

EXPLANATORY STATEMENT

Consumer Goods (Prams and Strollers) Amendment Safety Standard 2019

Overview

The Assistant Treasurer (the Minister) has amended the safety standard for prams and strollers pursuant to section 105 of the Australian Consumer Law, which is Schedule 2 of the *Competition and Consumer Act 2010 (Cth)*.

This instrument is the *Consumer Goods (Prams and Strollers) Amendment Safety Standard 2019*.

The purpose of this amendment is to clarify the application of the safety standard to convertible wheeled products. These products have evolved from simple products with detachable handles to products that convert into one or more modes. Where a product is a convertible product and that product has a mode designed to transport a child in a seated position, and which may also be adjusted to a semi-reclined or fully reclined position, it is a stroller for the purpose of the safety standard.

Background

The safety standard references and varies certain parts of the Australian/New Zealand standard AS/NZS 2088:2000, *Prams and strollers – Safety requirements*. The safety standard was introduced in 2007 following a number of deaths and other injuries as a result of unsafe prams or strollers. The safety standard specifies requirements relating to the construction and performance of prams and strollers, together with warnings and instructions for their use.

The amendment

This safety standard amends the *Consumer Product Safety Standard for Prams and Strollers (Consumer Protection Notice No.8 of 2007)*, by adding the following note:

Strollers include wheeled vehicles that can operate in more than one mode, if one of those modes is designed to transport a child in a seated position (including, but not limited to, convertible tricycle strollers).

Access to Australian and international standards

Where practicable, product safety legislative instruments only reference extrinsic material that is readily accessible for free by the public. However, as in the current case, many product safety legislative instruments need to incorporate extrinsic technical standards over which certain bodies have copyright. The voluntary Australian standard referenced in this instrument is available for purchase at SAI Global's website (<https://www.saiglobal.com>).

The Australian Competition and Consumer Commission can also make a copy of the voluntary Australian standard available for viewing at one of its offices, subject to licensing conditions.

Consultation

The ACCC released a consultation paper for this amendment on 5 November 2018. Seventeen submissions were received, all of which supported the addition of the explanatory note.

Disallowance

This legislative instrument is not subject to disallowance due to section 44 of the *Legislation Act 2003*.

Commencement

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

Sunsetting

This legislative instrument is not subject to sunsetting due to section 54 of the *Legislation Act 2003*.

Regulation impact assessment

The Office of Best Practice Regulation advised a Regulation Impact Statement was not required (OBPR ID Reference No.24419).