

Road Transport (Safety and Traffic Management) Protective Helmet for Bicycle Riders Approval 2020 (No 1)

Disallowable instrument DI2020–38

made under the

Road Transport (Safety and Traffic Management) Regulation 2017, section 73 (1) (a)
(Approval etc by road transport authority)

1 Name of instrument

This instrument is the *Road Transport (Safety and Traffic Management) Protective Helmet for Bicycle Riders Approval 2020 (No 1)*.

2 Commencement

This instrument commences on the day after notification.

3 Approval

I approve as an *approved bicycle helmet* for bicycle riders, a protective bicycle helmet that:

- a) complies with Australian Standard AS/NZS 2063:2008 – *Bicycle Helmets* which was in force at the time of its manufacture in Australia or imported into Australia (as the case may be) or with a later edition of the Standard in force at the time the bicycle helmet is being used, and
- b) has an identifying mark certifying compliance with that edition of the Standard, and
- c) is in good repair and proper working order and condition.

Examples—par (c)

- 1 a helmet that is scratched or marked but the scratch or mark has not-
 - penetrated the helmet’s outer shell; or
 - damaged the helmet’s retention system; or
 - damaged the helmet’s inner lining
- 2 a helmet that is damaged to a degree that might reasonably be expected from the normal use of the helmet

4 Disapplication of certain provisions

The following provisions of the above Standards are disapplied:

- a) Those provisions of the above Standards relating to external projections, but only so far as to allow attachment of communication and recording equipment utilising frangible mountings or to allow attachment of flexible plastic cable (zip) ties.
- b) Those provisions of the above Standards requiring the user of a helmet to carry a brochure or label detailing use and care instructions for the helmet.

5 Disapplication of Legislation Act, s 47 (6)

The *Legislation Act 2001*, section 47 (6) does not apply to an instrument applied, adopted or incorporated under this instrument.

Note: This means the relevant Australian Standard does not need to be notified under the *Legislation Act 2001*. The relevant Australian Standard can be purchased from SAI Global Limited <http://www.standards.org.au/SearchandBuyAStandard/Pages/default.aspx>.

A copy of the relevant Australian Standard can be viewed by contacting roadtransportregulation@act.gov.au to arrange a time to view during business hours.

6 Revocation

This instrument revokes *Road Transport (Safety and Traffic Management) Approval of Protective Helmets for Bicycle Riders 2001* (DI2002-4).



Richard Glenn

Director-General of the Justice and Community Safety Directorate as a road transport authority

8 April 2020

Note: Section 16 (3) of the *Road Transport (General) Act 1999* defines the road transport authority. This section in conjunction with the Administrative Arrangements determines which Director-General is the road transport authority for certain provisions of the road transport legislation.