

No. S18, Friday 9 April, 1999

**Australian Capital Territory
Trans-Tasman Mutual Recognition
Act 1997**

Endorsement

I, Kate Carnell, Chief Minister, designated person under subsection 5(4) of the *Trans-Tasman Mutual Recognition Act 1997* (ACT) hereby endorse proposed regulations of the Commonwealth for the purposes of subsection 47 (7), and 48 (5) of the Commonwealth Act as set out below.



**Trans-Tasman Mutual Recognition
Regulations 1999**

Statutory Rules 1999 No.

made under the

Trans-Tasman Mutual Recognition Act 1997

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1 Name of regulations

These regulations are the Trans-Tasman Mutual Recognition Regulations 1999.

2 Commencement

These regulations commence on 1 May 1999.

3 Definition

In these regulations:

Act means the *Trans-Tasman Mutual Recognition Act 1997*.

4 Temporary exemption — mandatory energy appliance labelling

- (1) For subsection 47 (3) of the Act, the *Electricity (Energy Labelling of Electrical Articles) Regulation 1995* of New South Wales (to the extent that that regulation relates to electrical articles) is exempt from the operation of the Act.

- (2) Subregulation (1) ceases to have effect on 30 April 2000.

Note Subregulation (1) continues the effect of paragraph 5 (1)(c) of the Trans-Tasman Mutual Recognition (New South Wales) (Temporary Exemptions) Regulation 1998.

- (3) For subsection 47 (3) of the Act, the following laws of Victoria are exempt from the operation of the Act, to the extent that they relate to electrical equipment:
 - (a) section 57 of the **State Electricity Commission Act 1958**;
 - (b) the State Electricity Commission (Energy Efficiency Labelling) (Rotary Clothes Dryers) Regulations 1989;

- (c) the State Electricity Commission (Energy Efficiency Labelling) (Clothes Washing Machines) Regulations 1990;
- (d) Orders in Council made under section 57 of the **State Electricity Commission Act 1958**.

(4) Subregulation (3) ceases to have effect on 30 April 2000.

Note Subregulation (3) continues the effect of regulation 4 of the Trans-Tasman Mutual Recognition (Victoria) (Temporary Exemptions) Regulations 1998.

5 Extension of special exemptions

The exemption of the laws specified or described in Schedule 3 to the Act is extended until 30 April 2000.

6 Amendments of Schedule 3 to the Act

Schedule 1 amends clause 2 of Schedule 3 to the Act for section 48 (2) of the Act.

Schedule 1 Amendments of clause 2 of Schedule 3 to the Act

(regulation 6)

[1]

omit

Trade Practices Act 1974 of the Commonwealth, Division 1A
of Part V

insert

Trade Practices Act 1974 of the Commonwealth, Division 1A
of Part V, to the extent that it relates to the regulation of the
following goods or issues in relation to goods:

- (i) Autotrend sun filters;
- (ii) balloon blowing kits;
- (iii) bean bags;
- (iv) care labelling of clothing, household
textiles, furnishings, upholstered furniture,
bedding, piece goods and yarns;
- (v) child restraints for motor vehicles;
- (vi) children's household cots;
- (vii) labelling of cosmetics ingredients;
- (viii) Diveman underwater breathing apparatus;
- (ix) elastic luggage straps;
- (x) flotation toys and swimming aids;
- (xi) gas masks;
- (xii) glucomannan;
- (xiii) portable fire extinguishers;
- (xiv) Quickie line release;
- (xv) seat belt accessories;
- (xvi) smokeless tobacco products;

- (xvii) sunglasses and fashion spectacles;
- (xviii) health warnings on tobacco products;
- (xix) toys for children under 3 years old;
- (xx) vehicle jacks;
- (xxi) vehicle stands;
- (xxii) vehicle ramps;
- (xxiii) victim toys

[2]

omit

Fair Trading Act 1987 of New South Wales, sections 26, 30, 31 and 38

insert

Fair Trading Act 1987 of New South Wales, sections 26, 30, 31 and 38, to the extent that those sections relate to the regulation of the following goods or issues in relation to goods:

- (i) balloon blowing kits;
- (ii) bean bags;
- (iii) care labelling of clothing, household textiles, furnishings, upholstered furniture, bedding, piece goods and yarns;
- (iv) child restraints for motor vehicles;
- (v) children's household cots;
- (vi) Diveman underwater breathing apparatus;
- (vii) elastic luggage straps;
- (viii) flotation toys and swimming aids;
- (ix) Quikfix device;
- (x) sunglasses and fashion spectacles;
- (xi) skimmer boxes for swimming pools;
- (xii) toys for children under 3 years old

[3]*omit*

Consumer Affairs Act 1972 of Victoria, Part IV, sections 57C, 57D, 59 and 61A

insert

Consumer Affairs Act 1972 of Victoria, Part IV, sections 57C, 57D, 59 and 61A, to the extent that those sections relate to the regulation of the following goods:

- (i) balloon blowing kits;
- (ii) children's household cots;
- (iii) Diveman underwater breathing apparatus;
- (iv) gas masks;
- (v) Quickie line release;
- (vi) Quikfix device;
- (vii) skimmer boxes for swimming pools;
- (viii) toys for children under 3 years old

[4]*omit*

Fair Trading Act 1989 of Queensland, sections 81, 83, 85 and 85A

insert

Fair Trading Act 1989 of Queensland, sections 81, 83, 85 and 85A, to the extent that those sections relate to the regulation of the following goods or issues in relation to goods:

- (i) balloon blowing kits;
- (ii) bean bags;
- (iii) care labelling of clothing, household textiles, furnishings, upholstered furniture, bedding, piece goods and yarns;
- (iv) child restraints for motor vehicles;

- (v) children's household cots;
- (vi) Diveman underwater breathing apparatus;
- (vii) flotation toys and swimming aids;
- (viii) portable fire extinguishers;
- (ix) Quikfix device;
- (x) sunglasses and fashion spectacles;
- (xi) toys for children under 3 years old;
- (xii) vehicle jacks;
- (xiii) vehicle stands;
- (xiv) vehicle ramps;
- (xv) victim toys

[5]

omit

Trade Standards Act 1979 of South Australia, sections 23, 26A and 33

insert

Trade Standards Act 1979 of South Australia, sections 23, 26A and 33, to the extent that those sections relate to the regulation of the following goods or issues in relation to goods:

- (i) balloon blowing kits;
- (ii) bean bags;
- (iii) care labelling of clothing, household textiles, furnishings, upholstered furniture, bedding, piece goods and yarns;
- (iv) children's household cots;
- (v) elastic luggage straps;
- (vi) flotation toys and swimming aids;
- (vii) sunglasses and fashion spectacles;
- (viii) skimmer boxes for swimming pools;
- (ix) toys for children under 3 years old;

-
- (x) vehicle jacks;
 - (xi) vehicle stands;
 - (xii) vehicle ramps

[6]

omit

Consumer Affairs Act 1971 of Western Australia, sections 23Q, 23R and 23U

insert

Consumer Affairs Act 1971 of Western Australia, sections 23Q, 23R and 23U, to the extent that those sections relate to the regulation of the following goods:

- (i) balloon blowing kits;
- (ii) bean bags;
- (iii) child restraints for motor vehicles;
- (iv) children's household cots;
- (v) Diveman underwater breathing apparatus;
- (vi) elastic luggage straps;
- (vii) flotation toys and swimming aids;
- (viii) gas masks;
- (ix) glucomannan;
- (x) portable fire extinguishers;
- (xi) seat belt accessories;
- (xii) sunglasses and fashion spectacles;
- (xiii) skimmer boxes for swimming pools;
- (xiv) toys for children under 3 years old;
- (xv) vehicle jacks;
- (xvi) victim toys

[7]

omit

Fair Trading Act 1987 of Western Australia, sections 50 and 59

insert

Fair Trading Act 1987 of Western Australia, sections 50 and 59, to the extent that those sections relate to the regulation of the following goods:

- (i) balloon blowing kits;
- (ii) bean bags;
- (iii) child restraints for motor vehicles;
- (iv) children's household cots;
- (v) Diveman underwater breathing apparatus;
- (vi) elastic luggage straps;
- (vii) flotation toys and swimming aids;
- (viii) gas masks;
- (ix) glucomannan;
- (x) portable fire extinguishers;
- (xi) seat belt accessories;
- (xii) sunglasses and fashion spectacles;
- (xiii) skimmer boxes for swimming pools;
- (xiv) toys for children under 3 years old;
- (xv) vehicle jacks;
- (xvi) victim toys

[8]

omit

Goods (Trade Descriptions) Act 1971 of Tasmania, sections 16 and 17

insert

Goods (Trade Descriptions) Act 1971 of Tasmania, sections 16 and 17, to the extent that those sections relate to the regulation of the following goods:

- (i) balloon blowing kits;
- (ii) bean bags;
- (iii) children's household cots;
- (iv) Diveman underwater breathing apparatus;
- (v) gas masks;
- (vi) Quikfix device

[9]

omit

Sale of Hazardous Goods Act 1977 of Tasmania, sections 6, 7 and 8

insert

Sale of Hazardous Goods Act 1977 of Tasmania, sections 6, 7 and 8, to the extent that those sections relate to the regulation of the following goods:

- (i) balloon blowing kits;
- (ii) bean bags;
- (iii) children's household cots;
- (iv) Diveman underwater breathing apparatus;
- (v) gas masks;
- (vi) Quikfix device

[10]

omit

Consumer Affairs and Fair Trading Act 1990 of the Northern Territory, sections 25, 30 and 38

insert

Consumer Affairs and Fair Trading Act 1990 of the Northern Territory, sections 25, 30 and 38, to the extent that those sections relate to the regulation of:

- (i) children's household cots; and
- (ii) skimmer boxes for swimming pools

[11]

omit

Consumer Affairs Act 1973 of the Australian Capital Territory, sections 15FBA, 15FCA, 15FB, 15FC and 15FD

insert

Consumer Affairs Act 1973 of the Australian Capital Territory, sections 15FBA, 15FCA, 15FB, 15FC and 15FD, to the extent that those sections relate to the regulation of the following goods:

- (i) balloon blowing kits;
- (ii) children's household cots;
- (iii) Diveman underwater breathing apparatus;
- (iv) gas masks;
- (v) skimmer boxes for swimming pools

Note

1. Made by the Governor-General on 1999, and notified in
the *Commonwealth of Australia Gazette* on 1999.
Administered by the

Trans-Tasman Mutual Recognition Regulations 1999 Regulations
1999 No.

DATE: 6th April 1999



Kate Carnell
Chief Minister