



Queensland

*Fair Trading Act 1989*

# Fair Trading Regulation 2001

Reprinted as in force on 23 August 2010

Reprint No. 3H

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## Queensland

# Fair Trading Regulation 2001

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# Fair Trading Regulation 2001

[as amended by all amendments that commenced on or before 23 August 2010]

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Fair Trading Regulation 2001*.

### 2 Definitions

The dictionary in schedule 6 defines particular words used in this regulation.

### 3 Interpretation of Commonwealth standards

A standard made under the *Trade Practices Act 1974* (Cwlth) that is prescribed under this regulation as an information standard or a safety standard must be interpreted under the law of the Commonwealth, unless this regulation otherwise expressly provides.

### 3A Notes in text

A note in the text of this regulation is part of the regulation.

## **Part 2 Information standards**

### **4 Textile goods**

- (1) This section applies to textile goods, other than textile goods mentioned in schedule 1.
- (2) The information required under AS/NZS 2622, written in English, must be securely attached to the goods in the way required under the standard.
- (3) However, for textile goods mentioned in schedule 2, the information may be stamped or labelled on the goods.
- (4) If—
  - (a) textile goods contain any loading, weighting or filling substance; and
  - (b) the weight of the substance, or the total weight of the substances, removable by normal cleaning processes is more than 5% of the total weight of the goods;

the words ‘more than 5% loose filling’ must be included in the information to be attached to, or stamped or labelled on, the goods.

### **5 Leather goods products**

- (1) This section applies to leather goods products.
- (2) The information set out in subsection (3), written in English in letters at least 1.5mm high, must be—
  - (a) conspicuously stamped or embossed on a leather goods product; or
  - (b) on a label securely attached to the product.
- (3) The following information is required—
  - (a) if the product is manufactured in Australia—the name of the product’s manufacturer;
  - (b) if the product is imported—the name of the product’s Australian importer;

- 
- (c) if the leather used in the product is from the outside surface of the hide of an adult bovine animal—a description of the type of animal followed by the word ‘hide’;
  - (d) if the leather used in the product is from the split of an animal hide or animal skin—a description of the type of animal hide or skin followed by the word ‘split’;
  - (e) if the leather used in the product is artificial leather—the words ‘reconstituted leather’ or a description of the type of material used in the product;
  - (f) if the leather used in the product is any other leather—a description of the type of leather used in the product;
  - (g) if the product is made entirely or partly from a material resembling leather—the word ‘non-leather’ or a description of the type of material used in the product;
  - (h) if a combination of different types of leather, artificial leather or other material is used in the product—the types of material used in the product.

## **6 Shoes**

- (1) This section applies to shoes other than ski boots.
- (2) The information set out in subsection (4), written in English in letters at least 2.5mm high, must be stamped or embossed on a conspicuous part of the shoes.
- (3) However, if it is not reasonably practicable for the information to be stamped or embossed on the shoes, the information must be stamped or embossed on a label of rubber, plastic or durable cloth that is securely attached to the shoes.
- (4) For subsection (2), the following information is required—
  - (a) the words ‘made by’ or ‘manufactured by’ followed immediately by the name or business name of the manufacturer;

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- (b) if the shoes are manufactured in a country other than Australia—the name of the country;
  - (c) if the soles are entirely leather—the words ‘all leather sole’;
  - (d) if the soles are entirely synthetic material—the words ‘synthetic sole’ or ‘non-leather sole’;
  - (e) if the soles are not entirely leather or entirely synthetic materials—a description of the material comprising the sole;
  - (f) if the uppers are entirely leather—the words ‘all leather upper’;
  - (g) if the uppers are entirely synthetic material—the words ‘synthetic upper’ or ‘non-leather upper’;
  - (h) if the uppers are entirely or partly material resembling leather—a description of the material comprising the upper;
  - (i) if the quarter linings are entirely leather—the words ‘all leather quarter lining’;
  - (j) if the quarter linings are entirely synthetic material—the words ‘synthetic quarter lining’ or ‘non-leather quarter lining’;
  - (k) if the quarter linings are entirely or partly material resembling leather—a description of the material comprising the quarter lining.
- (5) For subsection (4)(c) and (e), a sole is taken to consist entirely of leather if the material contained in the sole, other than leather, consists of 1 or more of the following—
- (a) ordinary fillers of cork or waterproof felt;
  - (b) canvas used to reinforce the insoles;
  - (c) shanks made of leatherboard, fibreboard, plastic, wood, metal or any combination of these materials for the purpose of strengthening the sole of the shoes at the waist;

- 
- (d) wood, plastic or metal used in the heel of the shoes, including heel tips or caps;
  - (e) stiffening made of leatherboard, fibreboard, canvas or other similar substances, glue or other preparations similar to glue, metal, plastic or any combination of these materials if used for the purpose of supporting the upper of the shoes at the heel or toe of the shoes.
- (6) For subsection (4)(i) to (k), the words ‘back lining’ may be used instead of the words ‘quarter lining’.

## **7 Furniture**

- (1) This section applies to furniture other than custom-made furniture.
- (2) The information set out in subsection (4), written in English in letters at least 4mm high, must be—
  - (a) conspicuously stamped or embossed on the furniture; or
  - (b) on a label securely attached to the furniture.
- (3) The method of stamping, embossing or labelling must ensure that the stamping, embossing or labelling is permanent.
- (4) For subsection (2), the following information is required—
  - (a) if the furniture is manufactured entirely or partly in Australia—the name of the manufacturer and the address at which the furniture was manufactured;
  - (b) if the furniture is manufactured entirely or partly in a country outside Australia—
    - (i) the name of the country; and
    - (ii) the word ‘imported’;
  - (c) if the furniture is assembled entirely or partly in Australia—the name of the assembler and the address at which the furniture was assembled;
  - (d) if the furniture is assembled entirely or partly in a country outside Australia—

[s 8]

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- (i) the name of the country; and
  - (ii) the word ‘imported’;
- (e) if the furniture is entirely assembled when imported or is offered for sale unassembled—the name and address of the importer or consignee.
- (5) Also, if a suite or setting of furniture consists of 1 or more units that may be sold individually, each unit of the suite or setting must be stamped, embossed or labelled in accordance with this section.

## 8 Cosmetics

- (1) This section applies to cosmetics to which the Commonwealth regulations apply.
- (2) For the Act, section 81, the Commonwealth regulations are an information standard for cosmetics.
- (3) For subsection (2), in the Commonwealth regulations—
  - (a) a reference to the Minister is taken to be a reference to the Minister administering the *Fair Trading Act 1989*; and
  - (b) a reference to the *Gazette* is taken to be a reference to the Queensland Government Gazette.
- (4) In this section—

*Commonwealth regulations* means the *Trade Practices (Consumer Product Information Standards) (Cosmetics) Regulations 1991* (Cwlth), other than regulation 8.

## 9 Particular Commonwealth consumer product information standards are information standards

- (1) For the Act, section 81, a TPAIS mentioned in schedule 3, as in force on the day the notice mentioned in schedule 3 that declared the TPAIS was published, is an information standard for the goods to which the TPAIS applies.
- (2) For subsection (1), in the TPAIS—

- (a) a reference to an Australian Standard as published on a particular day or with a particular amendment is taken to be a reference to the Australian Standard as in force on that day or with that amendment; and
- (b) another reference to a particular Australian Standard is taken to be a reference to the Australian Standard as in force on the day the TPAIS was published.

## **Part 3                      Safety standards**

### **9A      Babywalkers**

ASTM F977-00, sections 6.1, 6.4 and 9.3 is prescribed as a safety standard for a babywalker.

### **10      Bean bags**

- (1) A bean bag, bean bag cover or a package containing bean bag filling must be stamped or labelled with the following warning notice on the bag, cover or package—  

‘WARNING’ (in upper case red letters at least 5mm high on a white background)

‘Small Lightweight Beads Present A Severe Danger To Children If Swallowed Or Inhaled’ (using the upper and lower case lettering shown with the upper case letters at least 5mm high).
- (2) The method of stamping or labelling must be a method that ensures that the stamping or labelling is permanent.
- (3) A bean bag or bean bag cover with an opening must incorporate a child-resistant zip-fastener for the opening.

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## 11 Treadmills

- (1) A treadmill must be labelled with the following warning notice—

**‘WARNING: Keep young children away from this machine at all times. Contact with the moving surface may result in severe friction burns.’**

- (2) The warning in subsection (1) must—

- (a) be in a conspicuous position; and
- (b) be visible to the user of the treadmill when it is being used; and
- (c) show the word ‘WARNING’ in bold upper case letters at least 5mm high; and
- (d) show the remaining words in lower case letters at least 2.5mm high; and
- (e) be separate from any other warning or label on the treadmill.

- (3) The method of labelling must be a method that ensures that the labelling is permanent.

- (4) In this section—

*treadmill* means an exercise device that consists of an endless conveyor belt, that is either rotated manually or by a motor, on which a person can walk or jog in 1 place.

## 11A Brush-cutter, clearing saw or grass trimmer

AS 3575–1995, section 2.3.3 is prescribed as a safety standard for a brush-cutter, clearing saw or grass trimmer.

## 12 Folding laundry trolleys

The design and construction of a folding laundry trolley must incorporate a locking device.

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### 13 Projectile toy with stored energy

- (1) Each of the following is a safety standard for a projectile toy with stored energy—
  - (a) AS/NZS ISO 8124, part 1, clause 4.18.2(a)(1) and (2) and (d);
  - (b) subsection (2).
- (2) The toy's discharge mechanism must not, without modification, be able to propel an improvised projectile in free flight for a distance (measured horizontally) of more than 300mm if discharged at a height of 300mm.
- (3) In this section—

*improvised projectile* means a battery, coin, marble, nail, paper clip, pebble, pen, pen cap, pencil, pen refill or stone.

*projectile toy with stored energy* means a toy that has—

- (a) a discharge mechanism able to store and release energy; and
- (b) a projectile.

*Example of a projectile toy with stored energy—*

a toy consisting of a spring-powered dart gun and darts

### 13A Projectile supplied separately, rather than as part of a projectile toy with stored energy

- (1) AS/NZS ISO 8124, part 1, clause 4.18.2(a)(1) and (2) and (d) is a safety standard for a toy that is a projectile that—
  - (a) is designed and manufactured to be discharged from a toy that is a discharge mechanism able to store and release energy; and
  - (b) is supplied separately, rather than as part of a projectile toy with stored energy.
- (2) However, the projectile must be tested under that clause with each discharge mechanism that the projectile is designed and manufactured to be discharged from.

[s 13B]

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**13B Discharge mechanism supplied separately, rather than as part of a projectile toy with stored energy**

- (1) Subsection (2) is a safety standard for a toy that—
  - (a) is a discharge mechanism able to store and release energy; and
  - (b) is supplied separately, rather than as part of a projectile toy with stored energy.
- (2) The discharge mechanism must not, without modification, be able to propel an improvised projectile in free flight for a distance (measured horizontally) of more than 300mm if discharged at a height of 300mm.

**13C Projectile toy without stored energy**

- (1) AS/NZS ISO 8124, part 1, clause 4.18.3(a) to (d) is a safety standard for a projectile toy without stored energy.
- (2) In this section—

*projectile toy without stored energy* means a toy that—

- (a) has—
  - (i) a discharge mechanism designed and manufactured to propel a projectile by the discharge energy imparted by a child; and
  - (ii) a projectile; or

*Example of paragraph (a)—*  
a toy bow and arrow set
- (b) is a projectile designed and manufactured to be propelled from a discharge mechanism by the energy imparted by a child.

**13D Arrow supplied separately, rather than as part of a toy bow and arrow set**

- (1) AS/NZS ISO 8124, part 1, clause 4.18.3(a) to (d) is a safety standard for a toy that is an arrow that—

[s 13E]

- 
- (a) is designed and manufactured to be discharged by a toy that is a bow; and
  - (b) is supplied separately, rather than as part of a bow and arrow set.
- (2) However, the arrow must be tested under clause 4.18.3(d) with each bow that the arrow is designed and manufactured to be discharged from.

**13E Bow supplied separately, rather than as part of a toy bow and arrow set**

- (1) AS/NZS ISO 8124, part 1, clause 4.18.3(d) is a safety standard for a toy that is a bow that—
- (a) is designed and manufactured to discharge a toy that is an arrow; and
  - (b) is supplied separately, rather than as part of a bow and arrow set.
- (2) However, the bow must be tested under clause 4.18.3(d) with each arrow that the bow is designed and manufactured to discharge.

**13F Other kinds of goods**

The schedule stated in column 2 of the following table is a safety standard for the kind of goods stated opposite in column 1 of the table—

**Table**

| <b>column 1<br/>kind of goods</b> | <b>column 2<br/>schedule</b> |
|-----------------------------------|------------------------------|
| mini-motorbikes                   | 5A                           |
| corded interior window coverings  | 5B                           |
| motor vehicle recovery straps     | 5C                           |
| moveable soccer goals             | 5D                           |

[s 14]

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#### **14 Particular Commonwealth consumer product safety standards are safety standards**

- (1) For the Act, section 83, a TPASS mentioned in schedule 4, as in force on its relevant day or, if a particular amendment is mentioned, with that amendment, is a safety standard for the goods to which the TPASS applies.
- (2) For subsection (1), in the TPASS—
  - (a) a reference to an Australian Standard as published on a particular day or with a particular amendment is taken to be a reference to the Australian Standard as in force on that day or with that amendment; and
  - (b) another reference to a particular Australian Standard is taken to be a reference to the Australian Standard as in force on the day the TPASS was published or registered.
- (3) In this section—

*relevant day*, for a TPASS, means—

  - (a) for a TPASS registered on the Federal Register of Legislative Instruments under the *Legislative Instruments Act 2003* (Cwlth)—the day of registration; or
  - (b) otherwise—the day the notice mentioned in schedule 4 that declared the TPASS was published.

#### **15 Commonwealth regulations that are safety standards**

For the Act, section 83, Commonwealth regulations mentioned in schedule 5 are a safety standard for the goods to which the regulations apply.

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## Part 3A Prohibited supply of goods

### 15A Yo yo balls

The supply of a yo yo ball, or goods substantially the same as a yo yo ball, is prohibited.

Maximum penalty—20 penalty units.

### 15B Novelty dummies

- (1) The supply of a novelty dummy, or goods substantially the same as a novelty dummy, is prohibited.

Maximum penalty—20 penalty units.

- (2) In this section—

*baby's dummy* means an article—

- (a) that includes a teat that a baby sucks but from which the baby does not obtain fluid; and
- (b) that may be used to calm a baby.

*novelty dummy* means an article that—

- (a) resembles a baby's dummy in appearance and size; and
- (b) includes electronic components; and
- (c) does not comply with the requirements of AS 2432–1991, clauses 6, 7 and 8(c).

*Note—*

AS 2432–1991 deals with babies' dummies, and clauses 6 to 8 deal with design and construction, performance test requirements and packaging.

### 15BA Toothpaste

The supply of toothpaste containing more than 0.25% by weight of diethylene glycol (DEG) is prohibited.

Maximum penalty—20 penalty units.

[s 15BB]

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### **15BB Bindeez**

- (1) The supply of Bindeez is prohibited.  
Maximum penalty—20 penalty units.
- (2) In this section—  
***Bindeez*** means Bindeez brand beads that join with a spray of water.

### **15BC Fire Footbag**

- (1) The supply of a Fire Footbag is prohibited.  
Maximum penalty—20 penalty units
- (2) However, subsection (1) does not apply if the supplier knows or believes, on reasonable grounds, that the Fire Footbag is for use by the user only for—
  - (a) the purpose of earning or attempting to earn assessable income; or
  - (b) other professional entertainment purposes.
- (3) In this section—  
***assessable income*** means assessable income under the *Income Tax Assessment Act 1997* (Cwlth).  
***Fire Footbag*** means a product that is—
  - (a) manufactured from fire resistant material; and
  - (b) designed to be doused in flammable liquid, ignited and used for the purpose of amusement by kicking or throwing.

*Examples—*

- a product known as a “fire football”
- a product known as a “foot fireball”
- any product which, in the normal course of its use, involves direct contact between a flaming object and a part of the body or clothing of the user or users

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### **15BD Amazing jumbo spiky light-up ball**

- (1) The supply of the ancillary pump of an amazing jumbo spiky light-up ball is prohibited.

Maximum penalty—20 penalty units

- (2) In this section—

*amazing jumbo spiky light-up ball* means a product that is—

- (a) manufactured in the shape of a ball; and
- (b) designed to light up when it is thrown.

*ancillary pump*, of an amazing jumbo spiky light-up ball, means a pump with a hypodermic syringe-like attachment designed to inflate the ball.

### **15BE Expandable toys**

- (1) The supply of an expandable toy is prohibited.

Maximum penalty—20 penalty units.

- (2) In this section—

*expandable toy* means a toy that—

- (a) when supplied, is of a size that, when tested in accordance with AS/NZS ISO 8124, part 1, clause 5.2, fits entirely into the small parts cylinder shown in that clause; and
- (b) is designed to expand when immersed in liquid.

## **Part 3AA Test reports**

### **15C Test report for moveable soccer goals**

- (1) A person who, in trade or commerce, supplies a moveable soccer goal must give a test report about the moveable soccer goal to an inspector if requested.

[s 16]

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- (2) The test report mentioned in subsection (1) must indicate—
  - (a) that the particular moveable soccer goal has been tested; and
  - (b) the method used to carry out the test and the results of the test; and
  - (c) that the results of the test show that the moveable soccer goal complies with schedule 5D, ‘Safety standard for moveable soccer goals’.
- (3) The test report mentioned in subsection (1) must be given to the inspector within one month of the request.

## **Part 4                      Door-to-door sales**

### **16      Type size of contracts and notices**

The type of each of the following documents must be at least 10 point—

- (a) a prescribed contract under section 60 of the Act;
- (b) a notice under section 61(1)(g) of the Act.

---

## **Schedule 1      Excluded textile goods**

section 4(1)

### **Canvas goods and material**

beach umbrella coverings, garden umbrella coverings, deckchair covers, canvas, duck and sail cloth

### **Shoes**

textile materials commonly used in the manufacture of shoes

### **Furnishings**

awnings, coir mats and matting, draught excluders, lampshades, paper felt for underlinings, tapestries, underfelt, wall hangings and window blinds

### **Goods for industrial use**

bookbinding cloth, filter cloth, mop cloth, printers' and signwriters' cloth, sweat rags and undertakers' cloth

### **Haberdashery**

haberdashery (other than curtain making kits, elastic and elastic threads, iron-on binding patches or trim, ribbons, sewing thread, velcro-type fastenings and zips)

### **Household drapery**

cleaning cloth, dish cloths, doilies, duchess sets, dusters, floor cloths, gauze, mattress cases, mattress covers, mattress protectors, mosquito netting and covers made from mosquito netting, pressing cloths, runners, serviettes, ticking and tray cloths

### **Jute products**

jute products

### **Medical or surgical goods**

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

### **Men's, women's, children's or babies' wear**

arm bands, belts, braces, bras, collars, corsets, garter suspenders, handkerchiefs and hats intended for use as men's, women's, children's or babies' wear

### **Miscellaneous goods**

artificial flowers

bags and cases, including trunks, suitcases, attache cases, travel bags, other travelware products, briefcases, handbags, purses, wallets or other products for carrying personal items, school bags, school cases, sports bags, travel bags, wash bags, instrument cases or carrying cases or bags

basket hangers, cords, firemen's hoses, flags, flex coverings, garden gloves, garden hoses, goods intended for use once only, lashings, mops, ornaments, parasols, polypropylene webbing and covers for furniture, ribbons forming part of manufactured goods, shoe holders, shoelaces, sporting goods (other than sports clothing) intended for use for sport, toys, twine, umbrellas and woven labels

### **Second-hand clothing**

second-hand clothing

### **Textiles forming part of carpets and pile fabrics**

backings, linings, inter-linings or trimmings forming part of carpets or pile fabrics

**Textiles forming part of particular manufactured goods**

linings, inter-linings or trimmings forming part of an article manufactured entirely or partly from lace, threads, tops or yarns or from felted, knitted or woven materials manufactured from fibre

## **Schedule 2      Textile goods on which fibre content may be stamped or labelled**

section 4(3)

### **Babies' wear**

bibs, gloves, mittens, washable fitted nappies, pilchers, squares of cotton, squares of flannelette, squares of muslin and squares of terry towelling

### **Haberdashery**

curtain making kits, elastic and elastic threads, iron-on binding patches or trim, ribbons, sewing thread, velcro-type fastenings and zips

### **Household drapery and material**

appliance covers, bath mats, face washers, oven cloths, place mats, pot holders, shower curtains, table cloths, towels and towelling

### **Men's, women's or children's wear**

gloves, hosiery, mittens, neckwear, reversible jackets, shawls and washable incontinence garments intended for use as men's, women's or children's wear

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**Schedule 3      Trade Practices Act 1974  
(Cwlth) consumer product  
information standards that are  
information standards**

section 9

| <b>Name</b>                                                 | <b>Consumer Protection<br/>Notice (Cwlth)<br/>declaring the standard</b> | <b>Commonwealth of<br/>Australia Gazette number<br/>and other details of<br/>publication of the notice</b> |
|-------------------------------------------------------------|--------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| 1    Care labelling for<br>clothing and<br>textile products | No. 3 of 1998                                                            | GN 28 on 15 July 1998 at<br>pages 2500–2504                                                                |

## Schedule 4      Safety standards— Commonwealth consumer protection notices

section 14

*Key to abbreviations—*

F = Federal Register of Legislative Instruments (available at <[www.frli.gov.au](http://www.frli.gov.au)>)

GN = Commonwealth of Australia Gazette number (available at <[www.publications.gov.au](http://www.publications.gov.au)>)

S = Commonwealth of Australia Special Gazette number (available at <[www.publications.gov.au](http://www.publications.gov.au)>)

| Name                                                                  | Consumer Protection Notice (Cwlth) declaring the standard | Registration or publication details           |
|-----------------------------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------|
| 1 Babies' dummies                                                     | No. 4 of 2006                                             | F2006L03455                                   |
| 2 Bunk beds                                                           | No. 1 of 2003                                             | GN 12 of 26 March 2003 at pages 1015 and 1016 |
| 3 Children's flotation toys and swimming aids                         | No. 4 of 1992                                             | GN 10 of 11 March 1992 at page 708            |
| 4 Children's household cots                                           | No. 6 of 2005                                             | F2005L03885                                   |
| 5 Children's nightwear and limited daywear having reduced fire hazard | No. 9 of 1999                                             | S 408 of 2 September 1999 at pages 1–4        |
| 6 Children's portable folding cots                                    | No. 4 of 2008                                             | F2008L00550                                   |

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|    |                                                        |                                            |                                                                      |
|----|--------------------------------------------------------|--------------------------------------------|----------------------------------------------------------------------|
| 7  | Child restraint systems for use in motor vehicles      | No. 2 of 1996 as amended by No. 6 of 1999  | S 500 of 18 December 1996 at pages 1 and 2 and GN 26 of 30 June 1999 |
| 8  | Exercise cycles                                        | No. 9 of 1997                              | GN 13 of 2 April 1997 at page 788                                    |
| 9  | Lead and certain elements in children's toys           | No. 1 of 2009                              | F2009L00223                                                          |
| 10 | Paper patterns for children's nightclothes             | No. 10 of 1999                             | S 408 of 2 September 1999 at pages 5 and 6                           |
| 11 | Pedal bicycles                                         | No. 8 of 1999                              | S 396 of 27 August 1999 at pages 1 and 2                             |
| 12 | Portable fire extinguishers                            | No. 4 of 1998                              | GN 30 of 29 July 1998 at pages 2608–14                               |
| 13 | Portable ramps for vehicles                            | No. 6 of 1997                              | GN 11 of 19 March 1997 at page 666                                   |
| 14 | Prams and strollers                                    | No. 8 of 2007                              | F2007LO1895                                                          |
| 15 | Protective helmets for motor cyclists                  | No. 9 of 1990                              | GN 50 of 19 December 1990 at page 3298                               |
| 16 | Sunglasses and fashion spectacles                      | No. 13 of 2003                             | GN 37 of 17 September 2003 at pages 2785–7                           |
| 17 | Toys for children up to and including 36 months of age | No. 14 of 2003 as amended by No. 1 of 2005 | For No. 14 of 2003—GN 49 of 10 December 2003 at pages 3752–5         |
| 18 | Trolley jacks                                          | No. 4 of 1997                              | GN 11 of 19 March 1997 at page 663                                   |
| 19 | Vehicle jacks                                          | No. 5 of 1997                              | GN 11 of 19 March 1997 at pages 664 and 665                          |
| 20 | Vehicle support stands                                 | No. 7 of 1997                              | GN 11 of 19 March 1997 at page 667                                   |

## **Schedule 5      Safety standards— Commonwealth regulations**

section 15

- 1 *Trade Practices (Consumer Product Safety Standard) (Disposable Cigarette Lighters) Regulations 1997 (Cwlth)*
- 2 *Trade Practices (Consumer Product Safety Standard) (Bicycle Helmets) Regulations 2001 (Cwlth)*
- 3 *Trade Practices (Consumer Product Safety Standard) (Baby Bath Aids) Regulations 2005 (Cwlth)*
- 4 *Trade Practices (Consumer Product Safety Standard) (Hot Water Bottles) Regulations 2008 (Cwlth)*

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## **Schedule 5A      Safety standard for mini-motorbikes**

### section 13F

#### **1      Throttle**

- (1) A mini-motorbike must have a self-closing, hand operated throttle that returns in a clockwise direction to allow the mini-motorbike's motor to idle when a person riding the mini-motorbike releases his or her grip on the throttle.
- (2) The throttle must be mounted on the right handlebar of the mini-motorbike.

#### **2      Braking system**

- (1) A mini-motorbike must have a braking system capable of acting on the front and rear wheels of the motorbike.
- (2) Unless the mini-motorbike is fitted with a drum-type braking system, the braking system must incorporate a floating or sliding type brake calliper that compensates for any increased movement of its components arising from wear.
- (3) The braking system must automatically distribute the braking effort applied by a person riding the mini-motorbike to the braking system's control lever equally onto each brake lining without the need for an adjuster at the brake calliper.

#### **3      Foot pegs**

A mini-motorbike must have 2 foot pegs, each capable of holding a static load of—

- (a) the maximum carrying capacity recommended by the motorbike's manufacturer; or
- (b) if the manufacturer does not state a maximum carrying capacity—70kg.

#### **4 Steering**

- (1) The steering head system for a mini-motorbike must not exhibit free play.
- (2) Also, when the front wheel of the mini-motorbike is raised off the ground, the steering head system must move freely under its own weight from right lock to left lock.

#### **5 Supplemental engine stop**

- (1) A mini-motorbike must have a functioning, thumb operated, device on the right or left handlebar that is capable of stopping the motor.
- (2) The device must be clearly visible to a person riding the mini-motorbike.

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## **Schedule 5B      Safety standard for corded interior window coverings**

### section 13F

#### **1      Design**

- (1) A corded interior window covering must be so designed that the looped cord used to lower and raise the covering is at least 1600mm above the base of the covering when the covering is lowered to its lowest point.
- (2) Subsection (1) does not apply if the looped cord used to lower and raise the covering—
  - (a) can not form a loop with a circumference of more than 300mm, for example, because the covering includes an effective way of retracting or securing the looped cord; or
  - (b) has a cord release device that—
    - (i) passes the release test for cord release devices set out in ANSI A100, Appendix A; or
    - (ii) if the device is intended to entirely detach from the covering when it releases its loop, does not, when tested in accordance with AS/NZS ISO 8124, clause 5.2, fit entirely into the small parts cylinder mentioned in that clause, whatever the device's operation; or
  - (c) has a tension device that complies with ANSI A100, clause 6.5.4.

#### **2      Labels and tags**

- (1) A corded interior window covering must have attached to it—
  - (a) a warning label that—
    - (i) complies with ANSI A100, clause 5.1.1; or

- (ii) complies with the requirements mentioned in paragraph (a), other than to the extent the statement on the warning label has on it the words ‘Warning. Looped cords may cause a strangulation hazard for children under 5. Keep cords and chains out of reach of children.’; and
  - (b) a warning tag that complies with ANSI A100, clause 5.1.1 but which mentions cots instead of cribs; and
  - (c) if the covering includes a safety device—an operational tag that explains how the device is designed to function.
- (2) A tag mentioned in subsection (1)(b) or (c) must be separate from the label mentioned in subsection (1)(a).
- (3) However, a single tag may be used for subsection (1)(b) and (c) if the warning required under subsection (1)(b) and any pictogram and the explanation mentioned in subsection (1)(c) are kept separate from each other and are clear and legible.

### **3 Explanation**

- (1) A corded interior window covering must be accompanied by a written explanation of—
- (a) how to install the covering; and
  - (b) how to install any safety device the covering has and how the covering is designed to function.
- (2) The written explanation must also state the warning mentioned in section 2(1)(a).
- (3) Subsection (2) does not apply to a corded interior window covering that is custom-made for installation by a person whose business is installing interior window coverings.

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## **Schedule 5C      Safety standard for motor vehicle recovery straps**

### section 13F

#### **1      Packaging marking**

- (1) The packaging for a motor vehicle recovery strap must display the following information about the strap in English and in a way that is clearly visible and legible, including, for example, on the packaging or on a label attached to the packaging—
  - (a) its brand name or supplier's logo;
  - (b) the name and contact details of its Australian manufacturer, importer, distributor or other supplier;
  - (c) its minimum breaking strength, expressed in metric units;
  - (d) a recommendation that the minimum breaking strength of the strap should be between 2 and 3 times the vehicle's gross vehicle mass (GVM).
- (2) Nothing in subsection (1) prevents the inclusion of other information with the packaging.

#### **2      Permanently fixed information**

- (1) The following information about a motor vehicle recovery strap in English must be permanently fixed to the strap, including, for example, by stitching a label to the strap so that it is clearly visible and legible when the strap is being used—
  - (a) the name or logo of its Australian manufacturer, importer, distributor or other supplier;
  - (b) its batch code or serial number;
  - (c) its minimum breaking strength, expressed in metric units;

- (d) a recommendation that the minimum breaking strength of the strap should be between 2 and 3 times the vehicle's gross vehicle mass (GVM);
  - (e) advice that the strap must be suited to the GVM of the lighter of the 2 vehicles used in the recovery process;
  - (f) the warning stated in section 3(2)(b).
- (2) Nothing in subsection (1) prevents the inclusion of other information on the strap.

### **3 Accompanying information**

- (1) A motor vehicle recovery strap must also be accompanied by a document, other than the packaging, stating the following information written in English—
- (a) a recommendation that the minimum breaking strength of the strap should be between 2 and 3 times the vehicle's gross vehicle mass (GVM);
  - (b) advice that the strap must be suited to the GVM of the lighter of the 2 vehicles used in the recovery process;
  - (c) how to use and maintain the strap.
- (2) Without limiting subsection (1)(c)—
- (a) the information to accompany a motor vehicle recovery strap must state all of the following—
    - (i) persons intending to use the strap should consider completing a nationally recognised four wheel drive training course or contact a four wheel drive club for comprehensive advice on the proper selection and use of the strap;
    - (ii) the strap must not be used for lifting or conventional towing;
    - (iii) persons intending to use the strap must ensure that the strap is not damaged and is in usable condition;
    - (iv) the strap's strength and stretch are reduced when the strap is saturated;

- (v) something like a recovery damper, heavy bag or blanket must be draped over the strap during its use to reduce any unintentional rebound of the strap;
- (vi) while the strap is being used, persons situated outside the motor vehicles involved in the recovery process must—
  - (A) be kept at a safe distance (recommended as at least 1.5 times the length of the unstretched strap) from either of the vehicles involved in the recovery process; and
  - (B) never situate themselves within the path of the vehicle performing the recovery; and
- (b) the information must also include the following—

‘WARNING—Always follow product instructions. It is important to correctly attach the motor vehicle recovery strap to a motor vehicle. A standard tow ball or vehicle tie-down point is not designed for this purpose and may result in the strap or a vehicle component detaching from a motor vehicle and striking and seriously injuring or killing a person. Only attach the strap to a vehicle recovery point or device that is suitably rated for use with the strap. Incorrect use has previously resulted in serious injury and death.’.

## **Schedule 5D      Safety standard for moveable soccer goals**

section 13F

### **1      Exclusions**

This schedule does not apply to—

- (a) a moveable soccer goal designed to be inserted into a sleeve set in the ground; or
- (b) a moveable soccer goal weighing less than 28kg, including any attachments other than any temporary anchoring device; or
- (c) a moveable soccer goal designed only for indoor use.

### **2      Stability test**

A set up moveable soccer goal must pass the following stability test, namely, when subjected to a horizontal pull force of 2000N to the centre of the crossbar for at least 60 seconds and at most 70 seconds, it must not—

- (a) fall over; or
- (b) fail to return to an upright position.

### **3      Ground frames**

For a set up moveable soccer goal with a ground frame, no part of the ground frame may extend past the front or sides of the upright post.

### **4      Rounded corners and edges**

A moveable soccer goal must have all exposed corners and edges rounded with a radius of at least 3mm.

**5 Information and warning**

- (1) The following information about a moveable soccer goal must be permanently marked clearly and legibly in a conspicuous position on the crossbar or an upright post—
  - (a) the name or trademark of the manufacturer, importer or supplier of the moveable soccer goal;
  - (b) the following warning—

‘WARNING—ALWAYS ANCHOR GOAL—NEVER CLIMB OR HANG ON CROSSBAR. Unanchored goals can tip over causing serious injury or death.’.
- (2) The words stated in subsection (1)(b) must be in upper case letters at least 25mm high and lower case letters at least 12.5mm high.

## Schedule 6 Dictionary

### section 2

**ANSI A100** means the United States of America standard ANSI/WMCA 100.1-1996 entitled American National Standard for Safety of Corded Window Covering Products as approved by the American National Standards Institute on 27 November 1996.

*Editor's note—*

Copies of the standard are available from the American National Standards Institute ('ANSI'), 25 West 43rd Street, New York, NY 10036, United States <[www.ansi.org](http://www.ansi.org)>.

Information on all standards mentioned in this schedule may also be obtained from the Office of Fair Trading at <[safety@justice.qld.gov.au](mailto:safety@justice.qld.gov.au)>.

**artificial leather** means material resembling leather made from material constituted entirely or partly of crushed, ground or scrap leather.

**AS 3575–1995** means Australian Standard 3575 (Clearing saws, brushcutters and grass trimmers—Safety requirements) as published on 4 December 1995.

**AS/NZS 2172** means joint Standards Australia and Standards New Zealand standard AS/NZS 2172 (Cots for household use—Safety requirements) as published on 17 November 2003.

**AS/NZS 2622** means joint Standards Australia and Standards New Zealand standard 2622 (Textile products—Fibre content labelling) as published on 5 September 1996.

**AS/NZS ISO 8124, part 1** means joint Standards Australia and Standards New Zealand standard AS/NZS ISO 8124 (Safety of toys), part 1 (Safety aspects related to mechanical and physical properties (ISO 8124-1:2000, MOD)) as published on 16 May 2002.

**ASTM F977–00** means the United States of America standard ASTM F 977–00 entitled Standard Consumer Safety

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Specification for Infant Walkers as approved on 10 April 2000 and published in July 2000.

*Editor's note—*

Copies of the standard are available from ASTM International, 100 Barr Harbour Drive, PO Box C700 West Conshohocken, Pennsylvania 19428-2959, United States <[www.astm.org](http://www.astm.org)> Email—[service@astm.org](mailto:service@astm.org). Further information on this standard may also be obtained from the Office of Fair Trading at <[safety@justice.qld.gov.au](mailto:safety@justice.qld.gov.au)>.

***babywalker*** means a device that—

- (a) consists of a frame on wheels designed to support a baby inside the frame who has not learned to walk and whose feet are touching the ground; and
- (b) is propelled by the movement of the baby.

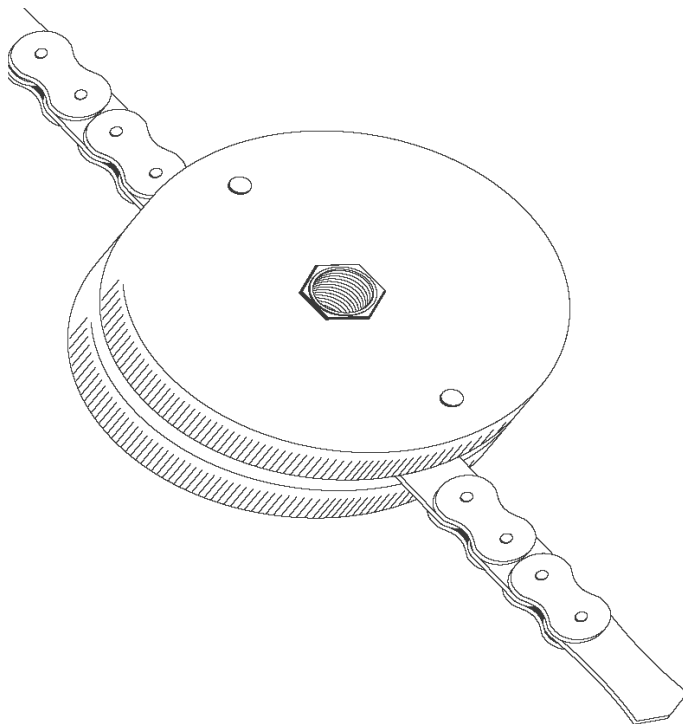
***bean bag*** means a cushion or similar item consisting of a bag or cover surrounding bean bag filling and includes a bean bag for use in a swimming pool.

***bean bag cover*** means a bag or cover that can be filled with bean bag filling to become 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 pieces of polystyrene or other similar synthetic material that can be used as filling for a bean bag.

***brush-cutter, clearing saw or grass trimmer*** means a device—

- (a) consisting of, or fitted with, a rotating chain of metal links for cutting as shown in figure 1; and
- (b) intended for cutting brush, grass, shrubs, small trees or weeds.



*Figure 1—Device consisting of a rotating chain of metal links for cutting*

***child-resistant zip-fastener*** means a zip-fastener having a sliding piece that—

- (a) does not have attached to it any tag, handle or other object to facilitate the movement of the sliding piece; and
- (b) incorporates a locking mechanism to prevent the sliding piece opening the zip-fastener unless an entirely separate device is used to disengage the locking mechanism and form a handle to move the sliding piece between the two edges of the slide fastener that separate to open the slide fastener.

***corded interior window coverings*** means any form of interior drapery hardware or window covering product, for example, a curtain, shade, blind or traverse rod or track, that incorporates a looped cord in its operation, other than as a tie-back for the covering.

*cot* does not include a folding cot or carry cot.

*discharge mechanism* means a mechanism designed and manufactured to discharge an object through the air.

*Examples of discharge mechanisms—*

a bow, dart gun or popgun

*gross vehicle mass* or *GVM* means the maximum loaded mass of a motor vehicle—

- (a) stated on the compliance plate, registration certificate, or build plate for the vehicle; or
- (b) stated in the handbook for the vehicle; or
- (c) stated in documentation for the vehicle available from the vehicle's manufacturer.

*ground frame*, for a moveable soccer goal, means a part of the structure that joins the base of an upright post and runs along the ground.

*imported* means imported into Australia from another country.

*improvised projectile* see section 13(3).

*leather* means the tanned hide or skin of an animal.

*leather goods product* means—

- (a) a clothing product, other than textile goods or shoes; or
- (b) a ball, boxing glove, golf bag or other sporting goods product; or
- (c) a trunk, suitcase or other travelware product; or
- (d) a handbag, purse, wallet or other product for carrying personal items; or
- (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;

the outside surface area of which is more than 155 square centimetres and more than 50% leather, artificial leather or a material resembling leather.

**locking device**, for a folding laundry trolley, means a mechanism or design feature on the trolley that prevents accidental or inadvertent folding or collapse of the trolley.

**looped beaded chain** means a series of small beads, equally spaced on a cord or connected by metal shafts, that is curved or doubled, or the ends of which are joined by a device, to form a closed loop.

**looped cord** means any of the following—

- (a) any type of rope, strap or string that is curved or doubled, or the ends of which are joined by a device, to form a closed loop;
- (b) a looped beaded chain;
- (c) another type of flexible device.

**mini-motorbike** means a motorbike that can not be registered under the *Transport Operations (Road Use Management) Act 1995* because it does not comply with Australian Design Rules applying to motorbikes under the *Motor Vehicle Standards Act 1989* (Cwlth).

**minimum breaking strength**, for a motor vehicle recovery strap, means the minimum load necessary to cause the strap to fail.

**motor vehicle recovery strap** means a strap, commonly called a snatch strap, for attaching to a bogged vehicle to tow it clear of the bogged situation.

**moveable soccer goal** means a freestanding structure consisting of at least 2 upright posts, a crossbar and support bars designed—

- (a) for use by adults or children as a soccer goal; and
- (b) for use with a temporary anchoring device including, for example, a peg or stake; and
- (c) to be moved to different locations.

**projectile** means an object designed to be propelled through the air by a discharge mechanism, or by being thrown or released, whether or not the object is restrained by a string, elastic or another attachment.

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*Examples of projectiles—*

- an arrow or dart
- a model glider or rubber band powered model aeroplane
- an object restrained at the end of a string and designed to be discharged from a popgun

***projectile toy with stored energy*** see section 13(3).

***quarter lining***, of a shoe, means the material used to line the inside of the upper of the shoe 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.

***set up moveable soccer goal*** means a moveable soccer goal set up according to its manufacturer's instructions on a flat, level surface but without any form of temporary anchoring device.

***shank***, of a shoe, means the part of the shoe between the heel and the ball or tread and includes a long piece of wood, leather, steel or plastic placed between the insole and the sole from the heel seat forward intended to support that part of the shoe and the arch of the foot.

***shoe*** means any footwear and includes a boot, sandal or slipper.

***sock lining***, of a shoe, means a thin slip of leather, paper or similar material attached to the upper surface of the insole of the shoe.

***sole***, of a shoe, means the part of the shoe that is under the foot of the wearer and includes the heel of the shoe but does not include—

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

***textile goods*** means—

- (a) felted, knitted or woven materials manufactured from fibre; or

- (b) lace, threads, tops and yarns; or
- (c) articles manufactured in whole or in part from materials mentioned in paragraph (a) or (b), but not including linings, inter-linings or trimmings forming part of the articles; or
- (d) carpets or pile fabrics, but not including backings, linings, inter-linings or trimmings forming part of carpets or pile fabrics.

**toy**—

1 A **toy** is a thing manufactured as a plaything that—

- (a) is obviously designed for children under 14 years; or
- (b) is labelled, packaged, advertised, marketed or displayed in a way that indicates or suggests it is for children generally or for children under 14 years.

2 However, a thing manufactured as a plaything is not a **toy** if—

- (a) it is not packaged, advertised, marketed or displayed in a way that indicates or suggests it is for children generally or for children under 14 years; and
- (b) it is labelled prominently with any of the following or similar words—
  - ‘not for children under 14’
  - ‘unsuitable for children under 14’
  - ‘only for children 14+’
  - ‘ages 14+’
  - ‘ages 14 and upwards’
  - ‘ages 14–adult’.

*Examples of things that are toys*—

- 1 A bow and arrow set or a darts set manufactured as playthings and obviously designed for children under 14 years.

- 2 A projectile discharge mechanism, manufactured as a plaything is a toy if—
- (a) its packaging shows young children on it even if it is not obviously designed for children under 14 years; or
  - (b) it is displayed for sale in a toy store.

*Example of things that are not toys—*

darts manufactured as sporting equipment for use with a standard dart board

**TPAIS** means a consumer product information standard made under the *Trade Practices Act 1974* (Cwlth).

**TPASS** means a consumer product safety standard made under the *Trade Practices Act 1974* (Cwlth).

**upper**, of a shoe, means the outer covering of the part of the shoe that is above the sole, including the insole of the shoe and the sock lining, but not including thread, lace, eyelets, buckles, buttons or other adornments.

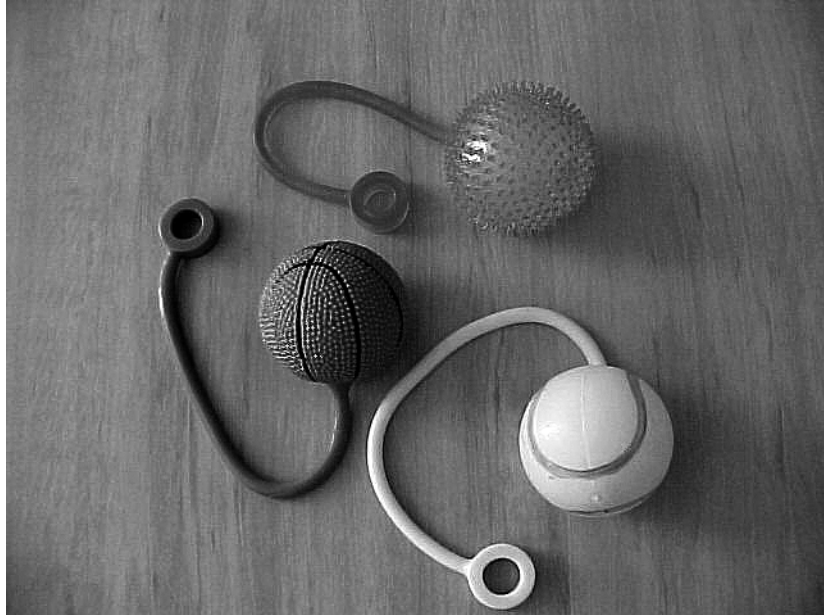
**waist**, of a shoe, means the narrowest part of a shoe measured from one side of the shoe to the other side of the shoe.

**yo yo ball** means a rubbery object consisting of an extendable strap—

- (a) with a sphere, or other shape, whether or not containing liquid or a novelty; and
- (b) with or without a loop to put a finger through.

*Examples (some of which are illustrated in figure 2)—*

yo yo water ball, yo yo water hammer ball, yo yo sports ball, yo yo meteoric ball, yo yo light ball



*Figure 2*

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## Endnotes

### 1 Index to endnotes

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 23 August 2010. Future amendments of the Fair Trading Regulation 2001 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

| Key    | Explanation                    | Key     | Explanation                             |
|--------|--------------------------------|---------|-----------------------------------------|
| AIA    | = Acts Interpretation Act 1954 | (prev)  | = previously                            |
| amd    | = amended                      | proc    | = proclamation                          |
| amdt   | = amendment                    | prov    | = provision                             |
| ch     | = chapter                      | pt      | = part                                  |
| def    | = definition                   | pubd    | = published                             |
| div    | = division                     | R[X]    | = Reprint No. [X]                       |
| exp    | = expires/expired              | RA      | = Reprints Act 1992                     |
| gaz    | = gazette                      | reloc   | = relocated                             |
| hdg    | = heading                      | renum   | = renumbered                            |
| ins    | = inserted                     | rep     | = repealed                              |
| lap    | = lapsed                       | (retro) | = retrospectively                       |
| notfd  | = notified                     | rv      | = revised edition                       |
| num    | = numbered                     | s       | = section                               |
| o in c | = order in council             | sch     | = schedule                              |
| om     | = omitted                      | sdiv    | = subdivision                           |
| orig   | = original                     | SIA     | = Statutory Instruments Act 1992        |
| p      | = page                         | SIR     | = Statutory Instruments Regulation 2002 |
| para   | = paragraph                    | SL      | = subordinate legislation               |
| prec   | = preceding                    | sub     | = substituted                           |
| pres   | = present                      | unnum   | = unnumbered                            |
| prev   | = previous                     |         |                                         |

### 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

| Reprint No. | Amendments to | Effective        | Reprint date    |
|-------------|---------------|------------------|-----------------|
| 1           | none          | 21 December 2001 | 1 February 2002 |

| Reprint No. | Amendments included                | Effective        | Notes                 |
|-------------|------------------------------------|------------------|-----------------------|
| 1A          | 2002 SL No. 210<br>2002 SL No. 238 | 1 November 2002  |                       |
| 1B          | 2003 SL No. 199                    | 1 September 2003 |                       |
| 1C          | 2004 SL No. 22                     | 26 March 2004    |                       |
| 1D          | 2005 SL No. 76                     | 1 July 2005      |                       |
| 1E          | 2005 SL No. 274                    | 18 November 2005 |                       |
| 1F          | 2006 SL No. 8                      | 3 February 2006  | R1F withdrawn, see R2 |
| 2           | —                                  | 3 February 2006  |                       |
| 2A          | 2006 SL No. 112                    | 2 June 2006      |                       |
| 2B          | 2007 SL No. 342                    | 14 December 2007 |                       |

| Reprint No. | Amendments included                      | Effective       | Notes                        |
|-------------|------------------------------------------|-----------------|------------------------------|
| 2C          | 2007 SL No. 194 (amd<br>2007 SL No. 342) | 1 January 2008  |                              |
| 2D          | 2007 SL No. 194 (amd<br>2008 SL No. 71)  | 1 April 2008    |                              |
| 2E          | 2008 SL No. 123                          | 1 June 2008     |                              |
| 2F          | 2008 SL No. 86                           | 1 July 2008     |                              |
| 3           | 2007 SL No. 194 (amd<br>2008 SL No. 71)  | 1 October 2008  |                              |
| 3A          | 2008 SL No. 353                          | 1 March 2009    |                              |
| 3B          | 2009 SL No. 38                           | 27 April 2009   |                              |
| 3C          | 2009 SL No. 38                           | 1 June 2009     |                              |
| 3D          | 2009 SL No. 38                           | 14 June 2009    |                              |
| 3E          | 2009 SL No. 38                           | 1 January 2010  | prov exp 31 December<br>2009 |
| 3F          | 2009 SL No. 38                           | 26 January 2010 |                              |
| 3G          | 2009 SL No. 38                           | 10 March 2010   |                              |
| 3H          | 2009 SL No. 38                           | 23 August 2010  |                              |

## 5 Tables in earlier reprints

| Name of table          | Reprint No. |
|------------------------|-------------|
| Corrected minor errors | 3           |

## 6 List of legislation

### **Fair Trading Regulation 2001 SL No. 291**

made by the Governor in Council on 20 December 2001

notfd gaz 21 December 2001 pp 1482–8

commenced on date of notification

exp 1 September 2012 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

### **Fair Trading Amendment Regulation (No. 1) 2002 SL No. 210**

notfd gaz 23 August 2002 pp 1478–81

ss 1, 3 commenced on date of notification

remaining provisions commenced 1 November 2002 (see s 3)

### **Fair Trading Amendment Regulation (No. 2) 2002 SL No. 238**

notfd gaz 13 September 2002 pp 131–2

ss 1–2 commenced on date of notification

remaining provisions commenced 1 November 2002 (see s 2)

**Fair Trading Amendment Regulation (No. 1) 2003 SL No. 199**

notfd gaz 29 August 2003 pp 1443–4  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 September 2003 (see s 2)

**Fair Trading Amendment Regulation (No. 1) 2004 SL No. 22**

notfd gaz 26 March 2004 pp 1169–70  
commenced on date of notification

**Fair Trading Amendment Regulation (No. 1) 2005 SL No. 76**

notfd gaz 29 April 2005 pp 1392–5  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2005 (see s 2)

**Fair Trading Amendment Regulation (No. 2) 2005 SL No. 274**

notfd gaz 18 November 2005 pp 1052–3  
commenced on date of notification

**Fair Trading Amendment Regulation (No. 1) 2006 SL No. 8**

notfd gaz 3 February 2006 pp 426–7  
commenced on date of notification

**Fair Trading Amendment Regulation (No. 2) 2006 SL No. 112**

notfd gaz 2 June 2006 pp 572–6  
commenced on date of notification

**Fair Trading Amendment Regulation (No. 1) 2007 SL No. 194 (this regulation is amended, see amending legislation below)**

notfd gaz 10 August 2007 pp 1901–2  
ss 1–2 commenced on date of notification  
ss 3–4, 5–6, 7 (other than to the extent it ins sch 5C), 8 (other than to the extent it ins the def “motor vehicle recovery strap”) commenced 1 January 2008 (see s 2(1) as amd 2007 SL No. 342 s 5)  
s 7A commenced 1 October 2008 (see s 2(3) as amd 2008 SL No. 71 s 3)  
remaining provisions commenced 1 April 2008 (see s 2(2) as amd 2007 SL No. 342 s 5 and 2008 SL No. 71 s 3)  
Note—An explanatory note was prepared.

amending legislation—

**Fair Trading Amendment Regulation (No. 2) 2007 SL No. 342 pts 1, 3 (amends 2007 SL No. 194 above)**

notfd gaz 14 December 2007 pp 2131–5  
commenced on date of notification

**Fair Trading Legislation Amendment Regulation (No. 1) 2008 SL No. 71 (amends 2007 SL No. 194 above)**

notfd gaz 20 March 2008 pp 1598–9  
commenced on date of notification

**Fair Trading Amendment Regulation (No. 2) 2007 SL No. 342 pts 1–2**

notfd gaz 14 December 2007 pp 2131–5  
commenced on date of notification

**Fair Trading Amendment Regulation (No. 1) 2008 SL No. 86**

notfd gaz 28 March 2008 pp 1721–4  
 ss 1–2 commenced on date of notification  
 remaining provisions commenced 1 July 2008 (see s 2)

**Fair Trading Amendment Regulation (No. 2) 2008 SL No. 123**

notfd gaz 9 May 2008 pp 277–8  
 ss 1–2 commenced on date of notification  
 remaining provisions commenced 1 June 2008 (see s 2)

**Fair Trading Amendment Regulation (No. 3) 2008 SL No. 353**

notfd gaz 24 October 2008 pp 1086–9  
 ss 1–2 commenced on date of notification  
 remaining provisions commenced 1 March 2009 (see s 2)

**Fair Trading Legislation Amendment Regulation (No. 1) 2009 SL No. 38 pts 1–2**

notfd gaz 24 April 2009 pp 1880–1  
 ss 1–2 commenced on date of notification  
 s 4 commenced 1 June 2009 (see s 2(1))  
 s 5 commenced 27 April 2009 (see s 2(2))  
 s 6 commenced 14 June 2009 (see s 2(3))  
 s 7 commenced 26 January 2010 (see s 2(4))  
 s 8 commenced 10 March 2010 (see s 2(5))  
 s 9 commenced 23 August 2010 (see s 2(6))  
 s 10 commenced 1 January 2010 (see s 2(7))  
 remaining provision commenced on date of notification

## 7 List of annotations

**Notes in text**

**3A** ins 2005 SL No. 76 s 4

**Leather goods products**

**s 5** amd 2006 SL No. 112 s 3

**Shoes**

**s 6** amd 2006 SL No. 112 s 4

**Furniture**

**s 7** amd 2006 SL No. 112 s 5

**Babywalkers**

**s 9A** (prev s 11A) ins 2002 SL No. 210 s 4  
 renum and reloc 2003 SL No. 199 s 4

**Bean bags**

**s 10** amd 2006 SL No. 112 s 6

**Treadmills**

**s 11** prev s 11 om 2006 SL No. 112 s 7  
 pres s 11 ins 2009 SL No. 38 s 4

**Brush-cutter, clearing saw or grass trimmer**

s 11A ins 2003 SL No. 199 s 5

**Projectile toy with stored energy**

s 13 sub 2005 SL No. 76 s 5

**Projectile supplied separately, rather than as part of a projectile toy with stored energy**

s 13A ins 2005 SL No. 76 s 5

**Discharge mechanism supplied separately, rather than as part of a projectile toy with stored energy**

s 13B ins 2005 SL No. 76 s 5

**Projectile toy without stored energy**

s 13C ins 2005 SL No. 76 s 5

**Arrow supplied separately, rather than as part of a toy bow and arrow set**

s 13D ins 2005 SL No. 76 s 5

**Bow supplied separately, rather than as part of a toy bow and arrow set**

s 13E ins 2005 SL No. 76 s 5

**Other kinds of goods**

s 13F ins 2006 SL No. 8 s 3  
sub 2007 SL No. 194 s 4 (amd 2007 SL No. 342 s 6); 2007 SL No. 194 s 4A  
(amd 2007 SL No. 342 s 6)

**Corded interior window coverings**

s 13G ins 2006 SL No. 8 s 3  
om 2007 SL No. 194 s 4 (amd 2007 SL No. 342 s 6)

**Particular Commonwealth consumer product safety standards are safety standards**

s 14 amd 2008 SL No. 86 s 4

**PART 3A—PROHIBITED SUPPLY OF GOODS**

pt hdg ins 2005 SL No. 274 s 3

**Yo yo balls**

s 15A ins 2005 SL No. 274 s 3

**Novelty dummies**

s 15B ins 2006 SL No. 112 s 8

**Supply of children's toys with excessive lead migration levels prohibited**

s 15BAA ins 2009 SL No. 38 s 5  
exp 31 December 2009 (see s 15BAA(3))

**Toothpaste**

s 15BA ins 2009 SL No. 38 s 5

**Bindeez**

s 15BB ins 2009 SL No. 38 s 6

**Fire Footbag**

s 15BC ins 2009 SL No. 38 s 7

**Amazing jumbo spiky light-up ball**

s 15BD ins 2009 SL No. 38 s 8

**Expandable toys**

s 15BE ins 2009 SL No. 38 s 9

**PART 3AA—TEST REPORTS**

pt 3AA (s 15C) ins 2007 SL No. 194 s 5

**PART 5—REPEAL**

pt 5 (s 17) exp 22 December 2001 (see s 17(2))

**SCHEDULE 4—SAFETY STANDARDS—COMMONWEALTH CONSUMER PROTECTION NOTICES**

amd 2002 SL No. 238 s 4; 2004 SL No. 22 s 3; 2005 SL No. 76 s 6; 2005 SL No. 274 s 4; 2006 SL No. 112 s 9; 2007 SL No. 342 s 3; 2008 SL No. 86 s 5; 2008 SL No. 353 s 4; 2009 SL No. 38 s 10

**SCHEDULE 5—SAFETY STANDARDS—COMMONWEALTH REGULATIONS**

amd 2002 SL No. 210 s 5; 2005 SL No. 274 s 5; 2008 SL No. 123 s 4

**SCHEDULE 5A—SAFETY STANDARD FOR MINI-MOTORBIKES**

ins 2006 SL No. 8 s 4

**SCHEDULE 5B—SAFETY STANDARD FOR CORDED INTERIOR WINDOW COVERINGS**

sch hdg amd 2007 SL No. 194 s 6

sch 5B ins 2006 SL No. 8 s 4

**SCHEDULE 5C—SAFETY STANDARD FOR MOTOR VEHICLE RECOVERY STRAPS**

sch hdg ins 2007 SL No. 194 s 7 (amd 2008 SL No. 71 s 4)

**Packaging marking**

s 1 ins 2007 SL No. 194 s 7 (amd 2008 SL No. 71 s 4)

**Permanently fixed information**

s 2 ins 2007 SL No. 194 s 7A(2)

**Accompanying information**

s 3 (prev s 2) ins 2007 SL No. 194 s 7 (amd 2008 SL No. 71 s 4)  
renum 2007 SL No. 194 s 7A(1) (amd 2008 SL No. 71 s 5)

**SCHEDULE 5D—SAFETY STANDARD FOR MOVEABLE SOCCER GOALS**

ins 2007 SL No. 194 s 7

**SCHEDULE 6—DICTIONARY**

def “ANSI A100” ins 2006 SL No. 8 s 5

amd 2007 SL No. 194 s 8(3)

def “AS 1647, part 2” om 2007 SL No. 194 s 8(1)

def “AS 3575–1995” ins 2003 SL No. 199 s 6

def “AS/NZS 2172” amd 2007 SL No. 194 s 8(4)

Endnotes

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- def “**AS/NZS ISO 8124, part 1**” ins 2005 SL No. 76 s 7(2)
- def “**ASTM F977-00**” ins 2002 SL No. 210 s 6(1)
  - amd 2007 SL No. 194 s 8(5)
- def “**babywalker**” ins 2002 SL No. 210 s 6(1)
- def “**brush-cutter, clearing saw or grass trimmer**” ins 2003 SL No. 199 s 6
- def “**corded interior window coverings**” ins 2006 SL No. 8 s 5
- def “**discharge mechanism**” amd 2005 SL No. 76 s 7(3)
- def “**gross vehicle mass**” or “**GVM**” ins 2007 SL No. 194 s 8(2) (amd 2008 SL No. 71 s 6(2))
- def “**ground frame**” ins 2007 SL No. 194 s 8(2)
- def “**improvised projectile**” ins 2005 SL No. 76 s 7(2)
- def “**looped beaded chain**” ins 2006 SL No. 8 s 5
- def “**looped cord**” ins 2006 SL No. 8 s 5
- def “**mini-motorbike**” ins 2006 SL No. 8 s 5
- def “**minimum breaking strength**” ins 2007 SL No. 194 s 8(2) (amd 2008 SL No. 71 s 6(2))
- def “**motor vehicle recovery strap**” ins 2007 SL No. 194 s 8(2)
- def “**moveable soccer goal**” ins 2007 SL No. 194 s 8(2)
- def “**projectile**” amd 2006 SL No. 112 s 10
- def “**projectile toy**” om 2005 SL No. 76 s 7(1)
- def “**projectile toy with stored energy**” ins 2005 SL No. 76 s 7(2)
- def “**set up moveable soccer goal**” ins 2007 SL No. 194 s 8(2)
- def “**textile goods**” amd 2002 SL No. 210 s 6(2)
- def “**yo yo ball**” ins 2005 SL No. 274 s 6

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