

## EXPLANATORY STATEMENT

### *Consumer Goods (Self-balancing Scooters) Amendment Safety Standard 2019*

#### Overview

The Assistant Treasurer (the Minister) has amended the safety standard for self-balancing scooters, pursuant to section 104 of the Australian Consumer Law, which is Schedule 2 of the *Competition and Consumer Act 2010* (Cth).

This instrument amends the Consumer Goods (Self-balancing Scooters) Safety Standard 2018.

The purpose of this amendment is to extend the repeal date of the safety standard by 24 months to 16 July 2021, and to update references to voluntary standards cited in the safety standard.

#### Background

The purpose of the safety standard is to reduce the risk of injury and death that may occur from house fires caused by self-balancing scooters igniting during or after charging. Low quality lithium-ion batteries are prone to 'thermal runaway' which is a complex combination of chemical reactions and/or electrical shorting inside the cell that are initiated by excessive heat, causing an electrical fire. The amendment does not alter the minimum level of safety required by the safety standard.

The safety standard was introduced to address a regulatory gap that exists in some state and territory electrical safety regimes, which do not regulate extra-low voltage electrical products including self-balancing scooters. The amendment provides additional time for those states and territories to make appropriate amendments to their regulatory frameworks to regulate products powered by an extra-low voltage power source.

#### The amendment

This legislative instrument amends the *Consumer Goods (Self-balancing Scooters) Safety Standard 2018* to:

- extend the operation of the safety standard by 24 months to 16 July 2021
- update references to the relevant sections of UL 2272 - *Standard for Electrical Systems for Personal E-Mobility Devices*
- permits compliance with IEC 62133-2:2017 *Secondary cells and batteries containing alkaline or other non-acid electrolytes – Safety requirements for portable sealed secondary cells, and for batteries made from them, for use in portable application – Part 2: Lithium systems* in place of the withdrawn standard IEC 62133 Edition 2.0 2012-12 *Secondary cells and batteries containing alkaline or other non-acid electrolytes – Safety requirements for portable sealed secondary cells, and for batteries made from them, for use in portable applications*.

#### Access to international standards

Where practicable, product safety legislative instruments only reference extrinsic material that is readily accessible for free to 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 IEC 62133-2:2017 standard referenced in this instrument is available for purchase at the IEC's website (<https://webstore.iec.ch>). The UL 2272 standard referenced in this instrument is available for purchase at the Underwriters

Laboratories Inc website (<https://standardscatalog.ul.com>) and SAI Global's website (<https://www.saiglobal.com>).

The Australian Competition and Consumer Commission (ACCC) can also make a copy of these standards available for viewing at one of its offices, subject to licensing conditions.

### **Consultation**

Consultation was not required due to the administrative nature of the amendment. The ACCC has notified stakeholders of the amendment to the safety standard.

### **Disallowance**

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

### **Commencement**

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

### **Period of effect**

This legislative instrument ends on 16 July 2021.

### **Sunsetting**

This legislative instrument is not subject to sunseting due to section 54 of the *Legislation Act 2003* (Cth).

### **Regulation impact assessment**

The Office of Best Practice Regulation advised that a Regulation Impact Statement was not required.