

2004

**THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY**

**FAIR TRADING (CONSUMER PRODUCT STANDARDS)
AMENDMENT REGULATIONS 2004 (No 1)**

Subordinate Law No SL2004-28

EXPLANATORY STATEMENT

Circulated by authority of the
Attorney General
Jon Stanhope MLA

FAIR TRADING (CONSUMER PRODUCT STANDARDS) AMENDMENT REGULATIONS 2004 (No 1)

EXPLANATORY STATEMENT

Overview

Section 25 of the *Fair Trading (Consumer Affairs) Act 1973* (the Act) provides that regulations may prescribe a consumer product safety standard to be used for a specified kind of goods.

Accordingly, the purpose of the Fair Trading (Consumer Product Safety Standards) Amendment Regulations 2004 (No 1) (the regulations) is to prescribe consumer product safety standards for a number of products. These standards are based on the Australian best practice standards produced by the standard setting organisation Standards Australia, Commonwealth standards prescribed under the Trade Practices Regulations and window furnishing standards in New South Wales.

The regulations prescribe standards in relation to the design, performance, testing, labelling and other specifications, as required, for consumer products sold within the Australian Capital Territory.

These regulations will bring the ACT into conformity with the States and Commonwealth and will ensure that dangerous and unsafe products will not be available for sale in the Territory.

Regulations

Regulations 1 and 2 – Name of regulations and commencement

Regulations 1 and 2 are formal requirements of all regulations, specifying the title of the regulations and commencement date.

Regulation 3 – Legislation amended

This regulation provides that the regulations amend the Fair Trading (Consumer Product Standards) Regulations 2002.

Regulation 4 – New division 2.3A

This regulation inserts a new Division 2.3A. The clauses of the division prescribe the standard for bunk beds and define a number of terms for the division.

Regulation 5 – Division 2.5

This regulation replaces the current standard for children's toys with an updated standard. The new standard contains improved testing procedures for identifying choking hazards in toys for children under the age of four years.

Regulation 6 – New division 2.7A

This regulation inserts a new Division 2.7A. The clauses of the division prescribe the standard for corded internal window coverings and define a number of terms for the division.

Regulation 7 – Regulation 30(7), definition of relevant amount

This regulation amends the dollar amount prescribed in the definition of a relevant amount from \$2.00 to \$5.00.

Regulation 8 – Regulation 43

This regulation amends the indexed formula that applies in relation to cigarette lighters. This amendment is necessary as a result of the amendment to the relevant amount under regulation 7. The regulation also updates the reference to the CPI number.

Regulation 9 – Division 2.14

This regulation replaces the current standard for sunglasses and fashion spectacles with an updated standard and prescribes the standard for vehicle jacks.

Regulation 10 - Renumbering

This regulation provides for the renumbering of divisions and regulations when the regulations are next republished.