



Queensland

*Fair Trading Act 1989*

# **Fair Trading (Safety Standards) Regulation 2011**

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# Fair Trading (Safety Standards) Regulation 2011

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# Fair Trading (Safety Standards) Regulation 2011

## 1 Short title

This regulation may be cited as the *Fair Trading (Safety Standards) Regulation 2011*.

## 2 Commencement

This regulation commences on 21 October 2013.

## 3 Prescribed safety standard for short-term accommodation—Act, s 83

- (1) This section applies to short-term accommodation supplied, or offered for supply, to an individual who is under 16 years.
- (2) For the Act, section 83, the Australian Standard AS/NZS 4220:1994 for bunk beds, as varied by this regulation, is a prescribed safety standard for short-term accommodation to the extent to which the short-term accommodation supplies the use of a bunk bed.

*Editor's note—*

The Australian Standard AS/NZS 4220:1994 may be obtained from the SAI Global website at <<http://infostore.saiglobal.com/store>>.

- (3) In this section—

*short-term accommodation* means accommodation supplied in trade or commerce for a period of 60 days or less.

## 4 Variation of safety standard—Act, s 83

- (1) The safety standard is varied in the way set out in the consumer product safety standard—
  - (a) declared by the Consumer Protection Notice No. 1 of 2003; and
  - (b) as in force under the *Competition and Consumer Act 2010* (Cwlth) at 1 January 2011.

*Note—*

The variations of the safety standard are set out in the Consumer Protection Notice No. 1 of 2003, the schedule.

- (2) For the safety standard, clause 6.4.1, a wall is taken to be a barrier for a bunk bed if—
  - (a) the bunk bed is—
    - (i) built into the wall; or
    - (ii) permanently fixed to the wall; and
  - (b) the wall complies with the safety standard—
    - (i) clause 6.4.3 about large gaps; and
    - (ii) clause 6.8(b) about protrusions; and
    - (iii) clause 7.1 about entrapment hazards; and
  - (c) for a wall that is not continuous from the floor to the ceiling of the room or other area in which the bunk bed is located—the wall complies with the safety standard, clause 6.4.2(b) and (c); and

*Example for subsection (2)(c)—*

short partition wall

  - (d) for a wall that has a window in the area in which the bunk bed is located—the wall complies with the safety standard, clause 6.4.2(b) and (c).
- (3) For subsection (2)(c), the safety standard, clause 6.4.2(b) and (c) applies—
  - (a) as if a reference to a guardrail included a reference to a wall; and
  - (b) with any necessary modifications.
- (4) For subsection (2)(d), the safety standard, clause 6.4.2(b) and (c) applies—
  - (a) as if a reference to an upper surface of a guardrail included a reference to a window ledge; and
  - (b) with any necessary modifications.
- (5) The following provisions of the safety standard are omitted—

- (a) clause 9(a)(i) and (ii) about markings for Australian manufacturers;
  - (b) clause 9(b)(ii) about markings for imported bunk beds;
  - (c) appendix A, clause A4 about test conditions.
- (6) In this section—

*safety standard* means the prescribed safety standard under section 3(2).