



Australian Capital Territory
Gazette

SPECIAL GAZETTE

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CONSUMER AFFAIRS ACT 1973

CONSUMER PRODUCT SAFETY ORDER

Under section 15FD of the Consumer Affairs Act 1973, I impose the following order with respect to the sale and supply of certain swimming pool and spa skimmer devices.

Revocation

1. The Consumer Product Safety Order made on 10 May 1984 with respect to swimming pool and spa skimming devices is revoked by this order.

Definitions

2. In this order:

"AS 1926.3-1993" means the Australian Standard entitled "Swimming pool safety Part 3: Water recirculation and filtration systems" and numbered AS 1926.3-1993, published by Standards Australia, as in force on 26 July 1993;

"ASME/ANSI A112.19.8M-1987" means the American National Standard entitled "Suction Fittings for Use in Swimming Pools, Wading Pools, Spas, Hot Tubs, and Whirlpool Bathtub Appliances" and numbered ASME/ANSI A112.19.8M-1987, of the American Society of Mechanical Engineers, as in force on 31 December 1987;

"outlet" means an opening in a swimming pool wall or floor through which water leaves the pool;

"potty skimmer" means an outlet attached to or set in a pool wall at water level:

(a) that is used as the main suction point for the filter pump and is intended to draw water from the pool surface to remove and collect debris; and

(b) that resembles a child's chamber-pot (or other similar toilet training device) and is commonly known as a potty skimmer;

"spa" means a water-retaining structure with a capacity of not less than 680 litres with which is associated the facility for heating the water contained in it and injecting air bubbles or jets of turbulent water;

"surface mounted outlet" means an outlet mounted at or near the water surface level of the spa for the purpose of surface skimming.

"swimming pool" means any excavation or structure containing water to a depth greater than 300 mm and used primarily for swimming, wading, paddling or the like, and includes a bathing or wading pool, but does not include a spa.

PART I SWIMMING POOLS

Application of Order

3. This order applies only to swimming pool outlets that are potty skimmers.

Safety standard

4. The product safety standard prescribed for swimming pool outlets that are potty skimmers is that each such outlet must comply with clause 4.2 of AS 1926.3-1993.

PART II SPAS

Application of order

5. This order applies only to spas incorporating a potty skimmer (whether moulded as an integral part of the spa or attached to it).

Safety standard

6. The product safety standard prescribed for outlets in spas to which this order applies is that the spas are constructed so that:

(a) each pump is connected to at least 2 outlets from the spa by means of a common line; and

- (b) the pipes of all outlets connected to the common line have the same diameter; and
- (c) at least 2 outlets on the common line function at the same time (except when the spa is being cleaned); and
- (d) each outlet connected to the common line is at least 600 mm distant from every other outlet connected to that line; and
- (e) each potty skimmer:
 - (i) is fitted with a lid complying with clause 7 of this order; and
 - (ii) passes the single blockage and total blockage tests set out in clauses 9 and 10 of this order respectively; and
- (f) each outlet other than a potty skimmer:
 - (i) is fitted with a protective cover that can be removed only with the use of a tool; and
 - (ii) complies with clause 8 of this order.

Requirements for lids for potty skimmers

- 7(1). A lid for a potty skimmer must carry the following warning:

"WARNING: LID IS NOT TO BE REMOVED WHILE SPA IS OPERATING".

- (2) The warning must.
- (a) be visible on the upper surface of the lid; and
 - (b) be moulded or engraved in (or otherwise permanently attached to) the lid in such a way that it will remain legible despite normal use and handling of the lid; and
 - (c) show the word "WARNING" in upper case letters at least 5 mm high; and
 - (d) show the remaining words in upper case letters at least 2.5 mm high.

Requirements for outlets other than potty skimmers

- 8(1). An outlet other than a potty skimmer (whether surface mounted or not) must:
- (a) with its protective cover in place, pass the Hair Entrapment Test set out at clauses 5.1-5.3 of ASME/ANSI A112.19.8M-1987 (in which an outlet is referred to as a "suction fitting"); or
 - (b) comply with clause 5.1 (a) of AS 1926.3-1993.

Single blockage test for potty skimmers

9(1). The single blockage test for a potty skimmer is to be conducted as follows:

- (a) the potty skimmer lid, and any other safety features of the potty skimmer that can be removed without the use of a tool or excessive force, is to be removed;
- (b) the spa is to be operating with other normal safety features (such as cut-out switches, if supplied, and protective covers on outlets other than potty skimmers) functioning or in place;
- (c) after the spa has been operating for at least one minute, the potty skimmer is to be blocked.

(2) Suction in the blocked potty skimmer is to be measured for at least 15 seconds after the blockage.

(3) The suction must not exceed 12 kPa.

Total blockage test for potty skimmers

10(1). The total blockage test for a potty skimmer is to be conducted as follows:

- (a) the potty skimmer lid, and any other safety features of the potty skimmer that can be removed without the use of a tool or excessive force, is to be removed;
- (b) the spa is to be operating with other normal safety features (such as cut-out switches, if supplied, and protective covers on outlets other than potty skimmers) functioning or in place;
- (c) after the spa has been operating for at least one minute, all outlets are to be blocked simultaneously, with outlets other than surface mounted outlets being sealed.

(2) Suction in the blocked potty skimmer is to be measured for at least 15 seconds, beginning one second after blockage

(3) The suction must not exceed 1 kPa.

Dated 22 November 1994



TONY CHARGE
DIRECTOR OF CONSUMER AFFAIRS

CONSUMER AFFAIRS ACT 1973

CONSUMER PRODUCT SAFETY ORDER

Under section 15FD of the Consumer Affairs Act 1973, I impose the following conditions on the supply of baby walkers :

(1)(a) That they have affixed to them a label bearing the following warning :

"WARNING : Avoid injuries. Baby can move fast in this walker. Never leave baby unattended. Do not allow near steps, stairs, heaters, electrical cords or hot objects"; and

- (b) that they are accompanied by legible written instructions and warnings in the English language that provide the following:
- (i) instructions on how the walker is to be assembled (if it is not fully assembled when sold) and the recommended position for use,
 - (ii) instructions on how the walker is to be maintained and cleaned;
 - (iii) instructions on how the walker is to be folded and unfolded (if it is capable of being folded);
 - (iv) instructions on how to adjust the height of the walker (if the height is adjustable)
 - (v) instructions on how to secure the latching or locking mechanism of the walker (if it is equipped with a latching or locking mechanism);
 - (vi) instructions on how to use the restraint system,
 - (vii) instructions on the maximum and minimum weights and heights of children for whom the walker is designed;
 - (viii) a warning that the walker should not be used by a child who can walk unaided;
 - (ix) a warning that the walker should not be used by a child who cannot sit unaided;
 - (x) a warning that the child should never be left unattended in the walker,
 - (xi) a warning that doors to stairways should be closed and barriers should be in place across open stairways and steps while a child is using the walker;
 - (xii) a warning that electrical cords and heaters, fireplaces and other hot objects or substances that may be dangerous, should be guarded or put out of reach of a child using the walker;
 - (xiii) a warning that the walker should not be used (whether indoors or outdoors) on surfaces that have any obstructions that could cause the walker to tip over;

- (xiv) a warning that the walker should never be carried with a child in it;
 - (xv) a warning that both feet of the child who is in the walker should be able to touch the ground;
 - (xvi) a warning that the walker should not be used if it is damaged or broken;
 - (xvii) a warning that the walker should not be adjusted with a child in it (if it is capable of being adjusted);
 - (xviii) a warning that care must be taken while folding and unfolding the walker to prevent fingers being caught (if it is capable of being folded); and
- (c) that the written instructions are accompanied by line drawings, photographs or symbols if those instructions are not by themselves sufficient to explain the steps required.
- (2) That a label referred to in paragraph (1)(a) must;
- (a) be permanently affixed; and
 - (b) bear the word "WARNING" in upper case red letters not less than 5 millimetres high on a white background; and
 - (c) bear the remaining words in upper or lower case letters not less than 2.5 millimetres high; and
 - (d) be conspicuously displayed.
- (3) That the instructions and warnings referred to in paragraph (1)(b) must be provided with the baby walker in the form of an accompanying leaflet or swing tag.
- (4) For the purposes of this order;
- "baby walker"** means a device that is propelled by the movement of a child and consists of a frame on wheels designed to support, inside the frame and with his or her feet touching the ground, a child who has not learned to walk unaided.

Dated 19 November 1994



TONY CHARGE
DIRECTOR OF CONSUMER AFFAIRS