



Australian Capital Territory

Fair Trading (Consumer Product Standards) Regulations 2002

SL2002-39

made under the

Fair Trading (Consumer Affairs) Act 1973

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About this republication

The republished law

This is a republication of the *Fair Trading (Consumer Product Standards) Regulations 2002*, made under the *Fair Trading (Consumer Affairs) Act 1973* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 23 July 2004. It also includes any amendment, repeal or expiry affecting the republished law to 23 July 2004.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

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- authorised republications to which the *Legislation Act 2001* applies
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Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

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If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



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Effective: 23/07/04-03/11/04

Part 1 Preliminary

1 Name of regulations

These regulations are the *Fair Trading (Consumer Product Standards) Regulations 2002*.

2 Dictionary

The dictionary at the end of these regulations is part of these regulations.

Note 1 The dictionary at the end of these regulations defines certain words and expressions used in these regulations, and includes references (*signpost definitions*) to other words and expressions defined elsewhere in these regulations.

For example, the signpost definition '*laser pointer*—see regulation 46 (Definitions for div 2.12).' means that the expression 'laser pointer' is defined in that regulation.

Note 2 A definition in the dictionary (including a signpost definition) applies to the entire regulations unless the definition, or another provision of the regulations, provides otherwise or the contrary intention otherwise appears (see Legislation Act, s 155 and s 156 (1)).

3 Notes

A note included in these regulations is explanatory and is not part of these regulations.

Note See Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.

4 Compliance with specification

For these regulations, goods do not fail to comply with a standard mentioned in a division relating to the goods only because they do not comply with a provision of the standard—

- (a) that is expressed to be a recommendation; or

- (b) in relation to which the word ‘should’ or ‘preferably’ is used to indicate that the provision is only advisory.

Part 2 Product safety standards

Division 2.1 Preliminary

5 Product safety standards

The standards set out in the other divisions of this part are prescribed under the Act, section 25 as consumer product safety standards for the goods to which those divisions apply.

Note The consequences of failing to comply with a consumer product safety standard are set out in the Act, s 30.

6 Exceptions

The consumer product safety standards prescribed by these regulations do not apply to the supply of goods in the following circumstances:

- (a) for goods supplied under a credit contract (within the meaning of the Consumer Credit (Australian Capital Territory) Code) or under any agreement for the purchase of goods by instalments (for example, a hire-purchase agreement)—if the supplier has at no time had possession of the goods and only became the owner of the goods at or after the time of entering into the agreement;
- (b) for goods that are let on hire, or that are supplied to someone else for the purpose of being let on hire by the other person—if the letting is incidental to the letting of premises or if the letting was lawful when it began.

Note The Act, s 30 (2) states other circumstances in which the product safety standards prescribed by these regulations do not apply.

Division 2.2 Balloon-blowing kits

7 Definition for div 2.2

In this division:

balloon-blowing kit means goods that contain a substance capable of inflating a balloon by blowing all or part of the substance from a tube (other than a container) contained in the goods.

8 Safety standard

- (1) The consumer product safety standard for balloon-blowing kits is that they must comply with subregulation (2).
- (2) The substance contained in a balloon-blowing kit that is capable of being used to inflate a balloon must not contain benzene.

Division 2.3 Beanbags, beanbag covers and packages containing beanbag filling

9 Definitions for div 2.3

- (1) In this division:

beanbag means a cushion or similar item that consists of a bag or cover surrounding beanbag filling, and includes a beanbag for use in a swimming pool.

beanbag cover means a bag or cover that can be filled with beanbag filling and that, if filled with beanbag filling, would be a beanbag, and includes a bag or cover intended as a separate inner lining.

beanbag filling means pellets, or small particles of polystyrene or other similar synthetic material that can be used as filling for a cushion, but does not include any such pellets or particles when they are mixed with material that cannot be so used.

child resistant slide fastener means a slide fastener with a sliding piece of a kind mentioned in the definition of ***slide fastener*** that—

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

package means bag, box or other similar container, but does not include a beanbag cover.

slide fastener means a device consisting of 2 sets of teeth, each set of teeth being located on adjacent edges of the device, and having an attached sliding piece that, when moved between the 2 sets of teeth, causes 1 set of teeth to interlock or cease to interlock with the other set of teeth.

- (2) If a slide fastener has 2 or more sliding pieces of a kind mentioned in subregulation (1), definition of ***slide fastener***, a reference in the definition to a sliding piece includes, in relation to the slide fastener, a reference to each of the sliding pieces.

10 Safety standard

- (1) The consumer product safety standard for a beanbag or a beanbag cover is that—
 - (a) it must have a label that—
 - (i) is secured to the bag or cover in such a way that the label will, despite normal handling, remain fixed to the bag or cover; and

- (ii) contains the following warning:
 - ‘WARNING. Small Lightweight Beads Present a Severe Danger to Children if Swallowed or Inhaled.’; and
 - (b) it must be constructed so that any opening through which beanbag filling may be inserted or removed is fitted with a child resistant slide fastener.
- (2) The consumer product safety standard prescribed for a package containing beanbag filling is that it must have a label that—
- (a) is secured to the package in such a way that the label will, despite normal handling, remain fixed to the package; and
 - (b) contains the warning mentioned in subregulation (1) (a) (ii).
- (3) The warning mentioned in subregulation (1) (a) (ii)—
- (a) must be printed in red letters at least 5mm high on a white background; and
 - (b) must have the word ‘WARNING’ printed in capital letters and the remaining words printed in capital and non-capital letters.

Division 2.4 Bunk beds

11 Definitions for div 2.4

In this division:

bunk beds means bunk beds to which the TPA standard applies.

TPA standard means the consumer product safety standard prescribed for bunk beds under the *Trade Practices Act 1974* (Cwlth), section 65E because of Consumer Protection Notice No 1 of 2003.

12 Safety standard

- (1) The consumer product safety standard for bunk beds is the TPA standard.
- (2) The standard under subsection (1) is a notifiable instrument.

Note A notifiable instrument must be notified under the Legislation Act.

Division 2.5 Childrens nightwear and paper patterns for childrens nightwear

13 Definitions for div 2.5

In this division:

AS 1182 means the Australian Standard entitled AS 1182—1997, *Size coding scheme for infants' and children's clothing—Underwear and outerwear*, as published by Standards Australia on 5 March 1997.

AS/NZS 1249 means the Australian/New Zealand Standard entitled AS/NZS 1249:1999, *Children's nightwear and limited daywear having reduced fire hazard*, as published jointly by Standards Australia and Standards New Zealand on 5 April 1999.

Note Standards AS 1182 and AS/NZS 1249 are available on the internet at web site www.standards.com.au.

childrens nightwear includes childrens dressing-gowns, pyjamas, pyjama-style overgarments, nightdresses, nightshirts, bathrobes and infant sleeping-bags, and garments such as all-in-ones and boxer shorts that may be suitable for daywear or nightwear, of any of the sizes 00–14 (as specified in AS 1182), but does not include T-shirts and any article of headwear, leggings (either with or without feet), footwear or handwear.

ISO 6941 means the International Standard entitled *Textile fabrics—Burning behaviour—Measurement of flame spread properties of*

vertically oriented specimens and numbered ISO 6941:1984, published by the International Organization for Standardization on 15 August 1984, as amended by Amendment No 1 of 15 October 1992.

Note This standard is available on the internet at the web site www.standards.com.au.

14 Safety standard for childrens nightwear

The consumer product safety standard for childrens nightwear is that it must comply with AS/NZS 1249.

15 Safety standard for paper patterns for childrens nightwear

- (1) The consumer product safety standard for paper patterns for childrens nightwear is that they must comply with AS/NZS 1249, clauses 0.2 and 5.6.
- (2) The definitions in AS/NZS 1249, clauses 0.5.2, 0.5.3, 0.5.6 and 0.5.10 apply for this clause.

16 Amendment of AS/NZS 1249

- (1) For regulation 14, AS/NZS 1249 is taken to be amended as mentioned in table 16.1.

Table 16.1 Amendments of AS/NZS 1249 for reg 14

[1.1]	Clause 0.1
	<i>omit</i>
	It also covers requirements for the labelling of paper patterns for these garments.

Table 16.1 Amendments of AS/NZS 1249 for reg 14

[1.2]	Clause 1.2 (a) <i>insert after 1st paragraph</i> If there is insufficient fabric for 3 lengthwise and 3 widthwise test specimens, as cited in ISO 6941, clause 8.7, the flame spread time is to be decided on 3 lengthwise test specimens only. If the textile material or garments are constructed with one fabric overlaying another (for example, quilted fabrics), specimens must be cut and tested as a combination, that is, as if the overlay were applied to the under fabric.
[1.3]	Clause 1.2 (a), 3rd paragraph <i>omit</i> four or more of six specimens <i>substitute</i> 3 or more specimens
[1.4]	Clause 1.2 (a), note <i>substitute</i> NOTE: ISO 6941 is to have effect for this division as if it states that, if in any 1 set of 3 specimens, 1 result exceeds the lowest result by 50% for no apparent reason, or, if 1 or 2 specimens fail to reach 1 of the marker threads, another specimen is required to be tested for that direction or face.

Table 16.1 Amendments of AS/NZS 1249 for reg 14

[1.3]	Clause 1.3 <i>after</i> use of trims. <i>insert</i> The outer fabric of a composite or applied area must be considered the fabric face and must be tested so that the flame impinges on that surface.
[1.4]	Clause 5.6 <i>omit</i>

- (2) For regulation 15, AS/NZS 1249 is taken to be amended as mentioned in table 16.2.

Table 16.2 Amendments of AS/NZS 1249 for reg 15

[2.1]	Clause 0.5.3, notes <i>omit</i>
[2.2]	Clause 0.5.10 <i>omit</i> (See Note 1 to Clause 0.1)

Table 16.2 Amendments of AS/NZS 1249 for reg 15

[2.3]	Clause 5.6
	<i>after</i>
	shall bear a
	<i>insert</i>
	clearly visible

17 Amendment of ISO 6941

ISO 6941 is taken to be amended as mentioned in table 16.3.

Table 16.3 Amendments of ISO 6941 for div 2.5

[3.1]	Clause 8.8
	<i>omit</i>
	test another set of three specimens for that direction or face
	<i>substitute</i>
	test another specimen for that direction or face
[3.2]	Clause 10 k) 4)
	<i>substitute</i>
	4) if only 4 specimens are tested, 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.

Division 2.6 Children's toys

18 Definitions for div 2.6

In this division:

children's toys means children's toys to which the TPA standard applies.

TPA standard means the consumer product safety standard prescribed for children's toys under the *Trade Practices Act 1974* (Cwlth), section 65E because of Consumer Protection Notice No 14 of 2003.

Note The standard applies only to toys for children up to and including 36 months of age.

19 Safety standard for children's toys

- (1) The consumer product safety standard for children's toys is the TPA standard as in force on 1 July 2005.
- (2) However, until 1 July 2005, the consumer product safety standard for children's toys is the TPA standard as in force when this division commences.
- (3) The standard under subsection (1) is a notifiable instrument.
Note A notifiable instrument must be notified under the Legislation Act.
- (4) Subsection (2) and this subsection expire on 1 July 2005.

Division 2.7 Childrens household cots

20 Definitions for div 2.7

In this division:

AS/NZS 2172 means the Australian/New Zealand Standard entitled *AS/NZS 2172:1995, Cots for household use—Safety requirements*, as published jointly by Standards Australia and Standards New Zealand on 5 April 1995.

Note This standard is available on the internet at the web site www.standards.com.au.

household cot means a cot designed for use in household situations, but does not include—

- (a) a folding portable cot; or
- (b) a carry cot; or
- (c) a cradle.

21 Safety standard

- (1) The product safety standard prescribed for childrens household cots is that they must comply with *AS/NZS 2172*, clauses 5, 6, 8, 9, 11 and 12.
- (2) The definitions in *AS/NZS 2172*, clause 3 apply for this regulation.
- (3) Subregulation (1) does not apply to a household cot that is an antique or collectable cot, but only if the antique or collectable cot—
 - (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 2 clearly visible warning statements (1 external and 1 internal) permanently attached to the cot in the form of a metal plaque glued or attached by nails or screws to the upper half of the side or end of the cot and containing the following warning in the form required by subregulation (4):

WARNING: this cot does not meet the mandatory safety standard. For display purposes only. It is dangerous to place a child in this cot.

- (4) The warning mentioned in subregulation (3) (b) must—
- (a) contain the capital letters and underlining shown in that paragraph; and
 - (b) have capital letters at least 5mm high and non-capital letters at least 2.5mm high; and
 - (c) have lettering that is in sharp contrast to its background.

Division 2.8 Child restraints in motor vehicles

22 Definitions for div 2.8

In this division:

AS 1754—1975 means the Australian Standard entitled AS 1754—1975, *Child Restraints for Passenger Cars and Derivatives*, as amended by Amendment No 1 of February 1976, Amendment No 2 of March 1978, Amendment No 3 of July 1979, the Corrigendum of October 1979 and Amendment No 4 of July 1985.

AS 1754—1991 means the Australian Standard entitled AS 1754—1991, *Child restraint systems for use in motor vehicles* published on 24 December 1991, as amended by Amendment No 1 of 12 October 1992 and Amendment No 2 of 15 February 1993.

Note Standards AS 1754—1975 and AS 1754—1991 are available on the internet at web site www.standards.com.au.

chaise means a device—

- (a) used for raising a child’s position in a motor vehicle or adapting an adult seat belt to make it suitable for a child; and
- (b) having a back above the seating plane.

child restraint means a device designed to reduce the risk of bodily injury to a child passenger in a motor vehicle in the event of a motor vehicle impact, and includes—

- (a) components designed to restrain the child in the device; and
- (b) components to anchor the device to the motor vehicle; and
- (c) (if supplied) components to restrain a motor vehicle seat; and
- (d) chaises; and
- (e) cushions;

but does not include a child restraint that is an integrated feature of a motor vehicle.

cushion means a device having no back above the seating plane that is used to—

- (a) raise a child’s position in a motor vehicle; or
- (b) place a child in a position in a motor vehicle in which an adult seatbelt can be used properly for the child.

23 Safety standard

The consumer product safety standard for child restraints is that they must comply with AS 1754—1991.

24 Amendment of AS 1754—1991

For this division, AS 1754—1991 is taken to be amended as mentioned in table 24.

Table 24 Amendments of AS 1754—1991 for div 2.8

[5.1]	Clause 1.1 <i>omit</i> passenger cars and their derivatives <i>substitute</i> motor vehicles
[5.2]	Clause 1.1 <i>omit</i> The devices may also have application to other types of vehicles.
[5.3]	Clause 2.4 <i>omit</i>

25 Supply of components for child restraints complying with AS 1754—1975

For this division, components for child restraints that are made to the requirements of AS 1754—1975 must comply with the relevant requirements of AS 1754—1975.

Division 2.9 Corded internal window coverings

26 Definitions for div 2.9

In this division:

corded internal window coverings means corded internal window coverings to which the NSW standard applies.

NSW standard means the consumer product safety standard prescribed for window coverings in the *Fair Trading (General) Regulation 2002* (NSW), division 19 (Corded internal window coverings) as in force when this division commences.

Note For the *Fair Trading (General) Regulations 2002* (NSW), see <http://www.legislation.nsw.gov.au>.

27 Safety standard

- (1) The consumer product safety standard for corded internal window coverings is the NSW standard.
- (2) The standard under subsection (1) is a notifiable instrument.

Note A notifiable instrument must be notified under the Legislation Act.

Division 2.10 Flotation toys and swimming aids

28 Definitions for div 2.10

In this division:

AS 1499 means the Australian Standard entitled AS 1499—1996, *Personal flotation devices—Type 2*, as published by Standards Australia on 5 January 1996.

AS 1512 means the Australian Standard entitled AS 1512—1996, *Personal flotation devices—Type 1*, as published by Standards Australia on 5 January 1996.

AS 1900 means the Australian Standard entitled AS 1900—1991, *Flotation toys and swimming aids for children* published by Standards Australia on 16 September 1991, as amended by Amendment No 1 of 16 August 1993.

Note Standards AS 1499, AS 1512 and AS 1900 are available on the internet at web site www.standards.com.au.

childrens flotation toys and swimming aids means flotation toys and swimming aids likely to be used by children of any age less than 15 years in recreational activities or to assist in swimming tuition, including, for example—

- (a) rings, partial rings, armbands, and kickboards, that are inflatable, hollow moulded or made substantially from expanded foam; and
- (b) inflatable toy boats having fewer than 3 separate chambers, or having a length and width the sum of which is less than 3m; and
- (c) swimming vests and flotation bubbles;

but not including—

- (d) goods for therapeutic use by people with a disability; or
- (e) goods for use as life jackets that comply, or that comply substantially, with AS 1512; or
- (f) goods for use as buoyancy vests that comply, or that comply substantially, with AS 1499; or
- (g) goods for use mainly as a means of flotation for people in water and in need of rescue, including goods carried in or on ships or boats for such a purpose.

29 Safety standard

The consumer product safety standard for childrens flotation toys and swimming aids is that they must comply with AS 1900.

30 Amendment of AS 1900

For this division, AS 1900 is taken to be amended as mentioned in table 30.

Table 30 Amendments of AS 1900 for div 2.10

[6.1]	Clause 1.1
	<i>omit</i>

Division 2.11 Disposable cigarette lighters

Subdivision 2.11.1 Preliminary

31 Definitions for div 2.11

In this division:

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 the *Code of Federal Regulations*, title 16, part 1210; and

- (b) published in the Federal Register of the United States of America, volume 58, No 131, on 12 July 1993 and revised as of 1 January 2001.

Note This standard is available on the internet at the web site <http://lula.law.cornell.edu/cfr/cfr.php>

customs value for a device means the customs value determined for the device under the Customs Act 1901 (Cwlth), section 159.

disposable lighter—see regulation 32 (4).

ex-works agreement means an agreement for the supply of goods under which the supplier's obligation to deliver the goods is fulfilled when the supplier makes the goods available to the buyer at the supplier's premises.

indexed amount—see regulation 46.

lighter—see regulation 32.

non-adjustable lighter means a lighter with no provision for flame height adjustment.

novelty lighter—see regulation 32 (5).

refillable lighter—see regulation 32 (6).

safe operation, for a lighter, means operation of the lighter so that it—

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

spit or sputter, for a flame produced by a lighter, means the escape of liquid fuel from the lighter producing burning liquid droplets that separate from the flame.

young child means a child who is less than 5 years old.

32 Meaning of *lighter* and types of lighters

- (1) A *lighter* is a flame producing device that—
 - (a) is designed to light cigarettes, cigars and pipes; and
 - (b) is an eligible device.
- (2) For subregulation (1), a flame producing device is an *eligible device* if—
 - (a) it is intended to be discarded when its fuel supply is exhausted; or
 - (b) has a separate container of fuel intended to be discarded when it is empty; or
 - (c) it is designed to have an entertaining audio or visual effect (other than production of a flame); or

Example

a device that plays musical notes or displays flashing lights

- (d) it is designed to depict or resemble, in physical form or function, an article commonly recognised as appealing to, or intended for use by, a young child.

Examples

a beverage, cartoon character, food, gun, musical instrument, toy, toy animal, watch or vehicle

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (3) For subregulation (1), a flame producing device is also an *eligible device* if—
 - (a) it is designed to be refilled with fuel; and
 - (b) its value is less than the relevant amount.

- (4) A **disposable lighter** is a lighter that is an eligible device mentioned in subregulation (2) (a) or (b).
- (5) A **novelty lighter** is a lighter that is an eligible device mentioned in subregulation (2) (c) or (d).
- (6) A **refillable lighter** is a lighter that is an eligible device mentioned in subregulation (3).
- (7) For subregulation (3):

relevant amount means—

- (a) for a device imported into Australia, or supplied under an ex-works agreement, before 1 August 2003—\$5; or
- (b) for a device imported into Australia, or supplied under an ex-works agreement, on or after 1 August 2003—the indexed amount.

value, for a device, means—

- (a) for a device imported into Australia—its customs value; or
- (b) for another device—its supply price.

33 Safety standard

The consumer product safety standard for lighters is that they must comply with the requirements of this division.

Subdivision 2.11.2 Flame testing, structural safety and labelling

34 Application of subdiv 2.11.2

This subdivision does not apply to a lighter that—

- (a) is a novelty lighter; and
- (b) is not a disposable lighter or a refillable lighter.

35 Testing procedures

When a lighter is tested in accordance with the procedures described in schedule 1, part 1.2, 1.3, 1.4, 1.5 or 1.6 the test must be performed in accordance with the procedures described in schedule 1, part 1.1.

36 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.

37 Abnormal burning

After being tested in accordance with schedule 1, parts 1.4, 1.5 and 1.6, a lighter must not spit or sputter or produce an abnormal or unsafe flame when tested in accordance with schedule 1, parts 1.2 and 1.3.

38 Flame height

- (1) A lighter must comply with subregulation (2) when tested in accordance with schedule 1, part 1.2 —
 - (a) after being tested in accordance with schedule 1, part 1.4 or 1.5; or
 - (b) after being tested in accordance with schedule 1, parts 1.4 and 1.5.
- (2) For subregulation (1), the height of the flame produced by a lighter must not exceed—
 - (a) for a non-adjustable lighter—50mm; and
 - (b) for an adjustable lighter—

- (i) if the lighter is adjusted to produce the maximum flame height—150mm; and
 - (ii) if the lighter is adjusted to produce the minimum flame height—100mm.
- (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 125mm in height.

39 Flame extinction

- (1) A non-adjustable lighter must comply with subregulation (2) after being tested in accordance with the procedures described in schedule 1, parts 1.3, 1.4 and 1.5 .
- (2) After the lighter has produced a flame for 10 seconds, 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.
- (3) An adjustable lighter must comply with subregulation (4) after being tested in accordance with the procedures described in schedule 1, parts 1.3, 1.4 and 1.5.
- (4) After the lighter has produced a flame for 5 seconds at the maximum flame height adjustment, or 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.

40 Structural safety

- (1) A lighter must have no sharp external edges.
- (2) A lighter, when tested in accordance with schedule 1, part 1.3, 1.4 or 1.5, must not be damaged so as to affect its safe operation.

- (3) A lighter, when tested in accordance with schedule 1, part 1.4 must not spontaneously ignite.
- (4) The internal pressure of the fuel reservoir of a lighter when tested in accordance with schedule 1, part 1.6 must not suddenly decrease.

41 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) if 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) A lighter must also have either—
 - (a) the following information that is enclosed by inverted commas displayed in a legible form on the lighter or on an adhesive label that is attached 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 the lighter is sold at retail in a package—the information required to be displayed by paragraph (a) in a legible form on the package in a way that complies with that paragraph.

Subdivision 2.11.3 Child resistance

42 Application of subdiv 2.11.3

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

43 Child resistance

- (1) A lighter must be of a kind that has been—
 - (a) tested in the way set out in the American standard, section 1210.4; and
 - (b) shown to be resistant to successful operation by at least 85% of the child-test panel when tested in that way.
- (2) The mechanism or system of a 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; and
 - (b) not impair safe operation of the lighter when used in a normal and convenient way; and

- (c) be effective for the functional life of the lighter; and
- (d) not be easily overridden or deactivated.

44 Certification

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

Subdivision 2.11.4 Indexation

45 Indexed amount

- (1) The *indexed amount* is the amount worked out in accordance with the formula:

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

- (2) If, apart from this subregulation, the indexed amount under this regulation would be an amount of dollars and cents, the amount must be rounded to the nearest 25 cents and, if the amount to be rounded is 12.5 cents, rounded up.
- (3) In this regulation:

CPI number means the All Groups Consumer Price Index number (that is the weighted average of the 8 capital cities) published by the Australian 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.

Division 2.12 Laser pointers

46 Definitions for div 2.12

In this division:

AS/NZS 2211 means the Australian/New Zealand Standard entitled AS/NZS 2211.1:1997, *Laser safety, Part 1: Equipment classification, requirements and user's guide*, as published jointly by Standards Australia and Standards New Zealand on 5 March 1997.

Note This standard is available on the internet at the web site www.standards.com.au.

Class 1 laser product has the same meaning as in AS/NZS 2211, clause 3.15.

Class 2 laser product has the same meaning as in AS/NZS 2211, clause 3.16.

laser means any device that can be made to produce or amplify electromagnetic radiation in the wavelength range from 100 nanometres to 1mm primarily by the process of controlled stimulation emission.

laser pointer means a hand-held laser product that is battery-operated and produces a beam of electromagnetic radiation, but does not include any such product that is a therapeutic good within the meaning of the Therapeutic Goods Act 1989 (Cwlth) and listed or registered in the Australian Register of Therapeutic Goods maintained under that Act.

laser product means any product or assembly of components that constitutes, incorporates or is intended to incorporate a laser or laser system, and that is not intended for sale to another manufacturer for use as a component (or replacement for a component) of an electronic product.

laser system means a laser in combination with an appropriate laser energy source with or without additional incorporated components.

47 Safety standard

The consumer product safety standard prescribed for laser pointers is that they must be a Class 1 laser product or a Class 2 laser product.

Division 2.13 Pedal bicycles

48 Definitions for div 2.13

In this division:

AS/NZS 1927 means the Australian/New Zealand Standard entitled AS/NZS 1927:1998, *Pedal bicycles—Safety requirements*, as published jointly by Standards Australia and Standards New Zealand on 5 September 1998.

Note This standard is available on the internet at the web site www.standards.com.au.

pedal bicycle means a 2-wheeled pedal vehicle that is designed to be solely human powered, and includes a fully assembled or partially assembled bicycle, but does not include any such vehicle—

- (a) that has a wheelbase of less than 640mm; or
- (b) that is designed, promoted and supplied primarily for use in cycling competitions; or
- (c) that is a one of a kind bicycle that has been uniquely constructed to the specifications of an individual consumer; or
- (d) that is designed to be hinged or folded, or to be taken apart (beyond removal of the front wheel), for ease of storage or portability; or
- (e) that is a tandem bicycle; or

(f) that is a second-hand bicycle.

49 Safety standard

The consumer product safety standard for pedal bicycles is that they must comply with AS/NZS 1927.

50 Amendment of AS/NZS 1927

For this division, AS/NZS 1927 is taken to be amended as mentioned in table 50.

Table 50 Amendments of AS/NZS 1927 for div 2.13

[7.1]	Clause 1.2 <i>omit</i>
[7.2]	Clause 1.3 <i>omit</i> New Zealand Traffic Regulations 1976
[7.3]	Clause 1.5 (a) <i>omit</i> or New Zealand
[7.4]	Clause 2.15.1 <i>omit</i>
[7.5]	Clause 2.16, note <i>omit</i>
[7.6]	Clause 2.17.1 <i>omit</i>

Division 2.14 Projectile toys

51 Definitions for div 2.14

In this division:

AS/NZS ISO 8124.1:2002 means the Australian/New Zealand Standard entitled AS/NZS ISO 8124.1:2002, *Safety aspects related to mechanical and physical properties* published jointly by Standards Australia and Standards New Zealand on 16 May 2002.

Note This standard is available on the internet at the web site www.standards.com.au.

projectile toy means a toy to which AS/NZS ISO 8124.1:2002, clause 4.18 applies.

52 Safety standard

The consumer product safety standard for projectile toys is that they must comply with AS/NZS ISO 8124.1:2002, clauses 4.18, 5.2, 5.15, 5.24.5, 5.24.6.4, C.2.15 and E.32.

53 Exceptions

- (1) This division does not apply to the toys mentioned in subregulation (2) if—
 - (a) the toys do not have any protective tips or protective covers fitted to them; or
 - (b) any protective tips or protective covers fitted to the toys comply with the requirements of AS/NZS ISO 8124.1:2002, clause 4.18.2 (a) (1) and (2).
- (2) The toys to which this division does not apply in the circumstances mentioned in subregulation (1) (a) and (b) are the following:
 - (a) gliders that are thrown by hand or propelled by a rubber band;
 - (b) propeller driven aeroplanes;

- (c) propeller driven helicopters;
- (d) boomerangs;
- (e) flying discs;

Example

a saucer type throwing disc

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (f) balls (other than a ball intended for use with a discharge mechanism).

Division 2.15 Protective helmets for pedal cyclists

54 Definitions for div 2.15

In this division:

AS/NZS 2063 means the Australian/New Zealand Standard entitled AS/NZS 2063:1996, *Pedal cycle helmets* published jointly by Standards Australia and Standards New Zealand on 5 May 1996, as amended by Amendment No 1 of 5 November 1996.

AS/NZ 2512.1 means the Australian/New Zealand Standard entitled AS 2512.1:1998, *Methods of testing protective helmets, Method 1: Definitions and headforms*, as published jointly by Standards Australia and Standards New Zealand on 5 September 1998.

Note Standards AS/NZS 2063 and AS/NZS 2512.1 are available on the internet at web site www.standards.com.au.

protective helmet means a helmet designed to mitigate the adverse effects of a blow to the head.

Snell standard means the standard entitled *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.

Note This standard is available on the Internet as the document www.smf.org/standards/b95std.html.

55 Safety standard

The consumer product safety standard for protective helmets for pedal cyclists is that they must comply with—

- (a) AS/NZS 2063; or
- (b) the Snell standard.

56 Exceptions to div 2.15

- (1) This division does not apply to the following helmets:
 - (a) helmets that are of a size too small to be fitted to Headform A (as specified in AS/NZS 2512.1, table 2);
 - (b) helmets that are designed and constructed principally for use by cyclists engaged in competitive racing and that are marked in accordance with subregulation (2);
 - (c) helmets that are designed and constructed principally for use as toys and that are marked in accordance with subregulation (3), or that are not so marked but are unlikely to be mistaken for helmets providing significant protection against impact.
- (2) A helmet mentioned in subregulation (1) (b) is marked in accordance with this subregulation if it has the words ‘WARNING: racing headgear only—inadequate impact protection for normal road use’ marked clearly and legibly in a conspicuous position—
 - (a) on the helmet or on a label attached to the helmet; and

- (b) on a main outer display face of any packaging in which the helmet is supplied.
- (3) A helmet mentioned in subregulation (1) (c) is marked in accordance with this subregulation if it has the words ‘WARNING: toy helmet only—do not use as safety headgear’ marked clearly and legibly in a conspicuous position—
 - (a) on the helmet or on a label attached to the helmet; and
 - (b) on a main outer display face of any packaging in which the helmet is supplied.
- (4) The word ‘WARNING’ to be marked on a helmet under subregulation (2) or (3) must be in capital letters at least 5mm high and the remaining words to be marked on a helmet under the subregulation must be in letters at least 2.5mm high.

57 Amendment of AS/NZS 2063

For this division, AS/NZS 2063 is taken to be amended as mentioned in table 57.

Table 57 Amendments of AS/NZS 2063 for div 2.15

[8.1]	Clause 1 <i>omit</i>
[8.2]	New clause 5.7 <i>insert</i> 5.7 BMX Helmets Helmets designed and constructed mainly for use by cyclists engaged in BMX competition racing need not comply with provisions regarding ventilation openings or type testing.

Table 57 Amendments of AS/NZS 2063 for div 2.15

[8.3]	Clause 8.1 (e) <i>omit</i>
--------------	--------------------------------------

58 Amendment of Snell standard

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

Division 2.16 Sunglasses and fashion spectacles

59 Definitions for div 2.16

In this division:

sunglasses and fashion spectacles means sunglasses and fashion spectacles to which the TPA standard applies.

TPA standard means the consumer product safety standard prescribed for sunglasses and fashion spectacles under the *Trade Practices Act 1974* (Cwlth), section 65E because of Consumer Protection Notice No 13 of 2003.

60 Safety standard

- (1) The consumer product safety standard for sunglasses and fashion spectacles is the TPA standard as in force on 1 April 2005.
- (2) However, until 1 April 2005, the consumer product safety standard for sunglasses and fashion spectacles is the TPA standard as in force when this division commences.
- (3) The standard under subsection (1) is a notifiable instrument.

Note A notifiable instrument must be notified under the Legislation Act.

- (4) Subsection (2) and this subsection expire on 1 July 2005.

Division 2.17 Vehicle jacks

61 Definitions for div 2.17

In this division:

TPA standard means the consumer product safety standard prescribed for vehicle jacks under the *Trade Practices Act 1974* (Cwlth), section 65E because of Consumer Protection Notice No 15 of 2003.

vehicle jacks means vehicle jacks to which the TPA standard applies.

62 Safety standard

- (1) The consumer product safety standard for vehicle jacks is the TPA standard.
- (2) The standard under subsection (1) is a notifiable instrument.

Note A notifiable instrument must be notified under the Legislation Act.

Part 3 Product information standard for care labelling of certain goods

63 Definitions for pt 3

In this part:

AS/NZS 1957 means the Australian/New Zealand Standard entitled *AS/NZS 1957:1998, Textiles—Care labelling*, as published jointly by Standards Australia and Standards New Zealand on 5 January 1998.

Note This standard is available on the internet at the web site www.standards.com.au.

64 Application of pt 3

- (1) This part applies to any of the following goods that are made from textiles, plastics, plastic coated fabrics, suede, skins, hides, grain leathers or furs, and that are not excluded goods:

- (a) clothing;
- (b) household textiles;
- (c) apparel;
- (d) furnishings or upholstered furniture;
- (e) bedding, mattresses or bedbases;
- (f) piece goods or yarns.

- (2) In this regulation:

excluded goods means—

- (a) second-hand goods; and

- (b) unsupported coats (including overcoats and jackets) made of PVC film, handkerchiefs, braces, garter suspenders, armbands, belts and headwear; and
- (c) all footwear (including textile materials used in the manufacture of footwear but excluding all types of hosiery); and
- (d) drapery consisting of floorcloths, dishcloths, dusters, cleaning cloths and pressing cloths; and
- (e) haberdashery consisting of ornaments, artificial flowers, sewing and embroidery threads and all other small items of haberdashery used in the making of clothing and textile products if instructions are not needed to ensure that the clothing or textile product is not damaged during cleaning or maintenance; and
- (f) furnishings consisting of oil baize, window blinds, shade blinds, sun blinds, awnings, floor coverings, light fittings, lampshades, tapestries, wall hangings, ornaments, handicraft items, draught excluders, non-upholstered furniture and cushions; and
- (g) cushion covers manufactured from remnants and labelled by the manufacturer with the disclaimer ‘Cushion cover manufactured from remnants, care treatment unknown’; and
- (h) all jute products; and
- (i) all medical and surgical goods (including bandages, dressings, sanitary pads and materials forming part of manufactured medical and surgical goods); and
- (j) canvas beach and garden umbrella coverings; and

- (k) cords, twines, lashings, garden hose, toys, umbrellas and parasols, shoelaces, woven labels, flex coverings, goods manufactured for sporting purposes (including sporting gloves but excluding all other apparel), articles intended for 1 use only, mops, basket hangers, shoe holders, remnants, industrial gloves, polypropylene webbing furniture and all bags and cases (including handbags, purses, wallets, travel bags, school bags, sports bags, briefcases and wash bags).

65 Product information standard

The consumer product information standard for goods to which this part applies is that the goods must comply with AS/NZS 1957.

66 Amendment of AS/NZS 1957

For this part, AS/NZS 1957 is taken to be amended as mentioned in table 66.

Table 66 Amendments of AS/NZS 1957 for pt 3

[10.1]	Clauses 1.2 to 1.4, 2.1.3 and 2.2 (b) <i>omit</i>
[10.2]	Clause 2.2 (c) <i>substitute</i> (c) The wording of the label must be in English and be clearly legible.
[10.3]	Clause 2.2, note 1 <i>omit</i>

Table 66 Amendments of AS/NZS 1957 for pt 3

[10.4]	Clause 2.2, note 5
	<p><i>after</i></p> <p>attached to that component.</p> <p><i>insert</i></p> <p>This includes individual pieces of household textile products sold as sets (for example, napkin and tablecloth sets).</p>
[10.5]	New clause 2.4
	<p><i>insert</i></p> <p>2.4 ALTERNATIVE CARE INSTRUCTIONS If in this standard there is a requirement for care instructions from categories in Tables 1, 2 or 3 to be provided on or with articles, words that have a similar meaning to the care instructions listed in Tables 1, 2 or 3 may be used.</p>
[10.6]	Clauses 3.4 and 3.5
	<p><i>omit</i></p> <p>each of</p>
[10.7]	Clause 3.6
	<p><i>omit 1st mention of</i></p> <p>each category</p> <p><i>substitute</i></p> <p>the categories</p>

Table 66 Amendments of AS/NZS 1957 for pt 3

[10.8] Clause 3.6
<i>omit</i>
For upholstered furniture, bedding and other furnishings in Table 2, instructions shall be given from each category and a prohibitive instruction given if a cleaning method is unsuitable.

67 Form of information for certain goods

- (1) The care instructions for goods to which this part applies that are prescribed goods may be given—
- (a) on a removable ticket or label attached to the goods; or
 - (b) on a pamphlet accompanying the goods; or
 - (c) as printed instructions on the wrapper or other material in which the goods are packaged.

- (2) In this regulation:

prescribed goods means—

- (a) adults, childrens and baby clothing consisting of collars, neckwear, bow ties, gloves, mittens, all types of hosiery, incontinence garments, reversible garments, fur garments, bibs, washable nappies, squares of flannelette, terry towelling or muslin and baby pilchers; or
- (b) drapery consisting of face washers, serviettes, doilies, table cloths, tray cloths, centres, runners, duchess sets, mosquito netting and covers made from mosquito netting, butter muslin and gauze, tea towels, place mats, pot holders, finger tips, appliance covers for teapots, toasters and the like and hot water bottle covers; or

- (c) haberdashery consisting of elastic, elastic threads, ribbons, zips, iron-on binding patches or trim, velcro-type fasteners, curtain making kits and all other small items of haberdashery used in the making of clothing and textile products if instructions are needed to ensure that the clothing or textile product is not damaged during cleaning or maintenance; or
- (d) shower curtains; or
- (e) gardening gloves.

68 Care instructions for goods unable to be washed or dry-cleaned

If goods cannot be washed or dry-cleaned, the permanent label must—

- (a) warn that the goods are unable to be washed or dry-cleaned; and
- (b) adequately describe the care treatment for the goods.

Schedule 1 Test procedures for lighters

(see regs 33 and 35-38)

Part 1.1 General test procedures

- 1 The lighter must be maintained at a temperature of $23\pm 2^{\circ}\text{C}$ for at least 10 hours immediately before testing in accordance with parts 1.2, 1.3 and 1.4.
- 2 The area in which tests are carried out must be maintained at a temperature of $23\pm 2^{\circ}\text{C}$ during testing in accordance with parts 1.2, 1.4 and 1.5.
- 3 The lighter to be tested must be new, free of mechanical damage and must not (except if required by division 2.11) have been previously tested.

Part 1.2 Flame height test procedures

- 1 The test must be carried out inside a draught-free chamber constructed from suitable nonflammable material.
- 2 The flame height must be measured to the nearest 10mm.
- 3 Adjustable lighters 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.
- 4 The lighter must produce a flame for a continuous 5 second period and 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 (for a lighter that does not have a flameguard) by means of a board positioned at least 25mm behind the lighter and marked with 10mm increments.

Part 1.3 Inversion test procedures

- 1 The lighter (adjustable lighters adjusted to produce a 50mm flame) must be operated to produce a flame, for a continuous 10 second period in a draught-free chamber, while being held at 45° below the horizontal.

Part 1.4 Drop test procedures

- 1 The lighter must be allowed to fall 3 times onto a concrete surface from a point 1.5m above it, from the following positions:
 - (a) first, an upright position;
 - (b) second, an inverted position;
 - (c) third, a horizontal position;
- 2 The lighter must be inspected after every fall and any spontaneous ignition or damage must be recorded.

Part 1.5 Temperature test procedures

- 1 An oven capable of withstanding the explosion of a lighter when being tested and of maintaining a temperature of $54\pm 2^{\circ}\text{C}$ must be used in the test.
- 2 The lighter must be placed in the oven for 4 hours during which time the oven temperature must be maintained at $54\pm 2^{\circ}\text{C}$.
- 3 The lighter, when removed from the oven and allowed to become cool, must be tested in accordance with part 1.3.

Part 1.6 Pressure test procedure

- 1 The test apparatus must consist of a device capable of producing gauge pressure of 2MPa.
- 2 The lighter must be emptied of fuel.
- 3 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.
- 4 The pressure rise must not exceed a rate of 69kPa per second.

Dictionary

(see reg 3)

- adjustable lighter*—see regulation 31.
- American standard*—see regulation 31.
- AS 1067.1*—see regulation 59.
- AS 1182*—see regulation 13.
- AS 1499*—see regulation 28.
- AS 1512*—see regulation 28.
- AS 1647.2*—see regulation 18.
- AS 1754—1975*—see regulation 22.
- AS 1754—1991*—see regulation 22.
- AS 1900*—see regulation 28.
- AS/NZS 1249*—see regulation 13.
- AS/NZS 1927*—see regulation 48.
- AS/NZS 1957*—see regulation 63.
- AS/NZS 2063*—see regulation 54.
- AS/NZS 2172*—see regulation 20.
- AS/NZS 2211*—see regulation 46.
- AS/NZ 2512.1*—see regulation 54.
- AS/NZS ISO 8124.1:2002*—see regulation 51.
- balloon-blowing kit*—see regulation 7.
- beanbag*—see regulation 9.
- beanbag cover*—see regulation 9.

- beanbag filling*** —see regulation 9.
- chaise***—see regulation 22.
- childrens flotation toys and swimming aids***—see regulation 28.
- childrens nightwear***—see regulation 13.
- child resistant slide fastener***—see regulation 9.
- child restraint***—see regulation 22.
- childrens toys***—see regulation 18.
- Class 1 laser product***—see regulation 46.
- Class 2 laser product***—see regulation 46.
- CPI number***—see regulation 45 (5).
- cushion***, for division 2.8 (Child restraints in motor vehicles)—see regulation 22.
- customs value***, for a device—see regulation 31.
- disposable lighter***—see regulation 32 (4).
- earlier CPI number***—see regulation 45 (5)
- ex-works agreement***—see regulation 31.
- household cot***—see regulation 20.
- indexed amount***—see regulation 45.
- ISO 6941***—see regulation 13.
- July quarter***—see regulation 45 (5).
- latest CPI number***—see regulation 45 (5).
- laser***—see regulation 46.
- laser pointer***—see regulation 46.
- laser product***—see regulation 46.

laser system—see regulation 46.

lighter—see regulation 32.

non-adjustable lighter—see regulation 31.

novelty lighter—see regulation 32 (5).

package, for division 2.3 (Beanbags, beanbag covers and packages containing beanbag filling)—see regulation 9.

pedal bicycle—see regulation 48.

projectile toy—see regulation 51.

protective helmet—see regulation 54.

refillable lighter—see regulation 32 (6).

safe operation, for a lighter—see regulation 31.

slide fastener—see regulation 9.

Snell standard—see regulation 54.

spit or sputter, for a flame produced by a lighter—see regulation 31.

sunglasses and fashion spectacles—see regulation 59.

young child—see regulation 31.

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
cl = clause	pres = present
def = definition	prev = previous
dict = dictionary	(prev...) = previously
disallowed = disallowed by the Legislative Assembly	pt = part
div = division	r = rule/subrule
exp = expires/expired	reg = regulation/subregulation
Gaz = Gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

3 Legislation history

Fair Trading (Consumer Product Standards) Regulations 2002 SL2002-39

notified LR 12 December 2002

reg 1, reg 2 commenced 12 December 2002 (LA s 75)

remainder commenced 13 December 2002 (reg 2)

as amended by

Fair Trading (Consumer Product Standards) Amendment Regulations 2004 (No 1) SL2004-28

notified LR 22 July 2004

reg 1, reg 2 commenced 22 July 2004 (LA s 75 (1))

remainder commenced 23 July 2004 (reg 2)

4 Amendment history

Dictionary

reg 2 orig reg 2 om LA s 89 (4)
(prev reg 3) renum R2 LA (see SL2004-28 reg 10)

Notes

reg 3 orig reg 3 renum as reg 2
(prev reg 4) renum R2 LA (see SL2004-28 reg 10)

Compliance with specification

reg 4 orig reg 4 renum as reg 3
(prev reg 5) renum R2 LA (see SL2004-28 reg 10)

Product safety standards

reg 5 orig reg 5 renum as reg 4
(prev reg 6) renum R2 LA (see SL2004-28 reg 10)

Exceptions

reg 6 orig reg 6 renum as reg 5
(prev reg 7) renum R2 LA (see SL2004-28 reg 10)

Definition for div 2.2

reg 7 orig reg 8 renum as reg 6
(prev reg 8) renum R2 LA (see SL2004-28 reg 10)

Safety standard

reg 8 orig reg 8 renum as reg 7
(prev reg 9) renum R2 LA (see SL2004-28 reg 10)

Endnotes

4 Amendment history

Definitions for div 2.3

reg 9 orig reg 9 renum as reg 8
(prev reg 10) renum R2 LA (see SL2004-28 reg 10)

Safety standard

reg 10 orig reg 10 renum as reg 9
(prev reg 11) renum R2 LA (see SL2004-28 reg 10)

Bunk beds

div 2.3A hdg renum as div 2.4 hdg

Bunk beds

div 2.4 hdg orig div 2.4 hdg renum as div 2.5 hdg
(prev div 2.3A hdg) ins SL2004-28 reg 4
renum R2 LA (see SL2004-28 reg 10)

Definitions for div 2.4

reg 11 orig reg 11 renum as reg 10
(prev reg 11A) ins SL2004-28 reg 4
renum R2 LA (see SL2004-28 reg 10)
def **bunk beds** ins SL2004-28 reg 4
def **TPA standard** ins SL2004-28 reg 4

Definitions for div 2.3A

reg 11A renum as reg 11

Safety standard

reg 11B renum as reg 12

Safety standard

reg 12 orig reg 12 renum as reg 13
(prev reg 11B) ins SL2004-28 reg 4
renum R2 LA (see SL2004-28 reg 10)

Childrens nightwear and paper patterns for childrens nightwear

div 2.5 hdg orig div 2.5 hdg renum as div 2.6 hdg
(prev div 2.4 hdg) renum R2 LA (see SL2004-28 reg 10)

Definitions for div 2.5

reg 13 orig reg 13 renum as reg 14
(prev reg 12) renum R2 LA (see SL2004-28 reg 10)

Safety standard for childrens nightwear

reg 14 orig reg 14 renum as reg 15
(prev reg 13) renum R2 LA (see SL2004-28 reg 10)

Safety standard for paper patterns for childrens nightwear

reg 15 orig reg 15 renum as reg 16
(prev reg 14) renum R2 LA (see SL2004-28 reg 10)

Amendment of AS/NZS 1249

reg 16 orig reg 16 renum as reg 17
(prev reg 15) renum R2 LA (see SL2004-28 reg 10)
tables renum R2 LA

Amendment of ISO 6941

reg 17 orig reg 17 renum as reg 18
(prev reg 16) renum R2 LA (see SL2004-28 reg 10)

Children's toys

div 2.6 hdg orig div 2.6 hdg renum as div 2.7 hdg
(prev div 2.5 hdg) sub SL2004-28 reg 5
renum R2 LA (see SL2004-28 reg 10)

Definitions for div 2.6

reg 18 orig reg 18 renum as reg 19
(prev reg 17) sub SL2004-28 reg 5
renum R2 LA (see SL2004-28 reg 10)
def **AS 1647.2BI** om SL2004-28 reg 5
def **children's toys** sub SL2004-28 reg 5
def **TPA standard** ins SL2004-28 reg 5

Safety standard for children's toys

reg 19 orig reg 19 om SL2004-28 reg 5
(prev reg 18) sub SL2004-28 reg 5
renum R2 LA (see SL2004-28 reg 10)
(2), (4) exp 1 July 2005 (reg 19 (4))

Childrens household cots

div 2.7 hdg orig div 2.7 hdg renum as div 2.8 hdg
(prev div 2.6 hdg) renum R2 LA (see SL2004-28 reg 10)

Corded internal window coverings

div 2.7A hdg renum as div 2.9 hdg

Child restraints in motor vehicles

div 2.8 hdg orig div 2.8 hdg renum as div 2.10 hdg
(prev div 2.7 hdg) renum R2 LA (see SL2004-28 reg 10)

Amendment of AS 1754—1991

reg 24 table renum R2 LA

Corded internal window coverings

div 2.9 hdg orig div 2.9 hdg renum as div 2.11 hdg
(prev div 2.7A hdg) ins SL2004-28 reg 6
renum R2 LA (see SL2004-28 reg 10)

Preliminary

sdiv 2.9.1 hdg renum as sdiv 2.11.1 hdg

Endnotes

4 Amendment history

Flame testing, structural safety and labelling

sdiv 2.9.2 hdg renum as sdiv 2.11.2 hdg

Child resistance

sdiv 2.9.3 hdg renum as sdiv 2.11.3 hdg

Indexation

sdiv 2.9.4 hdg renum as sdiv 2.11.4 hdg

Definitions for div 2.7A

reg 25A renum as reg 26

Safety standard

reg 25B renum as reg 27

Definitions for div 2.7A

reg 26 orig reg 26 renum as reg 28
(prev reg 25A) ins SL2004-28 reg 6
renum R2 LA (see SL2004-28 reg 10)
def **corded internal window coverings** ins SL2004-28 reg 6
def **NSW standard** ins SL2004-28 reg 6

Safety standard

reg 27 orig reg 27 renum as reg 29
(prev reg 25B) ins SL2004-28 reg 6
renum R2 LA (see SL2004-28 reg 10)

Flotation toys and swimming aids

div 2.10 hdg orig div 2.10 hdg renum as div 2.12 hdg
(prev div 2.8 hdg) renum R2 LA (see SL2004-28 reg 10)

Definitions for div 2.10

reg 28 orig reg 28 renum as reg 30
(prev reg 26) renum R2 LA (see SL2004-28 reg 10)

Safety standard

reg 29 orig reg 29 renum as reg 31
(prev reg 27) renum R2 LA (see SL2004-28 reg 10)

Amendment of AS 1900

reg 30 orig reg 30 renum as reg 32
(prev reg 28) renum R2 LA (see SL2004-28 reg 10)
table renum R2 LA

Disposable cigarette lighters

div 2.11 hdg orig div 2.11 hdg renum as div 2.13 hdg
(prev div 2.9 hdg) renum R2 LA (see SL2004-28 reg 10)

Preliminary

sdiv 2.11.1 hdg (prev sdiv 2.9.1 hdg) renum R2 LA (see SL2004-28 reg 10)

Definitions for div 2.11

reg 31 orig reg 31 renum as reg 33
(prev reg 29) renum R2 LA (see SL2004-28 reg 10)

Meaning of *lighter* and types of lighters

reg 32 orig reg 32 renum as reg 34
(prev reg 30) am SL2004-28 reg 7
renum R2 LA (see SL2004-28 reg 10)

Safety standard

reg 33 orig reg 33 renum as reg 35
(prev reg 31) renum R2 LA (see SL2004-28 reg 10)

Flame testing, structural safety and labelling

sdiv 2.11.2 hdg (prev sdiv 2.9.2 hdg) renum R2 LA (see SL2004-28 reg 10)

Application of subdiv 2.11.2

reg 34 orig reg 34 renum as reg 36
(prev reg 32) renum R2 LA (see SL2004-28 reg 10)

Testing procedures

reg 35 orig reg 35 renum as reg 37
(prev reg 33) renum R2 LA (see SL2004-28 reg 10)

Ignition and adjustment of flame

reg 36 orig reg 36 renum as reg 38
(prev reg 34) renum R2 LA (see SL2004-28 reg 10)

Abnormal burning

reg 37 orig reg 37 renum as reg 39
(prev reg 35) renum R2 LA (see SL2004-28 reg 10)

Flame height

reg 38 orig reg 38 renum as reg 40
(prev reg 36) renum R2 LA (see SL2004-28 reg 10)

Flame extinction

reg 39 orig reg 39 renum as reg 41
(prev reg 37) renum R2 LA (see SL2004-28 reg 10)

Structural safety

reg 40 orig reg 40 renum as reg 42
(prev reg 38) renum R2 LA (see SL2004-28 reg 10)

Labelling

reg 41 orig reg 41 renum as reg 43
(prev reg 39) renum R2 LA (see SL2004-28 reg 10)

Child resistance

sdiv 2.11.3 hdg (prev sdiv 2.9.3 hdg) renum R2 LA (see SL2004-28 reg 10)

Endnotes

4 Amendment history

Application of subdiv 2.11.3

reg 42 orig reg 42 renum as reg 44
(prev reg 40) renum R2 LA (see SL2004-28 reg 10)

Child resistance

reg 43 orig reg 43 renum as reg 45
(prev reg 41) renum R2 LA (see SL2004-28 reg 10)

Certification

reg 44 orig reg 44 renum as reg 46
(prev reg 42) renum R2 LA (see SL2004-28 reg 10)

Indexation

sdiv 2.11.4 hdg (prev sdiv 2.9.4 hdg) renum R2 LA (see SL2004-28 reg 10)

Indexed amount

reg 45 orig reg 45 renum as reg 47
(prev reg 43) sub SL2004-28 reg 8
renum R2 LA (see SL2004-28 reg 10)

Laser pointers

div 2.12 hdg orig div 2.12 hdg renum as div 2.14 hdg
(prev div 2.10 hdg) renum R2 LA (see SL2004-28 reg 10)

Definitions for div 2.12

reg 46 orig reg 46 renum as reg 48
(prev reg 44) renum R2 LA (see SL2004-28 reg 10)

Safety standard

reg 47 orig reg 47 renum as reg 49
(prev reg 45) renum R2 LA (see SL2004-28 reg 10)

Pedal bicycles

div 2.13 hdg orig div 2.13 hdg renum as div 2.15 hdg
(prev div 2.11 hdg) renum R2 LA (see SL2004-28 reg 10)

Definitions for div 2.13

reg 48 orig reg 48 renum as reg 50
(prev reg 46) renum R2 LA (see SL2004-28 reg 10)

Safety standard

reg 49 orig reg 49 renum as reg 51
(prev reg 47) renum R2 LA (see SL2004-28 reg 10)

Amendment of AS/NZS 1927

reg 50 orig reg 50 renum as reg 52
(prev reg 48) renum R2 LA (see SL2004-28 reg 10)
table renum R2 LA

Projectile toys

div 2.14 hdg orig div 2.14 hdg renum as div 2.16 hdg
(prev div 2.12 hdg) renum R2 LA (see SL2004-28 reg 10)

Definitions for div 2.14

reg 51 orig reg 51 renum as reg 53
(prev reg 49) renum R2 LA (see SL2004-28 reg 10)

Safety standard

reg 52 orig reg 52 renum as reg 54
(prev reg 50) renum R2 LA (see SL2004-28 reg 10)

Exceptions

reg 53 orig reg 53 renum as reg 55
(prev reg 51) renum R2 LA (see SL2004-28 reg 10)

Protective helmets for pedal cyclists

div 2.15 hdg orig div 2.15 hdg renum as div 2.17 hdg
(prev div 2.13 hdg) renum R2 LA (see SL2004-28 reg 10)

Definitions for div 2.15

reg 54 orig reg 54 renum as reg 56
(prev reg 52) renum R2 LA (see SL2004-28 reg 10)

Safety standard

reg 55 orig reg 55 renum as reg 57
(prev reg 53) renum R2 LA (see SL2004-28 reg 10)

Exceptions to div 2.15

reg 56 orig reg 56 renum as reg 58
(prev reg 54) renum R2 LA (see SL2004-28 reg 10)

Amendment of AS/NZS 2063

reg 57 orig reg 57 renum as reg 59
(prev reg 55) renum R2 LA (see SL2004-28 reg 10)
table renum R2 LA

Amendment of Snell standard

reg 58 orig reg 58 renum as reg 60
(prev reg 56) renum R2 LA (see SL2004-28 reg 10)

Sunglasses and fashion spectacles

div 2.16 hdg (prev div 2.14 hdg) sub SL2004-28 reg 9
renum R2 LA (see SL2004-28 reg 10)

Definitions for div 2.16

reg 59 orig reg 59 renum as reg 61
(prev reg 57) sub SL2004-28 reg 9
renum R2 LA (see SL2004-28 reg 10)
def **AS 1067.1** om SL2004-28 reg 9

Endnotes

4 Amendment history

def **sunglasses and fashion spectacles** sub SL2004-28
reg 9
def **TPA standard** ins SL2004-28 reg 9

Safety standard
reg 59A renum as reg 62

Safety standard
reg 60 orig reg 60 renum as reg 63
(prev reg 58) sub SL2004-28 reg 9
renum R2 LA (see SL2004-28 reg 10)
(2), (4) exp 1 July 2005 (reg 60 (4))

Vehicle jacks
div 2.17 hdg (prev div 2.15 hdg) ins SL2004-28 reg 9
renum R2 LA (see SL2004-28 reg 10)

Definitions for div 2.17
reg 61 orig reg 61 renum as reg 64
(prev reg 59) sub SL2004-28 reg 9
renum R2 LA (see SL2004-28 reg 10)
def **TPA standard** ins SL2004-28 reg 9
def **vehicle jacks** ins SL2004-28 reg 9

Safety standard
reg 62 orig reg 62 renum as reg 65
(prev reg 59A) ins SL2004-28 reg 9
renum R2 LA (see SL2004-28 reg 10)

Definitions for pt 3
reg 63 orig reg 63 renum as reg 66
(prev reg 60) renum R2 LA (see SL2004-28 reg 10)

Application of pt 3
reg 64 orig reg 64 renum as reg 67
(prev reg 61) renum R2 LA (see SL2004-28 reg 10)

Product information standard
reg 65 orig reg 65 renum as reg 68
(prev reg 62) renum R2 LA (see SL2004-28 reg 10)

Amendment of AS/NZS 1957
reg 66 (prev reg 63) renum R2 LA (see SL2004-28 reg 10)
table renum R2 LA

Form of information for certain goods
reg 67 (prev reg 64) renum R2 LA (see SL2004-28 reg 10)

Care instructions for goods unable to be washed or dry-cleaned
reg 68 (prev reg 65) renum R2 LA (see SL2004-28 reg 10)

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

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R1 13 Dec 2002	13 Dec 2002– 22 July 2004	not amended	new regulations

6 Renumbered provisions

as made by *Fair Trading (Consumer Product Standards) Amendment Regulations 2004 (No 1)* SL2004-28 reg 10 and under the *Legislation Act 2001*

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