



## **Consumer Goods (Trolley Jacks) Safety Standard 2017**

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I, Michael McCormack, Minister for Small Business, make the following safety standard.

Dated 14 December 2017

Michael McCormack  
Minister for Small Business

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## Part 1—Preliminary

### 1 Name

This instrument is the *Consumer Goods (Trolley Jacks) Safety Standard 2017*.

### 2 Commencement

This instrument commences on the day after this instrument is registered on the Federal Register of Legislation.

### 3 Authority

This instrument is made under sections 104 and 105 of the Australian Consumer Law.

Note: The reference to the Australian Consumer Law is a reference to Schedule 2 to the *Competition and Consumer Act 2010* as it applies as a law of the Commonwealth, States and Territories: see section 140K of that Act and corresponding provisions of Acts of States and Territories applying that Schedule.

### 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

### 5 Definitions

In this instrument:

***Australian Standard*** means Australian Standard *AS 2615:2016 Hydraulic trolley jacks*, as in force on the commencement of this instrument.

Note: The Australian Standard could in 2017 be purchased from SAI Global's website (<https://www.saiglobal.com>). The Australian Competition and Consumer Commission can make a copy of the standard available for viewing at one of its offices, subject to licensing conditions.

***transitional period*** means the period of 24 months beginning on the day this instrument commences.

***trolley jack*** has the same meaning as hydraulic trolley jack has in the Australian Standard.

## Part 2—Safety standard

### 6 Requirements during transitional period

- (1) During the transitional period, a trolley jack must comply with:
  - (a) the standard set by Consumer Protection Notice No 10 of 2008 (Federal Register of Legislation No. F2008L03230), made under section 65E of the *Trade Practices Act 1974*, as that notice was in force immediately before the commencement of this instrument; or
  - (b) the Australian Standard as varied by section 8.

Note 1: The notice could in 2017 be viewed on the Federal Register of Legislation website (<https://www.legislation.gov.au>).

Note 2: Under item 4 of Schedule 7 to the *Trade Practices Amendment (Australian Consumer Law) Act (No. 2) 2010*, the standard set by the notice continued in force from the start of 1 January 2011 as if it were a safety standard made under section 104 of the Australian Consumer Law (because it was taken under section 65E of the *Trade Practices Act 1974* to be a prescribed consumer product safety standard for the purposes of section 65C of that Act immediately before 1 January 2011).

- (2) This section is repealed at the end of the last day of the transitional period.

### 7 Safety standard for trolley jacks after transitional period

After the transitional period, the Australian Standard, as varied by section 8, is declared to be a safety standard for trolley jacks.

### 8 Variation of the Australian Standard

- (1) For the purposes of this Part, the Australian Standard is varied by:
  - (a) omitting clause 5.4(a) and clause 9(f); and
  - (b) replacing clause 6.3 with the text set out in subsection (2) of this section; and
  - (c) replacing the words “1 min” in clause D3(g) in Appendix D with “15 minutes”.

- (2) The replacement text for clause 6.3 of the Australian Standard is as follows:

#### 6.3 Ease of operation

When the hydraulic trolley jack is tested in accordance with Appendix A and the operating force exceeds 450 N, Appendix F must be used to determine the maximum capacity of the hydraulic trolley jack using a maximum operating force of 450 N.

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## **Schedule 1—Repeals**

### ***Consumer Product Safety Standard for Trolley Jacks (Consumer Protection Notice No 10 of 2008) (Federal Register of Legislation No. F2008L03230)***

#### **1 The whole of the instrument**

Repeal the instrument.

Note: Under item 4 of Schedule 7 to the *Trade Practices Amendment (Australian Consumer Law) Act (No. 2) 2010*, the Consumer Product Safety Standard for Trolley Jacks continued in force from the start of 1 January 2011 as if it were a safety standard made under section 104 of the Australian Consumer Law (because it was taken under section 65E of the *Trade Practices Act 1974* to be a prescribed consumer product safety standard for the purposes of section 65C of that Act immediately before 1 January 2011).