



Australian Capital Territory

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

Subordinate Law SL2004-28

The Australian Capital Territory Executive makes the following regulations under the *Fair Trading (Consumer Affairs) Act 1973*.

Dated 19 July 2004.

JON STANHOPE
Minister

BILL WOOD
Minister

2004 015S

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au



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1 Name of regulations

These regulations are the *Fair Trading (Consumer Product Standards) Amendment Regulations 2004 (No 1)*.

2 Commencement

These regulations commence on the day after their notification day.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

3 Legislation amended

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

4 New division 2.3A

insert

Division 2.3A Bunk beds**11A Definitions for div 2.3A**

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.

11B 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.

5 Division 2.5

substitute

Division 2.5 Children's toys

17 Definitions for div 2.5

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.

18 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.

6 New division 2.7A

insert

Division 2.7A Corded internal window coverings**25A Definitions for div 2.7A**

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>.

25B 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.

7 Regulation 30 (7), definition of *relevant amount*

substitute

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.

8 Regulation 43

substitute

43 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.

9 Division 2.14

substitute

Division 2.14 Sunglasses and fashion spectacles**57 Definitions for div 2.14**

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.

58 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 2.15 Vehicle jacks

59 Definitions for div 2.15

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.

59A 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.

10 Renumbering

renumber divisions and regulations when regulations next republished under Legislation Act

Endnotes

1 Notification

Notified under the Legislation Act on 22 July 2004.

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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