

2005

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

FAIR TRADING (CONSUMER PRODUCT STANDARDS) AMENDMENT
REGULATION 2005 (No 1)

SUBORDINATE LAW No SL2005-23

EXPLANATORY STATEMENT

Circulated by authority of the
Attorney General
Jon Stanhope MLA

FAIR TRADING (CONSUMER PRODUCT STANDARDS) AMENDMENT REGULATION 2005 (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.

The purpose of the Fair Trading (Consumer Product Safety Standards) Amendment Regulation 2005 (No 1) (the Regulation) is to prescribe a consumer product safety standard for baby bath aids. The Regulation gives effect to the Commonwealth *Trade Practices (Consumer Product Safety Standard) (Baby Bath Aids) Regulations 2005*, which gives national application to mandatory labelling requirements for baby bath aids which are already in force in New South Wales, Victoria and Western Australia and are under consideration in Queensland.

This amendment to the Regulation will enable the existing Commonwealth standard to be enforced in the ACT, and will bring the ACT into conformity with New South Wales, Victoria and Western Australia. The Regulation will assist to ensure that baby bath aids are used appropriately by parents and carers of Canberra's young children.

Regulation

Regulation 1 & 2 – Name of regulations and commencement

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

As the Regulation brings into effect labelling requirements which are already in place nationally, and are enforced in New South Wales, Victoria and Western Australia, there is no need for a delayed commencement date.

Regulation 3 – Legislation amended

This Regulation provides that the Regulation amends the *Fair Trading (Consumer Product Standards) Regulation 2002*.

Regulation 4 – New Division 2.1A

This Regulation inserts a new Division 2.1A. The clauses of the Division define baby bath aids and the TPA as the Trade Practices Act (TPA) standard prescribed by the Commonwealth *Trade Practices (Consumer Product Safety Standard) (Baby Bath Aids) Regulations 2005*, as in force from time to time.

Regulation 5 – Renumbering

This Regulation provides for the renumbering of Divisions when the Regulation is next republished.