

Consumer Goods (Non‑refillable Helium Cylinders) Safety Standard 2022

I, Stephen Jones, Assistant Treasurer and Minister for Financial Services, make the following safety standard.

Dated 2/1/2023

Stephen Jones

Assistant Treasurer  
Minister for Financial Services

Contents

Part 1—Preliminary 1

1 Name 1

2 Commencement 1

3 Authority 1

4 Definitions 1

5 Application 1

Part 2—Safety standards 2

6 Requirements 2

7 Gas composition requirements 2

8 Marking requirements 2

Part 1—Preliminary

1 Name

This instrument is the *Consumer Goods (Non‑refillable Helium Cylinders) Safety Standard 2022*.

2 Commencement

(1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information | | |
| --- | --- | --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this instrument | The day after the end of the period of 3 months beginning on the day this instrument is registered. | 16 April 2023 |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

(2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under section 104 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 Definitions

In this instrument:

***non‑refillable helium cylinder*** means a cylinder of pressurised gas if the cylinder contains predominantly helium gas and is not able to be refilled and reused.

5 Application

This instrument applies to consumer goods containing a non‑refillable helium cylinder.

Part 2—Safety standards

6 Requirements

Consumer goods containing a non‑refillable helium cylinder must comply with the requirements in this Part.

7 Gas composition requirements

The oxygen composition of the gas within the non‑refillable helium cylinder must be 21% +/‑ 1.0% of total gas composition by volume.

8 Marking requirements

(1) The following must be clearly marked on the non‑refillable helium cylinder and on the packaging of the consumer goods:

(a) the composition of the gas within the cylinder, expressed as percentages of the total gas composition by volume;

(b) the following statement (or words to that effect):

WARNING: Do not inhale. May cause suffocation.

(2) The markings must be:

(a) in English; and

(b) clearly legible; and

(c) clearly visible; and

(d) indelible.