



# **Trade Practices (Consumer Product Safety Standard) (Bicycle Helmets) Regulations 2001**

**Select Legislative Instrument 2001 No. 279 as amended**

made under the

*Trade Practices Act 1974*

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This compilation was prepared on 14 August 2006  
taking into account amendments up to SLI 2006 No. 217

The text of any of those amendments not in force  
on that date is appended in the Notes section

Prepared by the Office of Legislative Drafting and Publishing,  
Attorney-General's Department, Canberra

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**1 Name of Regulations** [see Note 1]

These Regulations are the *Trade Practices (Consumer Product Safety Standard) (Bicycle Helmets) Regulations 2001*.

**2 Commencement** [see Note 1]

These Regulations commence on gazettal.

**3 *Trade Practices (Consumer Product Safety Standard) (Bicycle Helmets) Regulations 1999 — repeal***

Statutory Rules 1999 No. 230 is repealed.

**4 Purpose**

For subsection 65C (2) of the *Trade Practices Act 1974*, these Regulations set out the consumer product safety standard for bicycle helmets.

**5 Application**

- (1) These Regulations apply to protective helmets for pedal cyclists.
- (2) However, these Regulations do not apply to the following helmets:
  - (a) protective helmets of a size too small to be reasonably fitted to Headform AA defined in Australian Standard AS 2512.1:1998 published by the Standards Association of Australia on 5 September 1998;
  - (b) helmets for use as toys which cannot be reasonably mistaken for protective helmets for pedal cyclists;
  - (c) helmets for use as toys which may be reasonably mistaken for protective helmets for pedal cyclists, if the words *Warning: toy helmet only — do not use as safety headgear* are marked clearly and legibly in a conspicuous position on:
    - (i) the helmet or on a label attached to the helmet at the time of supply to the consumer; and

- (ii) the principal outer display face of any packaging in which the helmet is supplied to the consumer;  
with the word *Warning* in capital letters not less than 5 mm high, and the remaining words in letters not less than 2.5 mm high;
- (d) helmets (except BMX helmets) designed and constructed principally for use by cyclists engaged in competitive racing, if the words *Warning: racing headgear only — inadequate impact protection for normal road use* are marked clearly and legibly in a conspicuous position on:
  - (i) the helmet or on a label attached to the helmet at the time of supply to the consumer; and
  - (ii) the principal outer display face of any packaging in which the helmet is supplied to the consumer;  
with the word *Warning* in capital letters not less than 5 mm high, and the remaining words in letters not less than 2.5 mm high.

**6 Standard until 31 August 2007**

Until the end of 31 August 2007, the standard for protective helmets for pedal cyclists is the standard described in:

- (a) Part 1 of Schedule 1 as varied by Part 2 of that Schedule (Australian/New Zealand Standards); or
- (b) Part 1 of Schedule 2 subject to Part 2 of that Schedule (Snell Standards).

## **Schedule 1      Australian/New Zealand Standards**

(regulation 6)

### **Part 1      AS/NZS 2063:1996**

Australian/New Zealand Standard *Pedal cycle helmets*, published by Standards Australia on 5 May 1996 as amended by Amendment No. 1 of 5 November 1996.

### **Part 2      Variations to AS/NZS 2063:1996**

#### **[1]      Clause 1**

*omit*

#### **[2]      After clause 5.6**

*insert*

**5.7 BMX Helmets** Helmets designed and constructed principally for use by cyclists engaged in BMX competition racing need not comply with provisions regarding ventilation openings or type testing.

#### **[3]      Paragraph 8.1 (e)**

*omit*

## **Schedule 2      Snell Standards**

(regulation 6)

### **Part 1            1995 Standard For Protective Headgear For Use In Cycling**

*1995 Standard For Protective Headgear For Use In Cycling, including the Child Helmet Addendum To Standards For Protective Headgear, published by the Snell Memorial Foundation of the United States of America and available on the Internet as the document:*

<http://www.smf.org/standards/b95-2std.html>.

### **Part 2            Compliance with the Snell Standard**

A person is not required to comply with a provision of the Standard that requires the person to obtain third party certification of a helmet.

*Note* The Standard requires a person who manufactures a helmet, and who wishes to comply with the Standard, to obtain third party certification of the helmet.

**Table of Instruments**

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**Notes to the *Trade Practices (Consumer Product Safety Standard) (Bicycle Helmets) Regulations 2001***

**Note 1**

The *Trade Practices (Consumer Product Safety Standard) (Bicycle Helmets) Regulations 2001* (in force under the *Trade Practices Act 1974*) as shown in this compilation comprise Select Legislative Instrument 2001 No. 279 amended as indicated in the Tables below.

Under the *Legislative Instruments Act 2003*, which came into force on 1 January 2005, it is a requirement for all non-exempt legislative instruments to be registered on the Federal Register of Legislative Instruments. From 1 January 2005 the Statutory Rules series ceased to exist and was replaced with Select Legislative Instruments (SLI series). Numbering conventions remain the same, ie Year and Number.

**Table of Instruments**

<b>Year and Number</b>	<b>Date of notification in Gazette or FRLI registration</b>	<b>Date of commencement</b>	<b>Application, saving or transitional provisions</b>
2001 No. 279	5 Oct 2001	5 Oct 2001	
2006 No. 217	11 Aug 2006	12 Aug 2006	—

**Table of Amendments**

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**Table of Amendments**

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

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<b>Provision affected</b>	<b>How affected</b>
Heading to r. 6 .....	rs. 2006 No. 217
R. 6 .....	am. 2006 No. 217

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