

SOUTH AUSTRALIA

TRADE STANDARDS REGULATIONS, 1985

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LEGISLATIVE HISTORY

REGULATIONS UNDER THE TRADE STANDARDS ACT, 1979

Trade Standards Regulations, 1985

being

No. 102 of 1985: *Gaz.* 30 May 1985, p. 1849¹

as varied by

- No. 178 of 1985: *Gaz.* 12 September 1985, p. 803²
- No. 19 of 1986: *Gaz.* 6 February 1986, p. 265
- No. 36 of 1986: *Gaz.* 13 March 1986, p. 565
- No. 59 of 1986: *Gaz.* 17 April 1986, p. 952
- No. 152 of 1986: *Gaz.* 14 August 1986, p. 519
- No. 218 of 1986: *Gaz.* 13 November 1986, p. 1616
- No. 30 of 1987: *Gaz.* 5 March 1987, p. 556
- No. 31 of 1987: *Gaz.* 5 March 1987, p. 557³
- No. 32 of 1987: *Gaz.* 5 March 1987, p. 559
- No. 39 of 1987: *Gaz.* 26 March 1987, p. 772⁴
- No. 58 of 1987: *Gaz.* 30 April 1987, p. 1166
- No. 136 of 1987: *Gaz.* 2 July 1987, p. 6
- No. 223 of 1987: *Gaz.* 10 September 1987, p. 817⁵
- No. 44 of 1988: *Gaz.* 31 March 1988, p. 815⁶
- No. 71 of 1988: *Gaz.* 21 April 1988, p. 1023
- No. 192 of 1988: *Gaz.* 8 September 1988, p. 1001
- No. 205 of 1988: *Gaz.* 22 September 1988, p. 1131⁷
- No. 15 of 1989: *Gaz.* 26 January 1989, p. 201⁸
- No. 157 of 1989: *Gaz.* 17 August 1989, p. 593
- No. 49 of 1990: *Gaz.* 19 April 1990, p. 1138
- No. 53 of 1990: *Gaz.* 3 May 1990, p. 1240
- No. 201 of 1990: *Gaz.* 4 October 1990, p. 1096
- No. 128 of 1998: *Gaz.* 11 June 1998, p. 2513⁹
- No. 145 of 1998: *Gaz.* 25 June 1998, p. 2720¹⁰

¹ Came into operation 1 June 1985: reg. 1.2.1

² Came into operation (except regs. 2 and 4) 12 September 1985; regs. 2 and 4 came into operation 1 December 1985: reg. 5.

³ Came into operation 1 July 1987: reg. 2.

⁴ Came into operation 1 April 1987: reg. 2.

⁵ Came into operation 1 October 1987: reg. 2.

⁶ Came into operation 1 July 1988: reg. 2.

⁷ Came into operation 1 January 1989: reg. 2.

⁸ Came into operation 1 March 1989: reg. 2.

⁹ Came into operation 30 June 1998: reg. 2.

¹⁰ Came into operation 25 June 1998: reg. 2.

Note: Asterisks indicate repeal or deletion of text. For further explanation see Appendix.

1. PRELIMINARY

1.1 Short Title

1.1.1 These regulations may be cited as the *Trade Standards Regulations, 1985*.

1.2 Commencement

1.2.1 These regulations shall take effect from 1 June 1985.

1.3 Revocation and Saving Provisions

1.3.1 All regulations made under the *Trade Standards Act, 1979*, as varied, are hereby revoked.

1.3.2 The revocation of the regulations by regulation 1.3.1 of these regulations shall not:

- (i) affect the operation prior to the coming into effect of these regulations of any of the regulations hereby revoked;
- (ii) alter the past or future effect of the doing, suffering or omission of any thing prior to the coming into effect of these regulations;
- (iii) affect any right, title, interest, privilege, power, duty, obligation, liability, charge or penalty created, acquired, accrued, exercisable, incurred or imposed by or under or liable to be imposed under any of the regulations hereby revoked.

1.3.3 All matters and things mentioned in subregulation 1.3.2 of this regulation are, to the extent that they were respectively in force immediately before the coming into effect of these regulations, hereby preserved and continued and declared to be of the same force and effect as if these regulations had been in force when they were respectively done, suffered or omitted, and they respectively had been done, suffered or omitted under these regulations.

1.4 Division of Parts

1.4.1 These regulations are divided into the following parts:

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1.5 Definition of Terms

1.5.1 In these regulations, unless the context otherwise requires:

the "Act" means the *Trade Standards Act, 1979*;

"Commissioner" means the Commissioner for Standards as defined in the *Trade Measurements Act, 1971*;

"the Council" means the Trade Standards Advisory Council established under Part II of the Act.

1.5.2 Pursuant to section 45(3)(b) of the Act the Commissioner is a prescribed officer for the purposes of that section.

2. SAFETY STANDARDS

2.1 Apparel

2.1.1 For the purposes of regulation 2.1:

"apparel" includes yarns, textile fabrics or synthetic fibres of a kind used in the making of apparel.

2.1.2 Apparel shall not contain or be treated with any substances comprising or containing either of the chemicals known as Tris (2,3 dibromopropyl) phosphate or Tris (2,3 dichloropropyl) phosphate.

2.2 Candles

2.2.1 For the purposes of regulation 2.2:

"candle" means an object wholly or partly comprising natural or synthetic wax or tallow and enclosing a wick, and designed for giving light by burning.

2.2.2 A candle shall not be coated or glazed with a solution or substance which has a flashpoint below 61°C.

2.3 Children's Folding Chairs

2.3.1 For the purposes of regulation 2.3:

"chair" or "children's folding chair" means a chair that:

- (a) has hinged or pivoting sections that permit the chair to be folded or to collapse; and
- (b) is designed or apparently designed for use by a child,

but does not include a children's high chair;

"framework" means all the components which make up a chair with the exception of the arm rests, seat fabric, washers, bolts, rivets and other fixing devices;

"trapping space" means a space formed during any part of the folding or collapsing action of a chair between any components of the chair wherein it would be possible for a finger of a child to become trapped, pinched or squeezed.

2.3.2 Those components of the framework which rotate around another part of the framework, or which move past another part of the framework, during the operation of folding or unfolding a chair shall be of circular cross-section having a minimum radius of 5 millimetres, except at points where hinges, bolts, rivets or other fixing devices are placed.

2.3.3 Any component, ribbing, supporting member or protruding part of the underside of the arm rests of a chair shall be rounded with a minimum radius of 5 millimetres.

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2.3.4 If springs are incorporated in a chair, they shall not facilitate the folding or unfolding action of the chair.

2.3.5 A chair shall be so constructed that the minimum distance between components forming a trapping space is 5 millimetres.

2.3.6 In those cases where the Commissioner is satisfied that a chair or class of chair is not of such a nature as to give rise to undue risk of injury to, or impairment of the health of any person who may possess, handle or use such a chair or class of chair the Commissioner may exempt, either permanently or for a period, unconditionally or subject to such conditions as he may specify, the chair or the class of chair from any provision of this Part and notice of such exemption must be published in the *Government Gazette* forthwith after it has been given.

2.4 Cosmetic Products

2.4.1 For the purposes of regulation 2.4:

"prescribed concentration" in relation to an element, means the concentration specified opposite that element in the following table:

Element	Prescribed Concentration (in parts per million)
Antimony	250
Arsenic	100
Barium	500
Cadmium	100
Chromium	100
Lead	250
Mercury	100
Selenium	100

"cosmetic product" means any substance or preparation intended to be applied to any part of the external surfaces of the human body, including the epidermis, hair system, nails, lips, mucous membranes, external genital organs or the teeth, wholly or mainly for the purpose of cleaning, perfuming or protecting them or keeping them in good condition or changing their appearance or combating body odours or perspiration.

2.4.2 A cosmetic product shall not contain more than the prescribed concentration of lead or any compound of lead.

2.4.3 A cosmetic product intended for use in hair treatment shall be exempt from regulation 2.4.2 on condition that the only compound of lead which exceeds the prescribed concentration is lead acetate.

2.5 Erasers

2.5.1 For the purposes of regulation 2.5:

"prescribed concentration" in relation to an element, means the concentration specified opposite that element in the following table:

Element	Prescribed Concentration (in parts per million)
Antimony	250
Arsenic	100
Barium	500
Cadmium	100
Chromium	100
Lead	250
Mercury	100
Selenium	100

"eraser" means an article manufactured for the purpose of manually rubbing out written or printed marks and includes any article that is described or represented on the article, or on any material accompanying the article when it is supplied by a manufacturer or importer, as being suitable for that purpose;

"the prescribed method" means the method for determining leachable substances in coating, plastics and graphic materials set out in Appendix A to Australian Standard 1647, Part 3-1982 (Children's Toys—Safety Requirements) published by the Standards Association of Australia on 9 August 1982 (which Standard shall be interpreted so that any reference therein to a toy includes a reference to an eraser).

2.5.2 An eraser shall not, when tested in accordance with the prescribed method, leach substances in which any element exceeds the prescribed concentration for that element.

2.6 Flammable Clothing

2.6.1 For the purposes of regulation 2.6:

"S.A.A. Standard" means Australian Standard 1249-1983, "Children's Night Clothes Having Reduced Fire Hazard", published by the Standards Association of Australia on 2 May 1983, as amended by Amendment No. 1 published on 4 April, 1985;

"children's night clothes" means all garments designed as night clothes (but not including any article of headwear, footwear or handwear) in sizes ranging from 0 to 14 as specified in Australian Standard 1182-1980 "Size Coding Scheme for Infants' and Children's Clothing (Underwear and Outerwear)", published by the Standards Association of Australia on 1 September 1980.

2.6.2 All children's night clothes shall comply with the SAA Standard as modified by these regulations.

2.6.3 The S.A.A. Standard is varied by deleting Section 5 and Clause 1.2.

2.7 Folding Tables

2.7.1 For the purposes of regulation 2.7:

"folding table" means a table so designed or constructed that:

- (a) the legs can be folded, moved or removed independently, in pairs, or as a set;

or

- (b) the top, or part of the top, may be folded, moved in relation to the legs, or removed from the legs,

but does not include a table so designed or constructed that the top is of one piece and is placed on trestles or legs without being fixed to the trestles or legs.

2.7.2 Every folding table shall be fitted with a device which:

- (a) enables the legs or top (as the case may be) to be locked in position when the folding table is erected;
- (b) when the locking device is activated, is designed only to be unlocked manually and not by the application of force to any other part of the folding table; and
- (c) when the locking device is activated, prevents the legs or top from folding or the table from collapsing when the folding table, when erected, is tilted at any angle, turned upside down, or laid on its side.

2.7.3 In those cases where the Commissioner is satisfied that a folding table or a class of folding table is not of such a nature as to give rise to undue risk of injury to, or impairment of the health of any person who may possess, handle or use such a table or a table of such a class and the Council has recommended that such table or such class of table be exempted from the provisions of regulation 2.7.2 of these regulations the Commissioner may exempt the folding table or the class of folding table from the provisions of regulation 2.7.2 of these regulations subject to the condition that notice of such exemption shall forthwith after it has been given be published in the *Government Gazette*.

2.8 Pedal Bicycles

2.8.1 For the purposes of regulation 2.8.—

"Commonwealth Standard" means the consumer product safety standard declared under section 63AA of the *Trade Practices Act, 1974*, by notice dated 9 April, 1986, and published in the *Commonwealth of Australia Gazette* No. S189 of 30 April, 1986:

"S.A.A. Standard" means—

(a) Australian Standard 1927-1978, "Pedal Bicycles" published by the Standards Association of Australia on 1 October, 1978, and amended by Amendment No. 1 published on 15 February, 1979, and Amendment No. 2 published on 18 February, 1980;

or

(b) Australian Standard 1927-1985, "Pedal Bicycles for Normal Road Use—Safety Requirements" published by the Standards Association of Australia on 10 May, 1985, and amended by Amendment No. 1 published on 19 June, 1985.

2.8.2 All goods of the kind to which the Commonwealth Standard is applicable shall comply with the S.A.A. Standard as varied by the Commonwealth Standard.

2.9 Reflectors For Pedal Bicycles

2.9.1 For the purposes of regulation 2.9:

"S.A.A. Standard" means Australian Standard 2142-1978, "Reflectors for Pedal Bicycles" published by the Standards Association of Australia on 1 April, 1978:

"Commonwealth Standard" means the consumer product safety standard declared under section 63AA of the *Trade Practices Act, 1974*, by notice dated 9 April, 1986, and published in the *Commonwealth of Australia Gazette* No. S189 of 30 April, 1986.

2.9.2 All goods of the kind to which the Commonwealth Standard is applicable shall comply with the S.A.A. Standard.

2.10 Bean Bags

2.10.1 For the purposes of regulation 2.10 "bean bag" means a cushion or similar item which consists of a bag or cover surrounding the bean bag filling and includes bean bags for use in swimming pools;

"bean bag cover" means a bag or cover capable of being filled with bean bag filling and which, if filled with bean bag filling, would constitute a bean bag and includes a bag or cover intended as a separate inner lining for a bean bag;

"bean bag filling" means pellets, or small particles, of polystyrene or other similar synthetic material;

"child-resistant slide-fastener" means a slide-fastener having a sliding piece which:

(a) does not have attached to it any tag, handle or other object which would facilitate the movement of the sliding piece; and

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- (b) incorporates a locking mechanism, which prevents the sliding piece opening the slide-fastener unless a wholly separate device is used to disengage the locking mechanism and act as a handle in the moving of the sliding piece between the teeth; and

"slide-fastener" means a device comprising two sets of teeth, each set of teeth being located on adjacent edges of the device and having an attached sliding piece which, by moving between the adjacent teeth of each edge, causes the teeth to interlock (or cease to interlock), as the case may be, with teeth of the adjacent edge.

2.10.2 Every bean bag, bean bag cover and package of every description containing bean bag filling shall have fixed securely to or stamped on it a label or notice in the following form:

"WARNING: Small Lightweight Beads Present a Severe Danger to Children if Swallowed or Inhaled", and in relation to which:

- (a) the word "WARNING" appears in upper case red letters of not less than 5 mm in height, on a white background;
- (b) the words "Small Lightweight Beads Present a Severe Danger to Children if Swallowed or Inhaled" appear in upper and lower case lettering, as the case may be, with the upper case letters of not less than 5 mm in height; and
- (c) the warning is conspicuously displayed.

2.10.3 Every bean bag and every bean bag cover shall have a child-resistant slide-fastener fitted to every opening through which bean bag filling can be inserted or removed.

2.11 Sunglasses

2.11.1 For the purposes of Regulation 2.11:

"S.A.A. Standard" means Australian Standard 1067-1983, "Sunglasses and Fashion Spectacles—Non-prescription Types", published by the Standards Association of Australia on 7 March, 1983:

"Commonwealth Standard" means the consumer product safety standard declared pursuant to section 63AA of the *Trade Practices Act, 1974*, by notice dated 15 October, 1985, and published in the Commonwealth of Australia *Gazette* No. S439 of 28 October, 1985.

2.11.2 All goods of the kind to which the Commonwealth Standard is applicable shall comply with the S.A.A. Standard as varied by the Commonwealth Standard.

2.12 Vehicle Jacks, Stands and Ramps

2.12.1 For the purposes of regulation 2.12:

"S.A.A. Standard" means—

- (a) Australian Standard 2640-1985, "Portable Ramps for Vehicles", approved by the Standards Association of Australia on 20 August, 1985;

(b) Australian Standard 2538-1985, "Vehicle Support Stands", approved by the Standards Association of Australia on 20 August, 1985;

(c) Australian Standard 2615-1985, "Trolley Jacks", approved by the Standards Association of Australia on 20 August, 1985;

or

(d) Australian Standard 2693-1985, "Vehicle Jacks", approved by the Standards Association of Australia on 20 August, 1985:

"Commonwealth Standard" means a consumer product safety standard declared pursuant to section 63AA(1) of the *Trade Practices Act 1974*, by notice dated 21 November, 1985, and published in the Commonwealth of Australia *Gazette* No. S504 of 29 November, 1985.

2.12.2 All goods of a kind to which a Commonwealth Standard is applicable shall comply with the S.A.A. Standard applicable to goods of that kind, as varied by the Commonwealth Standard.

2.13 Liquid-filled Toys

2.13.1 For the purposes of regulation 2.13—

"liquid-filled toy" means an item in which liquid is sealed, that is principally designed for use by a child up to the age of 14 years, and includes a novelty item.

2.13.2 Liquid sealed in a liquid-filled toy must not contain—

(a) any chemical substance that is likely, if ingested, to endanger the health of a child;

or

(b) any colourings, other than permitted colourings specified in Part A5 of the South Australian Health Commission Food Standards Code made under the *Food Act, 1985*.

2.13.3 Water sealed in a liquid-filled toy must be potable, within the meaning of potable water specified in Part A15 of the South Australian Health Commission Food Standards Code made under the *Food Act, 1985*.

2.14 Lighters

2.14.1 For the purposes of regulation 2.14, unless the contrary intention appears—

"**adjustable lighter**" means a lighter that is designed to enable the person using the lighter to adjust the height of the flame;

"**American standard**" means the Consumer Product Safety Standard for Cigarette Lighters (16 CFR 1210) issued by the U.S. Consumer Products Safety Commission as amended and in force from time to time;

"**customs value**" in relation to a lighter means the customs value determined for the lighter under section 159 of the *Customs Act 1901* of the Commonwealth;

"disposable lighter" means a flame producing device that is designed to light cigarettes, cigars and pipes and—

- (a) to be replaced when its supply of fuel is exhausted; or
- (b) to incorporate a separate container of fuel that is designed to be replaced when empty;

"lighter" means a disposable lighter, a novelty lighter or a refillable lighter;

"non-adjustable lighter" means a lighter that is not designed to enable the person using the lighter to adjust the height of the flame;

"novelty lighter" means a flame producing device that is designed to light cigarettes, cigars and pipes and—

- (a) to have an entertaining visual or audio effect that is unrelated to the production of the flame; or
- (b) to appear (whether visually or in any other way) to a young child to be or to resemble an object that is likely to appeal to, or be used by, the child;

"refillable lighter" means a flame producing device that—

- (a) is designed to light cigarettes, cigars and pipes and to be refilled with fuel when it is empty; and
- (b) was imported into or manufactured in Australia after 30 September 1997; and
- (c) has a value that is less than the amount prescribed by subregulation 1b;

"spit or sputter" in relation to a lighter means the escape of liquid fuel from the lighter in the form of burning liquid droplets that separate from the flame;

"value" of a lighter means—

- (a) where the lighter has been imported into Australia—its customs value;
- (b) where the lighter has been manufactured in Australia—the price of the lighter paid or payable to the manufacturer;

"young child" means a person who is under the age of five years.

2.14.1a The U.S. Consumer Products Safety Commission is prescribed pursuant to section 45(3)(c) of the Act for the purposes of the definition of "**American standard**" in subregulation 1.

2.14.1b The following amounts are prescribed for the purposes of the definition of "**refillable lighter**":

- (a) in relation to a lighter that was imported into or manufactured in Australia before 1 October 2002—\$2;
- (b) in relation to a lighter that was imported into or manufactured in Australia on or after 1 October 2002—the indexed amount.

2.14.1c The "**indexed amount**" for the purposes of subregulation 1b(b) is determined in accordance with the following formula:

$$IA = 2 \times \frac{X}{Y}$$

Where

- IA is the indexed amount expressed in dollars
- X is the All Groups Consumer Price Index (weighted average of the 8 capital cities) for the quarter commencing on 1 July 2002
- Y is the All Groups consumer Price Index (weighted average of the 8 capital cities) for the quarter commencing on 1 July 1997.

2.14.1d The following provisions apply in relation to the determination of the indexed amount under subregulation 1c:

- (a) where cents are included in the result they will be rounded to the nearest multiple of 25 (if they are at the mid point between two multiples they will be rounded up);
- (b) a change by the Australian Statistician in the Consumer Price Index previously published will be ignored unless it is based, or partly based, on a change in the reference base for the Index in which event determination of the indexed amount after the change will be based on the current figure.

2.14.1e The operation of a lighter will be taken to be unsafe if it—

- (a) spits or sputters; or
- (b) produces an abnormal or unsafe flame; or
- (c) can be operated easily by a young child.

Application Of This Regulation

2.14.1f This regulation only applies to a novelty lighter if the lighter is also a disposable lighter or a refillable lighter.

Ignition and Adjustment of Flame

2.14.2 Every lighter must be designed so that deliberate action is necessary to ignite and sustain a flame.

2.14.3 An adjustable lighter must be designed so that deliberate action is necessary to adjust the height of the flame.

Abnormal Burning

2.14.4 A lighter after being tested in accordance with parts 4, 5 and 6 of the sixth schedule, must not, when tested in accordance with parts 2 and 3 of that schedule—

(a) spit or sputter;

or

(b) produce an abnormal or unsafe flame.

Flame Height

2.14.5 Lighters must comply with subregulation 6 when tested in accordance with part 2 of the sixth schedule after being tested in accordance with part 4 or 5 or parts 4 and 5 of that schedule.

2.14.6 The height of the flame produced by a lighter must not exceed—

(a) in the case of a non-adjustable lighter—50 millimetres;

(b) in the case of an adjustable lighter—

(i) where the lighter is adjusted to produce the maximum flame height—150 millimetres;

(ii) where the lighter is adjusted to produce the minimum flame height—100 millimetres.

2.14.7 An adjustable lighter must not, when first used after being supplied, (assuming that the flame height has not been adjusted after being supplied) produce a flame exceeding 125 millimetres in height.

Flame Extinction

2.14.8 Lighters must comply with subregulation 9 after being tested in accordance with the procedures described in parts 3, 4 and 5 of the sixth schedule.

2.14.9 Where—

(a) a non-adjustable lighter produces a flame for 10 seconds; or

(b) an adjustable lighter—

(i) produces a flame for 5 seconds at the maximum flame height; or

(ii) produces a flame for 10 seconds at the minimum flame height,

the flame produced must extinguish after cessation of the action sustaining the flame within two seconds if the lighter has no flameguard or four seconds if it has a flameguard.

Structural Safety

2.14.10 A lighter must have no sharp external edges.

2.14.11 A lighter, when tested in accordance with parts 3, 4 or 5 of the schedule must not be damaged so as to affect its safe operation.

2.14.12 A lighter, when tested in accordance with part 4 of the schedule must not spontaneously ignite.

2.14.13 The internal pressure of the fuel reservoir of a lighter, when tested in accordance with part 6 of the schedule, must not show a sudden decrease.

Child Resistance

2.14.14 A lighter must be of a kind in relation to which the U.S. Consumer Products Safety Commission has issued a certificate of compliance with the American Standard that is for the time being in force.

2.15 Flotation Toys and Swimming Aids

2.15.1 For the purposes of this regulation:

"flotation toys and swimming aids" means flotation toys and swimming aids likely to be used by children under the age of 15 years in recreational activities or to assist in swimming tuition and includes but is not limited to—

(a) rings, partial rings, arm bands, kickboards and surf mats which are inflatable, hollow moulded or made substantially from expanded foam;

(b) inflatable toy boats having less than 3 separate inflatable chambers, or having a length and width the sum of which is less than 3 metres;

and

(c) swimming vests and flotation bubbles,

but does not include—

(d) goods for therapeutic use or for use by disabled persons;

(e) goods for use as life jackets which comply, or substantially comply, with—

(i) Australian Standard 1512-1973 approved by the Standards Association of Australia on 5 July, 1973;

(ii) Australian Standard 1512-1979 published by the Standards Association of Australia on 1 July, 1979;

(iii) Australian Standard 1512-1981 published by the Standards Association of Australia on 1 June, 1981;

(iv) Australian Standard 1512-1983 published by the Standards Association of Australia on 7 March, 1983;

or

(v) Australian Standard 1512-1984 published by the Standards Association of Australia on 7 December, 1984;

(f) goods for use as buoyancy vests which comply, or substantially comply, with—

(i) Australian Standard 1499-1973 approved by the Standards Association of Australia on 5 March, 1973;

(ii) Australian Standard 1499-1979 published by the Standards Association of Australia on 1 July, 1979;

(iii) Australian Standard 1499-1983 published by the Standards Association of Australia on 7 March, 1983;

or

(iv) Australian Standard 1499-1984 published by the Standards Association of Australia on 7 December, 1984;

and

(g) goods for use primarily as a means of flotation for persons in water and in need of rescue, including goods carried in or on ships or boats for such purpose:

"the new S.A.A. Standard" means Australian Standard 1900-1986, "Children's Flotation Toys and Swimming Aids", published by the Standards Association of Australia on 5 September, 1986, as varied by striking out clause 1.1:

"the old S.A.A. Standard" means clauses 3.17.1(g), 3.17.2 and 3.17.3 of Australian Standard 1900-1981, "Children's Flotation Toys and Swimming Aids", published by the Standards Association of Australia on 1 April, 1981, as varied—

(a) by striking out from clause 3.17.2 all the words after "clause 3.17.1(g)";

and

(b) by striking out from clause 3.17.3 "article" wherever appearing and substituting, in each case, "goods".

2.15.2 (1) Before 1 October, 1989, all flotation toys and swimming aids must comply with either the new or the old S.A.A. Standard.

(2) On and after 1 October, 1989, all flotation toys and swimming aids must comply with the new S.A.A. Standard.

2.16 Child Carrying Seats for Bicycles

2.16.1 For the purposes of regulation 2.16—

"bicycle saddle spring guard" means a protective guard fitted so that the fingers of the occupant of a child carrying seat cannot be trapped by the springs of the bicycle saddle:

"bicycle wheel spoke guard" means a protective guard fitted so that the feet of the occupant of a child carrying seat cannot be trapped by the rotating spokes of a bicycle wheel:

"child carrying seat" or "seat" means a seat that is designed for the purpose of carrying a child as a passenger on a bicycle:

"support" means the component used to secure a child carrying seat to a bicycle:

"test method" means the application to the centre of a child carrying seat for a period of at least 30 seconds of a mass equivalent to 3 times the maximum load that the seat is designed to carry, while the bicycle to which the seat is attached is supported in an upright position in such a manner that the centre of gravity of the mass lies in a vertical plane through the frame of the bicycle:

"ultraviolet stabilizers" means substances which reduce the detrimental effects of ultraviolet radiation on plastic.

2.16.2 A child carrying seat must be designed to be securely attached to the bicycle frame—

(a) over the rear wheel;

or

(b) between the saddle and the handle-bars,

in such a manner that the occupant of the seat faces towards the front of the bicycle.

2.16.3 A child carrying seat must be designed to be secured by at least two separate anchorage points moulded or integrated into the seat so as to prevent lateral movement during normal use.

2.16.4 A child carrying seat must incorporate—

(a) foot rests;

and

(b) a suitable device to restrain a child of a body mass equivalent to the maximum load that the seat is designed to carry, comprising—

(i) a webbed seat belt manufactured from high tenacity synthetic fibre;

and

- (ii) a buckling device that is unlikely to be released accidentally or intentionally by the occupant of the seat.

2.16.5 The plastic components of child carrying seats must incorporate ultraviolet stabilizers.

2.16.6 Subject to regulation 2.16.7, a child carrying seat must be supplied with—

(a) a support;

(b) a bicycle wheel spoke guard;

and

(c) a bicycle saddle spring guard.

2.16.7 A seat need not be supplied with a separate support if a support is an integral part of the seat.

2.16.8 Metal used in the construction of a support must be in the form of a tube or rod.

2.16.9 A child carrying seat and support, when it is attached to a bicycle that complies with regulation 2.8, must maintain its structural integrity when the seat is tested in accordance with the test method.

2.17 Protective Helmets for Pedal Cyclists

2.17.1 For the purposes of regulation 2.17—

"Commonwealth Standard" means the consumer product safety standard declared under section 65E of the *Trade Practices Act 1974* of the Commonwealth, by notice dated 21 July, 1989, and published in the *Commonwealth of Australia Gazette*, No. GN 30 of 9 August, 1989;

"S.A.A. Standard" means clauses 3, 4.5 and 6.2 of Australian Standard 2063.1-1986, "Lightweight Protective Helmets (for use in pedal cycling, horse riding and other activities requiring similar protection) Part 1—Basic Performance Requirements", published by the Standards Association of Australia on 4 August, 1986 as amended by Amendment No. 2 published on 9 May, 1988.

2.17.2 All goods of the kind to which the Commonwealth Standard is applicable must comply with the S.A.A. Standard as varied by the Commonwealth Standard.

2.18 Toys for children under three years of age.

2.18.1 (1) in this regulation—

"base area", of a toy, means the area obtained by joining the points obtained by vertically projecting all the lateral extremities of the toy onto a horizontal plane on which the toy rests in its intended orientation:

"elastic" means a material that will, on being elongated by ten per cent and then released, substantially recover its former shape and size rapidly:

"fabric" means a woven, knitted or non-woven textile material manufactured from fibres, filaments or yarns:

"flotation aid toy" means an article that is made partly or wholly from buoyant material, or is filled with gas, or both, and is intended to be worn or held by a child under three years of age to provide buoyancy for the child when the child is in water:

"playground equipment" means a swing, see-saw, slide, agility apparatus, climbing, swinging, rotating or rocking apparatus, cubby house, sandpit, sliding pole, ladder or any other similar equipment:

"ride-on toy" means a toy that is designed to be ridden and includes a tricycle, scooter or rocking horse:

"sit-on toy" means a toy that is designed to be sat on but is not designed to be ridden, and includes a chair:

"toy" means a toy designed, manufactured, labelled, marketed or commonly used as a play thing for a child under three years of age and includes—

- (a) a rattle, a dummy, a teether, a squeeze toy, a toy intended to be attached to a crib, stroller, playpen or baby carriage, a pull or push toy, a pounding toy, a block, a stacking toy, a toy intended to be used in a bath tub or wading pool or in sand, a spring or stick horse or other figure, a musical chime toy, a jack-in-the-box, a stuffed, plush or flocked animal or other figure, a doll, a toy vehicle, a ride-on toy or a sit-on toy,

but excludes—

- (b) a balloon, a marble, a gramophone record, a book or other article made of paper, writing material (including a crayon, chalk, pencil or pen), paint (including finger paint or water colour paint), modelling material (including clay, plasticine or play-dough), a flotation aid toy, a bicycle with a wheelbase of not less than 640 mm or playground equipment.

(2) In this regulation, a reference to an appendix is a reference to the relevant appendix to Australian Standard 1647, Part 2-1981, "Children's Toys (Safety Requirements) Part 2—Constructional Requirements".

(3) This regulation does not apply to—

(a) a toy;

(b) a part of a toy designed to be removed from the toy;

or

- (c) a part of a toy of a kind listed in regulation 2.18.4 detached or broken off from the toy in the course of the toy being subjected to the procedures set out in the appropriate appendices listed in that regulation,

that consists wholly of paper, fabric, yarn, elastic or string or a combination of those materials.

(4) If a toy is supplied in a form that requires assembly before use, the toy must comply with this regulation when assembled.

2.18.2 (1) A toy must not constitute an ingestion or inhalation hazard.

(2) Any part of a toy designed to be removed from the toy in the course of the use of the toy must not constitute an ingestion or inhalation hazard.

(3) After a toy of a kind listed in regulation 2.18.4 is subjected to the procedures set out in the appropriate appendices listed in that regulation—

- (a) the toy;
- (b) any part of the toy detached or broken off in the course of those procedures;
- (c) in the case of a stuffed toy, any stuffing or other object originally inside the toy that is capable of passing through the seam opening of any test sample,

must not constitute an ingestion or inhalation hazard.

(4) For the purposes of this regulation, a toy or part of a toy constitutes an ingestion or inhalation hazard if, when subjected to the procedures set out in Appendix D, it fits completely into the truncated circular right cylinder described in that appendix.

(5) Immediately before a toy or part of a toy is subjected to the procedures set out in an appendix referred to in this regulation, the toy or part must be placed in an environment maintained at a temperature of $20 \pm 5^\circ$ Celsius and a relative humidity of between 20 and 70 per cent for at least 24 hours.

2.18.3 A pull or push toy that has a rigid handle with a cross-sectional area of 78.5 square millimetres or less must have a protective cover firmly attached to the end of the handle.

2.18.4 Toy	Appendix
Toy with a moving component.	Appendix F
Toy weighing 1 kg or less and labelled washable.	Appendix G
Toy (except a ride-on or sit-on toy) with a base area of less than 0.25 square metres or a volume of less than 0.085 cubic metres and—	Appendix H

- (a) if the toy is designed, manufactured, labelled, marketed or commonly used as a plaything for a child under 18 months of age, a mass of 0.5 kg or less;
- (b) in any other case, a mass of 1.5 kg or less.

Toy—

Appendix J

- (a) with a surface that is accessible to the test probe specified in Appendix A using the procedure specified in that appendix but that does not permit flat surface contact during the drop test described in Appendix H or the tumble test in Appendix R;

and

- (b) that by reason of its surface dimensions can be subjected to the procedures set out in Appendix J.

Toy with a base area of 0.25 square metres or more or a volume of 0.085 cubic metres or more.

Appendix K

Toy designed to propel an object by means of stored energy released by a discharge mechanism.

Appendix L

Toy with a component with an external dimension of 32 mm or less and of a design that would permit a child, after suitably orientating the toy, to insert the component into his or her mouth to a depth of 6 mm or more.

Appendix M

Toy with a part that projects 6 mm or more from the toy and which a child could grasp with his or her thumb and forefinger or teeth	Appendices N and O (If the projection consists of a tyre that is not permanently joined to the wheel rim, it need not be subjected to the procedures set out in Appendix O.)
Toy with a protective tip or cover on any part of the toy.	Appendices N and O (The protective tip or cover must be taken to be the projection referred to in the appendices.)
Stuffed toy.	Appendix P (If the toy is not covered in fabric, any reference to fabric in the appendix must be taken to be a reference to the covering material.)
Toy in which wire or other stiffening material is used for retention of form.	Appendix Q
Wheeled toy of a mass of 1.4 kg or more.	Appendix R
Wheeled toy with a tyre that is not permanently joined to the wheel rim.	Appendix S
Wheeled toy with an axle and wheel assembly that is retained by a snap-in device and that is detached when subjected to the procedures set out in Appendix T.	Appendix U
Mouth actuated toy that contains a loose object, e.g., spheres in a whistle or reeds in a noisemaker.	Appendix V
Toy that covers the eyes, e.g., goggles, space helmet, face mask.	Appendix W

2.19 Cots for household use

2.19.1 For the purposes of regulation 2.19:

"Australian Standard" means Australian/New Zealand Standard 2172:1995 (AS/NZS 2172:1995) "Cots for household use - Safety requirements", published by Standards Australia and Standards New Zealand on 5 April, 1995;

"carry cot" means a device, designed to be carried, in which a baby may be rested or transported;

"cot" means a child's cot designed for household use but does not include a folding portable cot, a carry cot or a cradle;

"cradle" means a device designed as a sleeping facility for a baby but not for a child;

"folding portable cot" means a device which—

- (a) is designed for use as a portable or temporary sleeping facility for a child up to a maximum mass of 15 kg; and
- (b) may be folded or assembled and disassembled without tools, screws, nails or glue.

2.19.2 All cots must comply with the Australian Standard as varied by these regulations.

2.19.3 If a cot is supplied in a form requiring assembly before use, the cot must comply with this regulation when assembled.

2.19.4 The Australian Standard is varied by deleting clauses 1, 2, 4, 7 and 10.

3. INFORMATION STANDARDS

3.1 Airpots

3.1.1 For the purposes of regulation 3.1:

"airpot" means an insulated flask or container which is:

- (a) used or designed for the temporary storage of hot or cold beverages;
- and
- (b) fitted with a hand operated pump which facilitates the removal of those liquids from the airpot.

3.1.2 There shall be prominently displayed on every airpot in a permanent manner a notice or label clearly and legibly bearing the words "Caution. This airpot may leak. Keep upright at all times. Clean pump thoroughly after use." and in relation to which:

- (a) the words are in upper case letters of a height of at least 2.5 millimetres;
- (b) the word "caution" is in bold typeface;
- (c) the notice or label is conspicuously placed in close proximity to the pump; and
- (d) the words are of a colour which contrasts distinctly with their background.

3.2 Care Labelling

3.2.1 For the purposes of regulation 3.2—

"Commonwealth Standard" means the consumer product information standard declared pursuant to section 65E of the *Trade Practices Act 1974* by notice dated 4 September, 1989 and published in the *Commonwealth of Australia Gazette*, No. GN 36 of 20 September, 1989:

"S.A.A. Standard" means Australian Standard 1957-1987 "*Care Labelling of Clothing, Household Textiles, Furnishings, Upholstered Furniture, Bedding, Piece Goods and Yarns*" published by the Standards Association of Australia on 2 November, 1987.

3.2.2 All goods of the kind to which the Commonwealth Standard is applicable must comply with the S.A.A. Standard as varied by the Commonwealth Standard.

3.3 Flammable Clothing

3.3.1 For the purposes of regulation 3.3:

"S.A.A. Standard" means Australian Standard 1249-1983, "Children's Night Clothes Having Reduced Fire Hazard", published by the Standards Association of Australia on 2 May 1983, as amended by Amendment No. 1 published on 4 April, 1985.

"Children's night clothes" means all garments designed as night clothes (but not including any article of headwear, footwear or handwear) in sizes ranging from 0 to 14 as specified in Australian Standard 1182-1980 "Size Coding Scheme for Infants' and Children's Clothing (Underwear and Outerwear)", published by the Standards Association of Australia on 1 September 1980.

3.3.2 All children's night clothes shall be labelled in accordance with the requirements of Section 5.1 of the S.A.A. Standard.

3.3.3 Any paper pattern for children's night clothes shall bear a warning on the outside of the envelope in which it is contained, in terms of Section 5.2 of the S.A.A. Standard.

3.4 Flotation Toys and Swimming Aids

3.4.1 For the purposes of regulation 3.4—

"flotation toys and swimming aids" has the meaning defined by regulation 2.15.1:

"the new S.A.A. Standard" means Australian Standard 1900-1986, "Children's Flotation Toys and Swimming Aids", published by the Standards Association of Australia on 5 September, 1986, as varied by striking out clause 1.1:

"the old S.A.A. Standard" means clauses 3.17.1(g), 3.17.2 and 3.17.3 of Australian Standard 1900-1981, "Children's Flotation Toys and Swimming Aids", published by the Standards Association of Australia on 1 April, 1981, as varied—

(a) by striking out from clause 3.17.2 all the words after "clause 3.17.1(g)";

and

(b) by striking out from clause 3.17.3 "article" wherever it occurs and substituting, in each case, "goods".

3.4.2 (1) Before 1 October, 1989, all flotation toys and swimming aids must comply with the marking requirements of either the new or the old S.A.A. Standard.

(2) On and after 1 October, 1989, all flotation toys and swimming aids must comply with the marking requirements of the new S.A.A. Standard.

* * * * *

3.5 Footwear

3.5.1 For the purposes of regulation 3.5:

"quarter lining" in relation to a shoe means the material used to line the inside of the upper from the waist on one side of the shoe around the heel of the shoe to the waist on the other side of the shoe;

"shoe" includes boot, slipper or sandal and every other article of footwear;

"sock lining" means the thin slip of leather, paper or like material which is affixed to the upper surface of the insole of a shoe;

"sole" means all that part of a shoe which, when the shoe is worn by a person, is under the foot of the wearer including the heel of that shoe but does not include:

- (a) the insole of that shoe;
 - (b) the sock lining of that shoe;
- or
- (c) thread, wax, rivets, pegs, nails, heel tips, heel caps, toe plates or heel plates used in the manufacture of that shoe;

"upper" means the outer covering of the part of the shoe that is above the sole, but does not include any thread, lace, eyelet, buckle, button or other adornment.

3.5.2 Shoes must be marked in accordance with this regulation with the following information:

- (a) the words "made by" or "manufactured by" immediately followed by the name of the manufacturer;
- (b) in the case of shoes:
 - (i) the soles of which consist entirely of leather, the words "all leather sole";
 - (ii) the uppers of which consist entirely of leather, the words "all leather upper";and
 - (iii) the quarter linings of which consist entirely of leather, the words "all leather quarter lining";
- (c) in the case of shoes, the soles of which do not consist entirely of leather:
 - (i) a true statement of the materials comprising the sole;
 - (ii) in the case of shoes consisting entirely of synthetic materials, the words "synthetic sole";or
 - (iii) the words "non-leather sole";
- (d) in the case of shoes the uppers of which do not consist entirely of leather but consist entirely or partly of material resembling leather:
 - (i) a true statement of the material comprising the upper;

(ii) in the case of uppers consisting entirely of synthetic material the words "synthetic upper";

or

(iii) the words "non-leather upper";

and

(e) in the case of shoes the quarter linings of which do not consist entirely of leather but consist entirely or partly of a material resembling leather:

(i) a true statement of the materials comprising the quarter lining;

(ii) in the case of quarter linings consisting entirely of synthetic material the words "synthetic quarter lining";

or

(iii) the words "non-leather quarter lining".

3.5.3 For the purposes of regulation 3.5.2, a sole shall be deemed to consist entirely of leather if the only material in the sole, other than leather, consists of one or more of the following:

(a) ordinary fillers of cork or waterproof felt;

(b) canvas used to reinforce the insole;

(c) shanks made of leatherboard, fibreboard, wood, or any combination of these materials, for the purpose of strengthening the sole of the shoe at the waist whether or not such shanks are also strengthened with steel or other metal;

(d) wood, plastic or metal used in the heel of the shoe including heel tips or caps;

(e) stiffening made of leatherboard, fibreboard, canvas or other similar substances, glue or other preparations similar to glue or any combination of these materials when used only for the purpose of supporting the upper of the shoe at the heel or toe.

* * * * *

3.5.5 The marking applied to a shoe pursuant to regulation 3.5.2, shall be in the English language in clearly legible and visible letters of at least 2.5 millimetres in height and shall be stamped, imprinted or embossed upon the materials of the shoes in any of the following positions:

(a) the waist of the outsole of the shoe;

(b) the inside of the upper above the inside waist of the shoe;

or

- (c) the heel seat or waist area of the sock lining or, where there is no sock lining, on the heel seat or the waist area of the insole,

provided that if such materials have properties which make it not reasonably practicable for the letters to be stamped, imprinted or embossed thereon, such marking shall be applied to the shoe stamped on or impressed on a label of rubber, plastic or durable cloth and affixed by means of vulcanization or adhesion.

3.5.6 Paragraphs (b), (c), (d) and (e) of regulation 3.5.2 do not apply in relation to ski-boots.

3.6 Hydropneumatic Rockets

3.6.1 For the purposes of regulation 3.6:

"hydropneumatic rocket" means a toy the main parts of which consist of a rocket, a hand pump and associated release mechanism the rocket being capable of propulsion by:

- (a) pouring a small quantity of water into the body of the rocket;
- (b) attaching the hand pump to the rocket;
- (c) manipulating the hand pump so as to inject air into the body of the rocket;
and
- (d) releasing the release mechanism so as to eject the water from the body of the rocket to create the force necessary for propulsion.

3.6.2 Every hydropneumatic rocket shall have fixed securely to or printed on it, or to or on the major display portion of the package in which the hydropneumatic rocket is contained when it is supplied, a label or notice on which is printed clearly and legibly in upper case letters the words "WARNING TO PARENTS THIS TOY MAY CAUSE INJURY IF USED CARELESSLY" and in relation to which:

- (a) the words "WARNING TO PARENTS" are of letters of a height of at least 5 millimetres and appear above the other words;
- (b) the words "THIS TOY MAY CAUSE INJURY IF USED CARELESSLY" are of letters of a height of at least 1.5 millimetres;
- (c) the colour of the label or notice is red and the colour of the letters of the words is white; and
- (d) the label or notice is fixed or printed in such a position that it is conspicuous to persons to whom the hydropneumatic rocket is supplied or who use the hydropneumatic rocket.

3.7 Nuisance Dust Masks

3.7.1 For the purposes of regulation 3.7:

"nuisance dust masks" means goods:

- (a) that are comprised wholly or partly of filtering devices or filtering materials that are intended to be worn over the nose and mouth;
- (b) the filtering devices or filtering materials of which are capable of filtering out solid or liquid matter from air inhaled by the wearer, but are not capable of filtering out all matter of such a kind, or are not capable of filtering out gaseous matter or vapour; and
- (c) that do not comply with the Standards for particulate respirators in Australian Standard AS 1716-1982 "Specification for Respiratory Protective Devices".

3.7.2 Every nuisance dust mask and replacement filter for such mask shall have fixed securely to or printed on it, or on the primary display panel of the package in which the nuisance dust mask or replacement is contained when it is supplied, a label or notice on which is printed clearly and legibly in upper case letters the words: "WARNING. THIS PRODUCT DOES NOT SAFELY FILTER FINE TOXIC DUSTS OR ANY GASES OR VAPOURS. IT IS NOT SUITABLE FOR PROTECTING THE WEARER WHEN SPRAYING PAINT, HANDLING ASBESTOS OR WELDING. IT IS ONLY SUITABLE FOR NON-TOXIC DUST SUCH AS:" followed by an expression or expressions naming or describing a substance or substances against which the goods afford protection to the wearer such as: "FIBREGLASS DUST, SAWDUST, HOUSEHOLD DUSTS, GARDEN DUSTS" and in relation to which:

- (a) words on the label or notice are of a height of at least 2.5 millimetres;

and

- (b) the label or notice is fixed or printed in such a position that it is conspicuous to persons to whom the nuisance dust mask and replacement filter is supplied.

3.8 Opals

3.8.1 For the purposes of regulation 3.8:

"dealer" means a person who carries on the trade or business of supplying opals or items containing opals;

"imitation opal" means artificial material that is supplied or described as opal or a product of opal, but does not include synthetic opal;

"matrix opal" means host rock which is impregnated with naturally occurring opal which cannot be readily separated from that host rock;

"solid opal" means naturally occurring opal that has no other material artificially fixed to it, and includes boulder opal and painted lady opal, but does not include matrix opal or treated opal;

"synthetic opal" means manufactured material that has the same or similar physical and chemical structure as naturally occurring opal;

"treated opal" means naturally occurring opal that has been treated chemically or by other means in order to enhance its opalescence.

3.8.2 A dealer who supplies opal to any person shall provide that person with a receipt in writing that is clear and legible and specifies the business name and address of the dealer, the date of supply, the price paid for the opal by the person to whom it is supplied, and the classification of the opal in accordance with the First Schedule hereto.

3.8.3 A dealer who offers, exposes or displays opal for supply to persons who are not dealers shall conspicuously display adjacent to that opal a notice on white paper of size 210 mm wide and 297 mm deep in the form of the Second Schedule hereto, and printed in letters which are not less than 5 mm in height.

3.8.4 A dealer shall not supply any item of or containing synthetic opal to any person unless there is attached to that item a sign, card, tag or other such label that has the words "synthetic opal" printed conspicuously on it in letters not less than 2.5 mm in height.

3.8.5 A dealer shall not supply any item of or containing imitation opal to any person unless there is attached to that item a sign, card, tag or other such label that has the words "imitation opal" printed conspicuously on it in letters not less than 2.5 mm in height.

3.8.6 A dealer shall not supply any item of or containing treated opal to any person unless there is attached to that item a sign, card, tag or other such label that has the words "treated opal" printed conspicuously on it in letters not less than 2.5 mm in height.

3.8.7 Any opal or any item containing any opal having a retail price of fifteen dollars or less, shall be excluded from the requirements of these regulations.

3.9 Puller Winches

3.9.1 For the purposes of regulation 3.9:

"puller winch" means an appliance, independent of a crane, which is manually operated by means of a lever, crank or like mechanism providing a pulling effort and motion to a hook attached to a wire or fibre rope wound and stored on a drum, and which is intended for the pulling or lifting of a load attached to the wire or fibre rope, but does not include a hoisting appliance as defined under the *Industrial Safety, Health and Welfare Act, 1972* or a winch that is fitted to a boat;

"proof load" means the load:

- (a) at which any breakage, fracture or permanent deformation of a puller winch occurs or has occurred;
- (b) which is determined by static tension testing or dead weight load testing undertaken by a laboratory which is registered by the National Association of Testing Authorities as being competent to conduct such testing; and

- (c) which is certified in writing by the Commissioner upon or after receipt of a copy of a report of the results of that testing from the laboratory referred to in paragraph (b);

"safe working load for lifting" means a load that does not exceed one-quarter of the proof load:

"safe working load for pulling" means a load that does not exceed one-half of the proof load.

3.9.2 Every puller winch and the package in which it is supplied must comply with the following requirements:

- (a) it must display an easily legible statement in a conspicuous position in the following form:

"CAUTION"

SAFE WORKING LOAD FOR PULLING kilograms
 (here insert the load that represents one-half of the certified proof load)
 SAFE WORKING LOAD FOR LIFTING kilograms
 (here insert the load that represents one-quarter of the certified proof load, or, if unsuitable for lifting, insert "UNSUITABLE FOR LIFTING").;

- (b) the statement must be in the English Language;
- (c) the statement must be displayed in letters of at least 5 millimetres in height;
- (d) the statement must be displayed in letters of a colour that contrasts distinctly with their background;
- (e) in the case of a puller winch, the statement must be indelibly printed on a label that is securely attached to the puller winch;

and

- (f) in the case of the package in which the puller winch is supplied—
 - (i) the statement must be indelibly printed on the package;
 or
 - (ii) the statement must be indelibly printed on a label that is securely attached to the package.

* * * * *

3.10 Seat Covers

3.10.1 For the purposes of regulation 3.10:

"motor vehicle" means a vehicle used or capable of being used for transportation on land, and designed to be wholly or partly propelled by its own engine.

"seat cover" means fabric, cloth, leather, animal skin or other material, that is:

- (a) designed or intended for use as an outer cover for a seat of a motor vehicle; and
- (b) fitted with one or more elasticised straps or cords any of which in order to secure the seat cover to the seat:
 - (i) has attached to it a hook, buckle, or other similar fastening device; or
 - (ii) requires the attachment of a hook, buckle, or other similar fastening device, whether or not it is supplied with the strap or cord.

3.10.2 Every seat cover shall have fixed to it a label or tab on which is printed in upper case the words "WARNING AVOID EYE INJURY HOOKS MAY REBOUND" and in relation to which:

- (a) the label or tab is white in colour;
- (b) the printing is red in colour;
- (c) the word "WARNING" is of a height of at least 6 millimetres;
- (d) the words "AVOID EYE INJURY" are of a height of at least 3 millimetres and are printed below the word "WARNING";
- (e) the words "HOOKS MAY REBOUND" are of a height of at least 3 millimetres and are printed below the words "WARNING" and "AVOID EYE INJURY";
- (f) all the words are clearly legible; and
- (g) the label or tab is securely fixed to the seat cover in such a position as to be clearly visible to the person securing the seat cover to the seat.

3.11 Snorkel Tubes

3.11.1 For the purposes of regulation 3.11:

"snorkel tube" means a tube or hose through which a person whose head is underwater may breathe air directly from the atmosphere.

3.11.2 Regulation 3.11.3 does not apply to a package which:

- (a) contains more than one snorkel tube, whether or not those snorkel tubes are individually packaged; and

- (b) is intended or used only for the purpose of transporting those snorkel tubes; or
- (c) is transparent and contains a snorkel tube bearing the prescribed notice which is clearly visible.

3.11.3 Every snorkel tube, and any package in which it is contained when it is supplied, shall bear a notice comprising the words "CAUTION COMPETENT INSTRUCTION ADVISED BEFORE USE" and in relation to which:

- (a) the words are in upper case letters;
- (b) the word "CAUTION" is in letters of a height of at least 5 millimetres;
- (c) the words "COMPETENT INSTRUCTION ADVISED BEFORE USE" are in letters of a height of at least 2.5 millimetres;
- (d) in the case of a snorkel tube, the notice is:
 - (i) embossed on the snorkel tube; or
 - (ii) indelibly printed on a label which is securely affixed to the snorkel tube;
- (e) in the case of a package in which a snorkel tube is contained when it is supplied, the notice is:
 - (i) indelibly printed on the package; or
 - (ii) indelibly printed on a label which is securely affixed to the package;
- (f) where the words are printed on a label or on the package in which the snorkel tube is supplied, they are printed in a colour which distinctly contrasts with the colour of the label or package, as the case may be;
- (g) the words are clearly legible; and
- (h) the label is affixed, or the words are printed or embossed, in such a position that they will be conspicuous to persons who use the snorkel tube or to whom it is supplied, as the case may be.

3.12 Textile Products.

3.12.1 For the purposes of this regulation—

"designated made up goods" means goods of the following kinds:

Men's and Boys' Wear:

Gloves, all types of hosiery, mittens, reversible jackets, washable incontinence garments.

Women's and Girls' Wear:

Gloves, all types of hosiery, mittens, neckwear, reversible jackets, shawls, washable incontinence garments.

Baby Wear:

Bibs, gloves, mittens, washable fitted nappies, pilchers, squares of cotton, flannelette, muslin or terry toweling.

Household Drapery:

Appliance covers for teapots, toasters or the like, bath mats, face washers, finger tips, oven cloths, place mats, pot holders, shower curtains, tablecloths, towels, towelling.

Haberdashery:

Curtain making kits, elastic and elastic threads, iron-on binding patches or trim, ribbons, sewing thread, velcro type fastenings, zippers:

"the old standard" means the standard prescribed by regulation 3.12 as in force immediately before 1 September, 1988:

"the S.A.A. Standard" means Australian Standard 2622-1987 Textile Products—Fibre Content Labelling as varied by regulation 3.12.2:

"textile fibre" means a unit of matter characterized by its flexibility, fineness and high ratio of length to thickness, which together render it suitable for textile applications, including wool, hair, silk, cotton, flax and any other fibrous material whether natural or artificial and including glass fibre where this is used in household textiles or apparel:

"textile product" means a manufactured, or semi-manufactured product made from textile fibre by spinning, weaving, knitting, felting, bonding, tufting or other process.

3.12.2 The S.A.A. Standard is varied by inserting after paragraph (b) of clause 7.1.3 the following clause:

7.1.3a Where goods contain any loading, weighting or filling substance or substances and the weight of such substance or the combined weight of two or more such substances removable from the goods by normal cleaning processes, exceeds 5% of the total weight of the goods—the label must include the words "loose filling exceeds five per cent".

3.12.3 Subject to regulation 3.12.4, until 31 August, 1991, textile products must be labelled in accordance with the requirements of either the S.A.A. Standard or the old standard.

3.12.4 On and after 1 September, 1989, textile products manufactured in, or imported into, the Commonwealth on or after that date must be labelled in accordance with the requirements of the S.A.A. Standard.

3.12.5 On and after 1 September, 1991, textile products must be labelled in accordance with the requirements of the S.A.A. Standard.

3.12.6 The following kinds of goods are exempt from the requirements of the S.A.A. Standard:

Men's, Women's, Children's and Baby Wear:

Arm bands, belts, braces, brassieres, collars, corsets, garter suspenders, handkerchiefs, hats.

Footwear:

Textile materials commonly used in the manufacture of footwear including boots, sandals, shoes and slippers.

Household Drapery:

Butter muslin, centres, cleaning cloth, cleaning cloths, dish cloths, doileys, duchess sets, dusters, floor cloths, gauze, mattress cases, mattress covers, mattress protectors, mosquito netting and covers made from such netting, pressing cloths, runners, serviettes, ticking, tray cloths.

Furnishings:

All types of backing materials for carpets, awnings, coir mats, draught excluders, lampshades, matting, oil baize, paper felt (for underlinings), tapestries, underfelt, wall hangings, window blinds.

Haberdashery:

All items of haberdashery except designated made up goods.

Jute Products:

All jute products.

Medical and Surgical Goods:

All goods intended for medical and surgical use including bandages, dressings, sanitary pads or materials forming part of manufactured medical and surgical goods.

Canvas Goods:

Beach umbrella coverings, canvas, deckchair covers, duck, garden umbrella coverings, sail cloth.

Goods of Industrial Usage:

Bookbinding cloth, filter cloth, mop cloth, printers' and signwriters' cloth, sweat rags, ticket buckram, undertakers' cloth.

Miscellaneous Goods:

Artificial flowers, all bags and cases (including briefcases, handbags, purses, school bags, sports bags, travel bags, wallets and wash bags), basket hangers, cords, firemen's hoses, flags, flex coverings, garden gloves, garden hoses, goods intended for one-time use only, lashings, mops, ornaments, parasols, polypropylene webbing and covers for furniture, ribbons forming part of manufactured articles, shoe holders, shoelaces, sporting goods (other than apparel) used for the purposes of sport, toys, twine, umbrellas, woven labels.

3.12.7 Designated made up goods are exempt from those requirements of the S.A.A. Standard that require the fibre content of a made up product to be stated on a permanent label.

3.13 Silos

3.13.1 For the purposes of regulation 3.13:

"appropriate metric units" means—

- (a) in relation to the capacity of a silo—cubic metres;
- (b) in relation to the external dimensions of a silo—millimetres or metres;

"granular material" includes seed, grain and solid fertilizer;

"maximum capacity" in relation to a silo means the maximum granular storage capacity of the silo within the limits of permitted tolerances set out in the following table:

<i>Absolute Capacity</i>	<i>Permitted Tolerances</i>
Less than 50 cubic metres	Plus or minus 1 cubic metre
50 cubic metres or more	Plus or minus 2 per cent of maximum capacity;

"silo" means a container designed for storage of granular material which has an absolute capacity of not less than 1 cubic metre and includes a field bin or a feed bin.

3.13.2 Where information is provided in respect of a silo that includes a reference to the capacity or dimensions of the silo, the information must comply with the following requirements:

- (a) it must include a statement of the maximum capacity and external dimensions of the silo;
- (b) the statement must be expressed in appropriate metric units;
- (c) the statement must be given greater prominence or emphasis than the remainder of the information;

and

- (d) where the information is provided in writing, the statement must be easily legible.

3.13.3 Regulation 3.13.2 does not apply in relation to oral statements or representations unless constituting an advertisement or part of an advertisement.

3.14 Water Storage Tanks.

3.14.1 For the purposes of regulation 3.14:

"appropriate metric units" means—

- (a) in relation to the capacity of a tank—litres or kilolitres;
- (b) in relation to the external dimensions of a tank—metres or millimetres;

"maximum capacity" in relation to a tank means the maximum water storage capacity of the tank within the limits of permitted tolerances set out in the following table:

<i>Absolute Capacity</i>	<i>Permitted Tolerances</i>
Less than 500 litres	Plus or minus 10 litres
500 litres or more but less than 1 kilolitre	Plus or minus 25 litres
1 kilolitre or more but less than 5 kilolitres	Plus or minus 50 litres
5 kilolitres or more but less than 10 kilolitres	Plus or minus 100 litres
10 kilolitres or more	Plus or minus 2 per cent of maximum capacity;

"tank" means a container for the storage of water which has an absolute capacity of not less than 100 litres.

3.14.2 Where information is provided in respect of a tank that includes a reference to the capacity or dimensions of the tank, the information must comply with the following requirements:

- (a) it must include a statement of the maximum capacity and external dimensions of the tank;
- (b) the statement must be expressed in appropriate metric units;
- (c) the statement must be given greater prominence or emphasis than the remainder of the information;

and

- (d) where the information is provided in writing, the statement must be easily legible.

3.14.2a In the case of a cylindrical tank that has a conical-shaped top, a statement required pursuant to paragraph (a) of regulation 3.14.2 of the height of the tank must include a statement of the height of the wall of the tank excluding the height of the cone.

3.14.3 Regulation 3.14.2 does not apply in relation to oral statements or representations unless constituting an advertisement or part of an advertisement.

3.15 Furniture.

3.15.1 For the purposes of regulation 3.15:

"furniture" includes an article of furniture whether or not it is polished, painted or finished or is assembled or requires assembly but does not include:

(a) bedding, curtains or light fittings;

(b) floor, wall or window treatments;

(c) built in items;

(d) second-hand furniture;

or

(e) any article of furniture produced or made on the specific order of the person to whom it is supplied;

"imported" means brought into Australia from another country;

"second-hand furniture" means furniture which has been used for a purpose not connected with its manufacture, production, importation or supply.

3.15.2 Every article of furniture made or produced in Australia and any package in which it is contained when it is supplied, shall have affixed to it a notice containing:

(a) the name and address of the maker or producer in letters of a height of at least 2.5 millimetres;

and

(b) the word "Australia" or words to the effect that the article was made or produced in Australia, in letters of a height of at least 5 millimetres.

3.15.3 Every imported article of furniture and any package in which it is contained when it is supplied, shall have affixed to it a notice containing:

(a) the name and address of the importer in letters of a height of at least 2.5 millimetres;

and

(b) the word "Imported" or the name of the country in which the article was made or produced, in letters of a height of at least 5 millimetres.

3.15.4 The notice required under regulation 3.15.2 or 3.15.3 shall—

- (a) where it is to be affixed to an article of furniture—be permanently affixed to a readily accessible part on the article;
- (b) where it is to be affixed to a package—be affixed in a prominent position on the package.

3.16 Motor Fuel.

3.16.1 In this regulation—

"consumer" in relation to motor fuel means a person who uses the fuel to propel a motor vehicle:

"motor fuel" means any substance (whether liquid or gaseous) that is commonly used as fuel for motor vehicles:

"sign" includes a placard or notice.

3.16.2 Written information in relation to the price of motor fuel that is directed to a potential consumer of the fuel—

- (a) must include—
 - (i) the price per litre payable by the consumer;and
 - (ii) the type or, where there is more than one class or grade of a particular type, the class or grade of fuel to which the price applies;
 - (b) must set out any conditions to which sale of the fuel at that price is subject;
- and
- (c) must not include an express or implied statement that the price is reduced or discounted.

3.16.3 A sign displaying written information in relation to the price of motor fuel available from a money operated self-service driveway flow-meter must be displayed in a manner clearly visible to a potential consumer of the fuel.

3.16.4 Where written information in relation to the price of motor fuel available to a consumer at particular premises is displayed on a sign (whether the sign is at, or in the vicinity of, those premises or not)—

- (a) the characters comprising the information must be clearly legible;
- (b) the height of the characters (except for the characters comprising the information that the stated price is payable per litre) must not be less than—

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- (i) in the case of a sign required under regulation 3.16.3—100mm;
- (ii) in any other case—150mm;
- (c) the height of the characters comprising the information that the stated price is payable per litre must not be less than 75mm;
- (d) each of the following categories of information must be comprised of characters of a uniform height:
 - (i) the price;
 - (ii) that the stated price is payable per litre;
 - (iii) the type, class or grade of fuel;
- (e) the characters must be on a contrasting background that consists of a uniform colour and tone;
- (f) information not required by this regulation must not be displayed on the sign within 150mm of any character comprising information required by this regulation.

3.17 Lighters.

3.17.1 For the purposes of regulation 3.17 unless the contrary intention appears—

"lighter" has the same meaning as in regulation 2.14;

"S.A.A. Standard" means Australian Standard 1216, Part 1—1981 as appropriate for substances described in section 2:3.2.3 (Class 2.1—flammable gases).

3.17.2 A lighter must incorporate (as a permanent part of the lighter) in a legible form—

- (a) the name or other identification of the manufacturer or distributor of the lighter;
- and
- (b) where the lighter is an adjustable lighter, symbols indicating the direction in which force is to be applied to increase or decrease the flame height and the effect of the application of force in such a direction.

3.17.2a The words set out in inverted commas in the following paragraphs must be displayed in a legible form on the lighter or on an adhesive label fixed to the lighter in accordance with the following requirements:

- (a) "WARNING" in capital letters adjacent to the words required to be displayed under the following paragraphs;
- (b) "KEEP AWAY FROM CHILDREN" or "KEEP OUT OF REACH OF CHILDREN" in capital letters;

- (c) "Ignite lighter away from face and clothing";
- (d) "Never expose to heat above 50°C or to prolonged sunlight";
- (e) "Never puncture or put in fire";
- (f) in the case of a lighter that contains flammable gas under pressure - "Contains flammable gas under pressure";
- (g) in the case of a lighter that contains flammable liquid - "Contains flammable liquid";
- (h) "Be sure flame is out after use".

3.17.2b If the lighter is contained in a package when sold at retail the words set out in inverted commas in subregulation 2a must also be displayed in a legible form on the package.

3.17.3 Packages containing one or more disposable gas lighters must comply with the following requirements—

- (a) the package must display the following statement in a conspicuous position and in a legible form:

CAUTION: CONTAINS FLAMMABLE GAS: KEEP AWAY FROM
EXTREME HEAT: DO NOT PUNCTURE OR INCINERATE: MAKE SURE
FLAME IS COMPLETELY EXTINGUISHED AFTER USE.;

- (b)
 - (i) the word "Caution" must be displayed in letters at least 2.5 millimetres in height;
 - (ii) the remainder of the statement must be displayed in letters at least 1.5 millimetres in height;
- (c) the package must display in a conspicuous place and in a legible form a label complying with the requirements of the S.A.A. Standard.

3.18 Child Carrying Seats for Bicycles

3.18.1 For the purposes of regulation 3.18—

"child carrying seat" or "seat" means a seat that is designed for the purpose of carrying a child as a passenger on a bicycle.

3.18.2 (1) A child carrying seat and the package in which it is supplied must display a notice that contains the words—

WARNING: WHEEL SPOKE GUARD MUST BE FITTED

WARNING: SECURE CHILD WITH HARNESS.,

in a conspicuous position and in a legible form.

(2) The notice must comply with the following requirements:

- (a) the words on the notice must be in the English language;
- (b) the word "WARNING" must be in upper case letters at least 5 millimetres in height;
- (c) all other words on the notice must be in upper case letters at least 2.5 millimetres in height;

and

- (d) (i) in the case of a notice displayed on a child carrying seat, the notice must be embossed on the seat or be indelibly printed on a label that is securely attached to the seat;

or

- (ii) in the case of a notice displayed on the package in which that seat is supplied—

- (A) the notice must be indelibly printed on the package;

and

- (B) the words on the notice must be in red letters on a white background.

3.18.3 The packaging requirements of regulation 3.18.2 do not apply to the supply of a second-hand child carrying seat.

3.18.4 (1) A new child carrying seat must be supplied with instructions (printed on a separate leaflet or on the package in which the seat is supplied) setting out the correct method of attaching the seat to a bicycle.

(2) The instructions must—

- (a) be in the English language;
- (b) include the following statement in a legible form:

CAUTION: WHEEL SPOKE GUARD MUST BE FITTED:

SADDLE SPRING GUARD MUST BE FITTED WHERE BICYCLE SADDLE IS SPRUNG WITH COIL SPRINGS:

FIT SEAT TO BICYCLE USING SUPPORT SUPPLIED.;

- (c) the word "CAUTION" must be in upper case letters at least 5 millimetres in height;
- (d) all other words must be in upper case letters at least 2.5 millimetres in height.

3.18.5 Where a child carrying seat is designed to be attached to a bicycle between the saddle and the handle-bars—

(a) the instruction leaflet (if any);

and

(b) the package in which the seat is supplied,

must contain a statement that the seat must not be fitted to a bicycle equipped with drop handle-bars or "racing-style" handle-bars.

3.18.6 The following requirements must be complied with in relation to a child carrying seat:

(a) the seat must display, in a conspicuous position and a legible form, a statement of the maximum load (expressed in kilograms) that the seat is designed to carry;

(b) the statement must be in upper case letters and numerals at least 5 millimetres in height;

(c) the statement must be embossed on the seat or be indelibly printed on a label that is securely attached to the seat;

(d) the letters and numerals of a printed statement must be of a colour that distinctly contrasts with the background colour.

3.18.7 A package containing a new child carrying seat must display a statement specifying the wheel diameter of the bicycle to which the seat is designed to be attached.

3.19 Leather Goods

3.19.1 For the purposes of regulation 3.19—

"accurate description" in relation to a leather goods product means—

(a) a description in accordance with regulation 3.19.2 of the type of leather, or artificial leather, used in the product;

and

(b) if a combination of different types of leather, artificial leather or other material has been used, a statement to that effect:

"artificial leather" means a material resembling leather made from a material constituted wholly or partly of crushed, ground or scrap leather:

"imported" means brought into Australia from another country:

"leather" means the tanned hide or skin of an animal:

"leather goods product" means—

- (a) a clothing product not being a textile product or footwear product;
 - (b) a ball, boxing glove, golf bag, or other sporting goods product;
 - (c) a trunk, suitcase or other travelware product;
 - (d) a handbag, purse, wallet or other product for carrying personal items;
 - (e) an attache case, school bag or case, instrument case or other carrying case or bag;
- or
- (f) a saddle, bridle, harness or other similar product,

where the outside surface, or more than 50 per cent of the outside surface of the product is leather or artificial leather.

3.19.2 In describing the type of leather, artificial leather or other material used in a leather goods product, the following words must be used:

- (a) in the case of leather tanned from the outside surface of the hide of an adult bovine animal—the word "Hide", preceded by a true description of the type of animal;
 - (b) in the case of leather made from the split of an animal hide or animal skin—the word "Split", combined with a true description of the type of hide or skin;
 - (c) in the case of artificial leather—the words "Reconstituted leather" or a true description of the actual material;
 - (d) in the case of any other type of leather—a true description of the type of leather;
- or
- (e) in the case of any other type of material—the words "Non-leather" or a true description of the type of material.

3.19.3 Every leather goods product other than an imported leather goods product must have a conspicuous notice in English embossed or stamped on it, or a label securely attached to it, being a notice or label that—

- (a) contains the name of the manufacturer of the product;
- and
- (b) contains an accurate description of the product.

3.19.4 Every imported leather goods product must have a conspicuous notice in English embossed or stamped on it, or a label securely attached to it, being a notice or label that—

(a) contains the name of the importer of the product;

and

(b) contains an accurate description of the product.

3.19.5 Regulations 3.19.3 and 3.19.4 do not apply to a leather goods product having a total outside surface area of less than 155 square centimetres.

3.19.6 The information to be included in a notice or label pursuant to regulation 3.19.3 or 3.19.4 must be in upper case letters at least 1.5 millimetres in height and must be clearly legible.

3.20 Elastic Luggage Straps

3.20.1 In this regulation—

"elastic luggage strap" means a cord or strap made of elastic material (or two or more such cords or straps that are permanently joined)—

(a) having a hook, buckle or other fastening device at each end;

and

(b) designed to be used to secure luggage or other objects:

"permanent label" means a label that will remain legible and attached to an item throughout the useful life of the item.

3.20.2 An elastic luggage strap must carry a permanent label that displays the following:

WARNING. Avoid eye injury. Do not overstretch. Strap may rebound.

3.20.3 The letters of the word "WARNING" must be red, in upper case and at least 5mm in height on a white background.

3.20.4 The letters of the other words must be in upper or lower case and at least 2.5mm in height.

3.20.5 The label must be displayed in a position that is conspicuous to a person using the strap.

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4. MISCELLANEOUS

4.1 Inspectors

4.1.1 The certificate of identification to be provided to each standards officer pursuant to section 14(2) of the Act shall be in the form of the Fifth Schedule.

SCHEDULES

FIRST SCHEDULE
TRADE STANDARDS ACT, 1979
(Regulation 3.8.2)*Classification of Opals*

Classification	Description
Solid Opal (Class A)	all items of or containing natural opal, excluding those in doublet or triplet form, and excluding matrix opal.
Laminated Opal (Class B)	doublets and triplets where the layer of opal is solid natural opal.
Matrix Opal (Class C1)	all items of or containing matrix opal, including doublets and triplets but excluding items of or containing treated opal.
Treated Opal (Class C2)	all items of or containing treated opal, including doublets or triplets.
Synthetic Opal	all items of or containing synthetic opal, including doublets and triplets.
Imitation Opal	all items of or containing imitation opal, including doublets and triplets.

SECOND SCHEDULE
TRADE STANDARDS ACT, 1979
(Regulation 3.8.3)

Notice to Opal Purchasers

If you purchase an opal product the opal dealer must give you a written receipt describing the product as belonging to one of the following classes:

Class	Description
Solid Opal (Class A)	Opal that has been mined and is presented in one piece either in its naturally occurring state or after being cut and polished. It has not been chemically treated and has no other materials cemented to it other than by nature.
Laminated Opal (Class B)	A thin layer of solid opal that is fixed to a base of opaque material (a doublet), or a doublet with a fixed clear top (a triplet).
Matrix Opal (Class C1)	Host rock which is impregnated with natural opal which cannot be readily separated from that host rock.
Treated Opal (Class C2)	Solid opal or matrix opal that has been treated chemically or by other means to enhance its appearance.
Synthetic Opal	Material that has the same chemical and physical structure and the same appearance as naturally occurring opal, but which has been manufactured.
Imitation Opal	Artificial material resembling naturally occurring opal but which does not have its physical and chemical structure.

* * * * *

FIFTH SCHEDULE
TRADE STANDARDS ACT, 1979
(Regulation 4.1.1)

Certificate of Identification of Standards Officer

Standards Officer

This is to certify that
an officer of the Department of Public and Consumer Affairs, a specimen of whose signature appears hereunder,
has been appointed a Standards Officer pursuant to the provisions of the *Trade Standards Act, 1979*.

.....
Minister of Consumer Affairs

Date

Specimen Signature

SIXTH SCHEDULE
Test Procedures For Lighters

PART 1—GENERAL

1. The lighter must be maintained at a temperature of 23 ± 2 degrees Celsius for at least 10 hours immediately preceding testing in accordance with part 2, 3 or 4 of this schedule.
2. The area in which tests are carried out must be maintained at a temperature of 23 ± 2 degrees Celsius during testing in accordance with part 2, 4 or 5.
3. Each lighter to be tested must be new, free of mechanical damage and must not (except where required by the regulations) have been previously tested.

PART 2—FLAME HEIGHT

4. (1) The test must be carried out inside a draft free chamber constructed from suitable non-flammable material. The flame height must be measured to the nearest 10 millimetres.
- (2) Adjustable lighters must be tested with the lighter adjusted to produce the maximum flame height and then with the lighter adjusted to produce the minimum flame height.
5. Each lighter must produce a flame for a continuous 5 second period and the flame height must be determined by measuring from the tip of the flame to the top of the flameguard or to the base of the flame (in the case of a lighter that does not have a flame guard) by means of a board positioned at least 25 millimetres behind the lighter which is marked with 10 millimetre increments.

PART 3—INVERSION TEST

6. Each lighter (adjustable lighters adjusted to produce a 50 millimetre flame) must be operated to produce a flame, for a continuous 10 second period in a draft free chamber, while being held at 45 degrees below the horizontal.

PART 4—DROP TEST

7. (1) Each lighter must be allowed to fall three times onto a concrete surface from a point 1.5 metres above it, from the following positions—
 - (a) firstly, an upright position;
 - (b) secondly, an inverted position;and
 - (c) thirdly, a horizontal position.
- (2) Each lighter must be inspected after every fall and any spontaneous ignition or damage must be recorded.

PART 5—TEMPERATURE TEST

8. (1) An oven capable of withstanding the explosion of a lighter when being tested and of maintaining a temperature of 54 ± 2 degrees Celsius must be used in the test.
- (2) Each lighter must be placed in the oven for four hours during which time the oven temperature must be maintained at 54 ± 2 degrees Celsius.

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(3) Each lighter when removed from the oven must, when cool, be tested in accordance with the procedure in part 3 of this schedule.

PART 6—PRESSURE TEST

9. (1) The test apparatus must consist of a device capable of producing gauge pressure of 2(MPa).

(2) Each lighter must be emptied of fuel.

(3) The fuel reservoir of each lighter must be subjected to an internal pressure equal to twice the vapor pressure at 54 degrees Celsius of the fuel normally used in the lighter. The pressure rise must not exceed a rate of 69 kPa per second.

APPENDIX**LEGISLATIVE HISTORY**

Regulation 1.4.1:	varied by 178, 1985, reg. 2; 19, 1986, reg. 2; 36, 1986, reg. 2; 152, 1986, reg. 2; 30, 1987, reg. 2; 31, 1987, reg. 3; 39, 1987, reg. 3; 223, 1987, reg. 3; 44, 1988, reg. 3; 71, 1988, reg. 2; 205, 1988, reg. 3; 15, 1989, reg. 3; 49, 1990, reg. 2; 128, 1998, reg. 3
Regulation 2.1.2:	varied by 178, 1985, reg. 3
Regulation 2.6.1:	definition of "S.A.A. Standard" varied by 58, 1987, reg. 2(a) definition of "children's night clothes" varied by 58, 1987, reg. 2(b)
Regulation 2.6.3:	varied by 58, 1987, reg. 3
Regulation 2.8.1:	substituted by 218, 1986, reg. 2
Regulation 2.9.1:	definition of "S.A.A. Standard" varied by 218, 1986, reg. 3(a) definition of "Commonwealth Standard" substituted by 218, 1986, reg. 3(b)
Regulation 2.10:	inserted by 178, 1985, reg. 4
Regulation 2.11:	inserted by 19, 1986, reg. 3
Regulation 2.12:	inserted by 152, 1986, reg. 3
Regulation 2.13:	inserted by 30, 1987, reg. 3
Regulation 2.14:	inserted by 39, 1987, reg. 4
Regulation 2.14.1:	substituted by 145, 1998, reg. 3(a)
Regulation 2.14.4:	varied by 145, 1998, reg. 3(b), (c)
Regulation 2.14.5 and 2.14.6:	substituted by 145, 1998, reg. 3(d)
Regulation 2.14.8 and 2.14.9:	substituted by 145, 1998, reg. 3(e)
Regulation 2.14.14:	inserted by 145, 1998, reg. 3(f)
Regulation 2.15:	inserted by 223, 1987, reg. 4
Regulation 2.16:	inserted by 44, 1988, reg. 4
Regulation 2.17:	inserted by 71, 1988, reg. 3
Regulation 2.17.1:	substituted by 53, 1990, reg. 2
Regulation 2.18:	inserted by 15, 1989, reg. 4
Regulation 2.19:	inserted by 128, 1998, reg. 4
Regulation 3.2:	substituted by 201, 1990, reg. 2
Regulation 3.3.1:	definition of "S.A.A. Standard" varied by 58, 1987, reg. 4(a) definition of "children's night clothes" varied by 58, 1987, reg. 4(b)
Regulation 3.4:	substituted by 223, 1987, reg. 5
Regulation 3.4.1:	substituted by 223, 1987, reg. 5 definition of "the new S.A.A. Standard" substituted by 157, 1989, reg. 2 definition of "the old S.A.A. Standard" substituted by 157, 1989, reg. 2
Regulation 3.4.2:	substituted by 223, 1987, reg. 5
Regulation 3.4.3:	revoked by 223, 1987, reg. 5
Regulation 3.5.2:	varied by 157, 1989, reg. 3
Regulation 3.5.4:	revoked by 157, 1989, reg. 4
Regulation 3.5.5:	varied by 58, 1987, reg. 5
Regulation 3.5.6:	inserted by 58, 1987, reg. 6
Regulation 3.9:	varied by 31, 1987, reg. 4

Regulation 3.9.1:	definition of "puller winch" varied by 31, 1987, reg. 5(a)-(c) definition of "proof load" varied by 31, 1987, reg. 5(d) definition of "safe working load" revoked and definition of "safe working load for lifting" inserted in its place by 31, 1987, reg. 5(e) definition of "safe working load for pulling" inserted by 31, 1987, reg. 5(e)
Regulation 3.9.2:	substituted by 31, 1987, reg. 6
Regulations 3.9.3 - 3.9.5:	revoked by 31, 1987, reg. 6
Regulation 3.12:	substituted by 192, 1988, reg. 2
Regulation 3.13:	inserted by 36, 1986, reg. 3
Regulation 3.13.1:	definition of "maximum capacity" substituted by 32, 1987, reg. 2(a) definition of "silo" varied by 32, 1987, reg. 2(b)
Regulation 3.13.2:	substituted by 32, 1987, reg. 3
Regulation 3.14:	inserted by 36, 1986, reg. 3
Regulation 3.14.1:	definition of "maximum capacity" substituted by 32, 1987, reg. 4(a) definition of "tank" varied by 32, 1987, reg. 4(b)
Regulation 3.14.2:	substituted by 32, 1987, reg. 5
Regulation 3.14.2a:	inserted by 32, 1987, reg. 5
Regulation 3.15:	inserted by 36, 1986, reg. 3
Regulation 3.15.1:	definition of "second-hand furniture" substituted by 59, 1986, reg. 2
Regulation 3.16:	inserted by 36, 1986, reg. 3; substituted by 136, 1987, reg. 2
Regulation 3.17:	inserted by 39, 1987, reg. 5
Regulation 3.17.1:	definition of "disposable gas lighter" revoked and definition of "lighter" inserted in its place by 145, 1998, reg. 4(a) varied by 145, 1998, reg. 4(b)
Regulation 3.17.2:	varied by 145, 1998, reg. 4(b)
Regulation 3.17.2a and 3.17.2b:	inserted by 145, 1998, reg. 4(c)
Regulation 3.18:	inserted by 44, 1988, reg. 5
Regulation 3.19:	inserted by 205, 1988, reg. 4
Regulation 3.20:	inserted by 49, 1990, reg. 3
Third and fourth schedules:	revoked by 192, 1988, reg. 3
Sixth schedule:	inserted by 39, 1987, reg. 6
Clause 1:	varied by 145, 1998, reg. 5(a)
Clause 2:	varied by 145, 1998, reg. 5(b)
Clause 8(1):	varied by 145, 1998, reg. 5(c)