



Australian Capital Territory

# Fair Trading (Consumer Product Standards) Amendment Regulation 2008 (No 1)

**Subordinate Law SL2008-12**

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

Dated 27 March 2008.

SIMON CORBELL  
Minister

KATY GALLAGHER  
Minister

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Subordinate Law SL2008-12

made under the

Fair Trading (Consumer Affairs) Act 1973

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## 1 Name of regulation

This regulation is the *Fair Trading (Consumer Product Standards) Amendment Regulation 2008 (No 1)*.

## 2 Commencement

This regulation commences on the day after its notification day.

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

## 3 Legislation amended

This regulation amends the *Fair Trading (Consumer Product Standards) Regulation 2002*.

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J2008-14

Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

**4 New division 2.3A**

*insert*

**Division 2.3A Basketball rings and backboards**

**8A Definitions—div 2.3A**

In this division:

*basketball backboard* means a raised vertical board with a basketball ring attached, used to play or practise basketball.

*basketball ring* means a raised circular band of metal or other material (with or without a basket attached) used to play or practise basketball or netball.

**8B Safety standard—warning and symbol for supplied basketball rings and backboards**

- (1) The consumer product safety standard for basketball rings and basketball backboards is that, when supplied, they must have—
  - (a) a warning; and
  - (b) a warning symbol.
- (2) The warning mentioned in subsection (1) (a) must comply with the following requirements:
  - (a) it must contain the following warning:

‘WARNING: IMPROPER INSTALLATION OR SWINGING ON THE RING MAY CAUSE SERIOUS INJURY OR DEATH’;
  - (b) it must be clearly legible, in upper case, in red letters on a white background;
  - (c) the word ‘WARNING’ must be in characters not less than 15mm in height;

- (d) the words other than the word 'WARNING' must be in characters not less than 10mm in height.
- (3) The warning symbol mentioned in subsection (1) (b) must comply with the following requirements:
  - (a) it must be in the form of the following graphic:



- (b) the circle that forms part of the graphic must have a diameter of not less than 120mm from outer edge to outer edge;
  - (c) the circle and the diagonal line that form part of the graphic must be in red, and drawn with a line not less than 5mm in width;
  - (d) the basketball player figure that forms part of the graphic must be entirely black;
  - (e) the ring and backboard that form part of the graphic must be outlined in black.
- (4) If a basketball ring or basketball backboard is supplied in a package, the warning and warning symbol mentioned in subsection (1) must accompany the ring or backboard by being marked—
    - (a) in a conspicuous position on the package; or
    - (b) on a label fixed in a conspicuous position on the package.

- (5) If a basketball ring or basketball backboard is not supplied in a package, the warning and warning symbol mentioned in subsection (1) must accompany the ring or backboard by being marked—
  - (a) in a conspicuous position on the ring or backboard; or
  - (b) on a label fixed in a conspicuous position on the ring or backboard; or
  - (c) on a tag attached in a conspicuous position on the ring or backboard.

**8C Safety standard—permanent warning on basketball backboard**

- (1) The consumer product safety standard for basketball backboards is that they must also have a warning permanently marked on them.
- (2) The warning must—
  - (a) contain the following warning:

‘WARNING: SWINGING ON THE RING MAY CAUSE SERIOUS INJURY OR DEATH’; and
  - (b) must be clearly legible, in characters not less than 10mm in height; and
  - (c) must be marked on the backboard in a conspicuous position—
    - (i) in permanent writing; or
    - (ii) on a label that is permanently fixed to the backboard.

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**5 New division 2.13A**

*insert*

**Division 2.13A Monkey bikes****47A Definitions—div 2.13A**

In this division:

*applicable vehicle standards* means the standards under the *Road Transport (Vehicle Registration) Regulation 2000* with which a vehicle must comply to be eligible to be registered without conditions.

*monkey bike* means a scaled down cruising or sports motorcycle that—

- (a) is commonly known as a monkey bike, mini-bike or pocket bike; and
- (b) is powered by an internal combustion engine; and
- (c) does not comply with the applicable vehicle standards that would apply to the motorcycle if it were to be driven on a road or road related area (within the meaning of the *Road Transport (Vehicle Registration) Act 1999*).

**47B Safety standard—monkey bikes**

The consumer product safety standard for a monkey bike is that—

- (a) the monkey bike must have a self-closing, hand-operated throttle that—
  - (i) returns in a clockwise direction to allow the bike's motor to idle when a person riding the bike releases the person's grip on the throttle; and
  - (ii) is mounted on the right handlebar of the bike; and

- (b) the monkey bike must have a braking system that—
  - (i) is capable of acting on the front and rear wheels of the bike; and
  - (ii) automatically distributes the braking effort applied by a person riding the bike to the braking system's control lever equally onto each brake lining without the need for an adjuster at the brake calliper; and
  - (iii) unless the bike is fitted with a drum-type braking system—incorporates a floating or sliding type brake calliper that compensates for any increased movement of its components arising from wear; and
- (c) the monkey bike must have 2 foot pegs, each capable of holding a static load of—
  - (i) the maximum carrying capacity recommended by the manufacturer of the bike; or
  - (ii) if a maximum carrying capacity is not recommended by the manufacturer—70kg; and
- (d) the steering head system for the monkey bike—
  - (i) must not exhibit free play; or
  - (ii) must move freely under its own weight from right lock to left lock when the front wheel of the bike is raised off the ground; and
- (e) the monkey bike must have a functioning, thumb-operated device on the right or left handlebar that is—
  - (i) capable of stopping the motor; and
  - (ii) clearly visible to a person riding the bike.



**6 Part 2**

*renumber divisions and sections when regulation next republished  
under Legislation Act*

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**Endnotes**

**1 Notification**

Notified under the Legislation Act on 2 April 2008.

**2 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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