



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

Statutory Rules 2001 No. 279 as amended

made under the

Trade Practices Act 1974

This compilation was prepared on 28 August 2007
taking into account amendments up to SLI 2007 No. 260

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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Statutory Rules 1999 No. 230 is repealed.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 12 December 2008

Until the end of 12 December 2008, 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 Bicycling

1995 Standard For Protective Headgear For Use In Bicycling, 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.

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 Statutory Rules 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

Year and Number	Date of notification in <i>Gazette</i> or FRLI registration	Date of commencement	Application, saving or transitional provisions
2001 No. 279	5 Oct 2001	5 Oct 2001	
2006 No. 217	11 Aug 2006	12 Aug 2006	—
2007 No. 260	27 Aug 2007 (see F2007L02621)	28 Aug 2007	—

Table of Amendments

Table of Amendments

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 = repealed rs. = repealed and substituted

Provision affected	How affected
Heading to r. 6	rs. 2006 No. 217; 2007 No. 260
R. 6	am. 2006 No. 217; 2007 No. 260
