



Consumer Goods (Basketball Rings and Backboards) Safety Standard 2017

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 (Basketball Rings and Backboards) 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 subsection 104(1) 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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:

portable basketball system means a basketball ring, a backboard and a portable structure, that includes a pole and a base, for supporting the basketball ring and backboard.

toy basketball ring means a miniature basketball ring (with or without a backboard) that is not designed to be permanently fixed to a fixture.

transitional period means the period of 12 months beginning on the day this instrument commences.

6 Application

- (1) This instrument applies to basketball rings and backboards, including portable basketball systems, that are of a kind likely to be used for domestic use.
- (2) However, this instrument does not apply to toy basketball rings or backboards for toy basketball rings.

Part 2—Requirements

Division 1—Basic requirements

7 Requirements during transitional period

- (1) During the transitional period, a basketball ring or backboard must meet the requirements set out in Division 2 or Division 3.
- (2) This section is repealed at the end of the last day of the transitional period.

8 Requirements after transitional period

After the transitional period, a basketball ring or backboard must meet the requirements set out in Division 2.

Division 2—Details of requirements

9 Warnings and instructions to accompany basketball ring or backboard

Warnings

- (1) A basketball ring or backboard must be accompanied by:
 - (a) a written warning described in section 10; and
 - (b) a warning symbol described in section 11;in the way described in section 12.
- (2) A backboard must have a warning described in section 13 permanently marked in a conspicuous place on the front of the backboard or on a label fixed in such a place.

Instructions

- (3) A basketball ring or backboard must be accompanied by a label, tag or manual setting out instructions described in section 14 for installation of the basketball ring or backboard for its safe use, unless the ring or backboard is supplied as part of a portable basketball system.

10 Form of written warning accompanying basketball ring or backboard

- (1) The warning accompanying the basketball ring or backboard must:
 - (a) consist of the words “WARNING: IMPROPER INSTALLATION OR SWINGING ON THE RING MAY CAUSE SERIOUS INJURY OR DEATH”; and
 - (b) be clearly legible.
- (2) In the warning:
 - (a) the letters must be upper-case and red, and appear on a white background; and
 - (b) the letters of the word “WARNING” must be at least 15 millimetres high; and
 - (c) the letters of the other words must be at least 10 millimetres high.

11 Form of warning symbol accompanying basketball ring or backboard

- (1) The warning symbol accompanying the basketball ring or backboard must be in the form of the following symbol (which is not full size):

Section 12



- (2) In the warning symbol:
- (a) the diameter of the outer edge of the circle must be at least 120 millimetres; and
 - (b) the circle and diagonal line must be shown with red lines at least 5 millimetres wide; and
 - (c) the human figure must be entirely black; and
 - (d) the basketball ring and backboard must be outlined in black.

12 How written warning and warning symbol are to accompany basketball ring or backboard

If basketball ring or backboard is packaged

- (1) If the basketball ring or backboard is packaged, the warning and warning symbol must accompany the ring or backboard by being marked:
- (a) in a conspicuous place on the package; or
 - (b) on a label fixed in such a place.

If basketball ring or backboard is not packaged

- (2) If the basketball ring or backboard is not packaged, the warning and warning symbol must accompany the ring or backboard by being marked:
- (a) in a conspicuous place on the ring or backboard; or
 - (b) on a label fixed in such a place; or
 - (c) on a conspicuous tag attached to the ring or backboard.

13 Form of permanent warning marked on front of backboard

- (1) The warning permanently marked on the front of the backboard (or on a label there) must:
- (a) consist of the words “WARNING: SWINGING ON THE RING MAY CAUSE SERIOUS INJURY OR DEATH”; and
 - (b) be clearly legible.
- (2) The lettering of the warning must be upper-case and at least 10 millimetres high.

14 Instructions accompanying basketball ring or backboard for installation for safe use

The instructions accompanying the basketball ring or backboard for its installation for safe use must:

- (a) give details of the supporting structure to which the ring or backboard is to be fixed; and
- (b) give details of the hardware to be used to fix the ring or backboard to the supporting structure; and
- (c) strongly warn against fixing the ring or backboard to brickwork; and
- (d) include advice to consult a structural engineer if there is any doubt about the safety or stability of the installation.

Note: This section does not apply to a basketball ring or backboard supplied as part of a portable basketball system: see subsection 9(3).

Part 2 Requirements

Division 3 Details of alternative requirements that apply during transitional period

Section 15

Division 3—Details of alternative requirements that apply during transitional period

15 Requirements of the *Trade Practices (Consumer Product Safety Standard) (Basketball Rings and Backboards) Regulations 2005*

- (1) If a basketball ring or backboard does not meet the requirements of Division 2, the ring or backboard must comply with the requirements of the *Trade Practices (Consumer Product Safety Standard) (Basketball Rings and Backboards) Regulations 2005*, as in force immediately before the commencement of this instrument.

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

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

Schedule 1—Repeals

Trade Practices (Consumer Product Safety Standard) (Basketball Rings and Backboards) Regulations 2005

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 Regulations continued in force from the start of 1 January 2011 as if they were a safety standard made under section 104 of the Australian Consumer Law.