

Legislative Council—No 68

As introduced and read a first time, 30 November 2022

South Australia

**Fair Trading (Lifespan of Electrical Products)
Amendment Bill 2022**

A BILL FOR

An Act to amend the *Fair Trading Act 1987*.

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1 Short title

Part 2—Amendment of *Fair Trading Act 1987*

2 Insertion of section 43B
43B Information relating to lifespan of electrical products must be provided to consumer

The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

5 This Act may be cited as the *Fair Trading (Lifespan of Electrical Products) Amendment Act 2022*.

Part 2—Amendment of *Fair Trading Act 1987*

2—Insertion of section 43B

After section 43A insert:

43B—Information relating to lifespan of electrical products must be provided to consumer

10 (1) A person must not sell an electrical product to a consumer unless the person has provided the consumer with information relating to the lifespan of the product.

Maximum penalty:

- 15 (a) in the case of a body corporate—\$10 000;
(b) in the case of a natural person—\$1 000.

(2) The following provisions apply in relation to information relating to the lifespan of an electrical product:

- 20 (a) the unit of measurement used to indicate the lifespan of an electrical product should be expressed appropriately in relation to the particular product to which it relates, such as, for example, in terms of years, months, days, cycles, kilometres or any other relevant unit of measurement;
- 25 (b) if an electrical product contains or is made up of multiple components with differing lifespans, the lifespan of the product will be that of the component with the shortest lifespan.

5 (3) For the purposes of this section, a person *provides* information relating to the lifespan of an electrical product to a consumer if the person places or displays the information on the packaging of or directly next to the product such that the consumer can easily view and understand the information.

(4) In this section—

10 *electrical product* means an appliance, device or any other item that is powered by electricity or a battery, but does not include an appliance, device or item that is powered by a battery that is capable of being successfully removed and replaced by the consumer without professional assistance;

lifespan, of an electrical product, means the duration (however described) for which the equipment is designed to be fully operational;

15 *sell* includes offer, display or advertise for sale.