

Australian Capital Territory

# Fair Trading (Consumer Product Standards) (Sunglasses and Fashion Spectacles) Standard 2009 (No 1)\*

Notifiable instrument NI2009–230

made under the

**Fair Trading (Consumer Product Standards) Regulation 2009, regulation 21.2 (Safety standard – sunglasses and fashion spectacles)**

---

## **1 Name of instrument**

This instrument is the *Fair Trading (Consumer Product Standards) (Sunglasses and Fashion Spectacles) Standard 2009 (No 1)*.

## **2 Commencement**

This instrument commences on the day that the Fair Trading (Consumer Product Standards) Regulation 2009 commences.

## **3 Safety standard – sunglasses and fashion spectacles**

The standard specified in regulation 21.2 of the Fair Trading (Consumer Product Standards) Regulation 2009, at Schedule 1, is notified as the standard to apply to sunglasses and fashion spectacles in the ACT.

Simon Corbell  
Attorney General  
30. 04. 2009

\*Name amended under Legislation Act, s 60

## Schedule 1

COMMONWEALTH OF AUSTRALIA

*Trade Practices Act 1974*

Notice under section 65E (1)

Consumer Protection Notice No. 13 of 2003 [see Note 1]

### **CONSUMER PRODUCT SAFETY STANDARD: SUNGLASSES AND FASHION SPECTACLES**

I, Ian Gordon Campbell, Parliamentary Secretary to the Treasurer, pursuant to section

65E (1) of the *Trade Practices Act 1974*, hereby:

DECLARE, with effect from 1 October 2003 that:

- a) in respect of goods of a kind specified in Division 1 of the Schedule to this notice, each of the standards approved by the Standards Association of Australia (Standards Australia) specified in Division 2 of the Schedule, as varied by Division 3 of the Schedule, is a consumer product safety standard for the purposes of section 65C of the Trade Practices Act 1974;
- b) the standard first mentioned in Division 2 of the Schedule to this notice, namely Australian Standard 1067.1-1990 Sunglasses and Fashion Spectacles Part 1: Safety Requirements shall cease to have effect from 31 March 2005;
- c) where more than one standard is specified for a particular class of goods, the goods need comply with only one of the standards specified.

#### *THE SCHEDULE*

##### *Division 1: Particulars of the goods*

- a) Spectacles comprising tinted lenses of nominal zero refractive power mounted in a spectacle frame;
- b) Individual tinted lenses of nominal zero refractive power intended for use in sunglasses;
- c) Rimless sunshields and one piece visors;
- d) Clip-on and slip-on type sunglasses;
- e) Children's sunglasses.

The standard does NOT apply to the following:

- a) Safety glasses and safety goggles intended to provide protection against optical radiation;
- b) Eyewear for protection against radiation in solarium;
- c) Ski goggles;
- d) Glasses for use as toys and clearly and legibly labelled as toys;
- e) Glasses or goggles for special use, including medical shields especially designed for use by vision impaired persons.

##### **Division 2: The Standard**

**Either:**

- a) Australian Standard 1067.1—1990 Sunglasses and Fashion Spectacles Part 1: Safety Requirements approved by Standards Australia on 22 June 1990;

**Or**

- b) Australian/New Zealand Standard 1067: 2003 Sunglasses and Fashion Spectacles approved by Standards Australia on 31 March 2003.

##### **Division 3: Variations**

##### **Australian Standard 1067.1—1990**

Australian Standard 1067.1—1990 Sunglasses and Fashion Spectacles Part 1: Safety

Requirements is varied by:

1. Deleting clause 1.1 entirely;
2. Modifying clause 2.2.1 (b) by deleting the full stop and adding the words:

“except in the case of children’s sunglasses. Children’s sunglasses with frames too small for measurement from 32 mm from the centreline of the sunglass shall be measured at six selected points within a circle of 30 mm diameter around the datum centre of each lens.”;
3. Modifying clause 2.2.1 (c) by deleting the full stop and adding the words:

“except in the case of children’s sunglasses. Children’s sunglasses with frames too small for measurement from 32 mm from the centreline of the sunglass shall be measured from a point 25% of the width of the lens measured on either side of the centreline which lies in the horizontal plane that would bisect the eyes when the visor is worn and at six selected points within a circle of 30 mm diameter centred on those points.”;
4. Modifying clause 4.2.1 by deleting from the second sentence the words “classification of the eyewear and other relevant”;
5. Modifying clause 4.2.2 by deleting the box around the markings specified for fashion spectacles;
6. Modifying clause 4.2.3 by deleting the words “the marking for general purpose sunglasses shall be as follows” and deleting the box and the words contained in the box;

**Australian/New Zealand Standard AS/NZS 1067: 2003**

Australian/New Zealand Standard 1067: 2003 Sunglasses and Fashion Spectacles is varied by:

1. Deleting clauses 1.1, 1.2;
2. Clause 2.6 insert a new paragraph:

“Only lenses with labels, decorations or markings (other than those intended to be removed before use) within the area of the two ellipses defined in clause 3.2.1 shall meet the requirements of clause 2.6 when tested in accordance with Appendix G (see also clause 3.2.2).
3. Deleting clauses 2.7, 2.8;
4. Clause 3.2.2 insert a new note:

“Note: Lenses with holograms or other transparent images applied to the outer (non-eye) side of the lens would generally pass the requirements of Clause 3.2.2 provided that the other requirements of the standard are met, in particular Clause 2.2.2 Transmittance matching for pairs of sunglass lenses of all types, Clause 2.2.3

Uniformity of colour for pairs of sunglass lenses of all types, and Clause 2.6  
Scattered Light.”

5. Deleting clause 3.3;
6. Deleting Clause 3.6;
7. Deleting clause 4.1.1(c);
8. Clause 4.2.1 insert “or” between “sunglass frame,” and “a removable label”. The clause will then read:

“The information required shall be supplied in the form of an indelible marking on the sunglass frame, or a removable label affixed to the lens, or a removable label securely attached or tied to the frame, or any combination of these means.”
9. Deleting clause 4.2.2.

Dated this 10<sup>th</sup> of September 2003

IAN CAMPBELL  
Parliamentary Secretary to the Treasurer

# Notes to the *Consumer Protection Notice No. 13 of 2003 — Consumer product safety standard: Sunglasses and fashion spectacles*

## Note 1

The *Consumer Protection Notice No. 13 of 2003 — Consumer product safety standard: Sunglasses and fashion spectacle* (in force under section 65E(1) of the *Trade Practices Act 1974*) as shown in this compilation is amended as indicated in the Tables below.

Under the *Legislative Instruments Act 2003*, which came into force on 1 January 2005, it is a requirement for all non-exempt legislative instruments to be registered on the Federal Register of Legislative Instruments.

## Table of Instruments

Title	Date of notification in Gazette or FRLI registration	Date of commencement	Application, saving or transitional provisions
<i>Consumer Protection Notice No. 13 of 2003</i>	17 Dec 2003 (see <i>Gazette</i> 2003, No. GN37)	1 Oct 2003	
<i>Consumer Protection Notice No. 4 of 2005</i>	24 Aug 2005 (see F2005L02356)	25 Aug 2005	—

# Table of Amendments

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

---

<b>Provision affected</b>	<b>How affected</b>
<b>The Schedule</b>	
<b>Division 1</b>	
<b>(The standard does NOT apply to the following)</b>	
para d.....	am. 2005 No. 4
para e.....	ad. 2005 No. 4

---