Part 1 — Safety aspects related to mechanical and physical properties”, published by Standards Australia on 16 May 2002 including Amendment 2 to AS/NZS ISO 8124.1 published by Standards Australia on 20 February 2009, and the following clauses as referenced by clause 4.28 —

- (a) Clause 3;
- (b) Clause 4.1 first paragraph only;
- (c) Clause 5.24.1 first paragraph only;
- (d) Clauses 5.24.2, 5.24.3, 5.24.5, 5.24.6.1, 5.24.7, omitting the last paragraph of each of these clauses;
- (e) Clause 5.25 and Figure 22;
- (f) Clause C.2.19;
- (g) Clause E.2.

Division 2 — Variations to AS/NZS ISO 8124.1:2002**2. Clause 4.28**

In Clause 4.28 a) delete “(see C.2.19 for guidance).” and insert:

as specified in C.2.19.

3. Clause C.2.19

In Clause C.2.19 delete “should include a statement similar to the following:” and insert:

shall include the following words or words to the same effect:

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.