

Consumer Goods (Toppling Furniture) Information Standard 2024

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

Dated 13 April 2024

[Signed]

Stephen Jones

Assistant Treasurer
Minister for Financial Services

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Part 1—Preliminary

1 Name

 This instrument is the *Consumer Goods (Toppling Furniture) Information Standard 2024*.

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 12 months beginning on the day this instrument is registered. |  |

Note: This table relates only to the provisions of this instrument as originally made.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 subsection 134(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 Definitions

 In this instrument:

***category 1 furniture*** means a clothes storage unit or bookcase with a height of 686 mm or more.

***category 2 furniture*** means an entertainment unit.

***category 3 furniture*** means a hall table, display cabinet, sideboard or buffet, with a height of 686 mm or more.

***clothes storage unit*** means an item of furniture that:

 (a) is designed to be used primarily to store clothes; and

 (b) contains one or more drawers, doors or other extendable elements.

***electronic platform*** means a service that enables a business to supply, or offer for supply,goods or services to consumers over the internet (whether by a website, an online marketplace or other means, and whether operated by the business or another business).

***entertainment unit*** means an item of furniture that is designed to be used primarily to house, support or carry a television.

***toppling furniture***: see section 5.

5 Meaning of *toppling furniture*

 (1) An item of furniture is ***toppling furniture*** if it is category 1 furniture, category 2 furniture or category 3 furniture.

 (2) However, an item of furniture is not ***toppling furniture*** if it:

 (a) is designed to be affixed to a wall or structure; and

 (b) cannot be used properly unless it is so affixed.

6 Application

 (1) This instrument applies in relation to items of toppling furniture that are consumer goods.

 (2) However, this instrument does not apply in relation to an item of toppling furniture if:

 (a) the item had been acquired by a consumer and is subsequently being supplied or offered for supply; or

 (b) the item is second‑hand.

Part 2—Requirements

Division 1—Warnings at point of sale

7 Display and supply of toppling furniture online

 (1) If a person:

 (a) carries on a business that supplies toppling furniture; and

 (b) uses an electronic platform to offer for supply the toppling furniture to consumers;

the person must cause a warning about the risk of tip overs and the importance of anchoring to be included in the description of the toppling furniture provided by the platform.

 (2) The warning must be clearly visible, prominent and legible.

 (3) The warning must include the following:

 (a) an alert word (such as DANGER or WARNING) with the letters of the alert word in upper case;

 (b) an internationally recognised safety alert symbol;

 (c) a pictogram that shows a child standing or climbing on the toppling furniture, with a cross or strikethrough;

 (d) a statement to the effect that children have died from furniture toppling over.

 (4) If the toppling furniture is category 1 furniture, the warning must include statements to the following effect:

 (a) always secure this furniture with an anchor device;

 (b) never allow children to stand, climb or hang on drawers, doors, or shelves;

 (c) never open more than one drawer at a time;

 (d) place heavy items down low;

 (e) never place a television on this furniture.

 (5) If the toppling furniture is category 2 furniture, the warning must include statements to the following effect:

 (a) always secure your television with an anchor device;

 (b) never allow children to stand, climb or hang on drawers, doors, or shelves.

 (6) If the toppling furniture is category 3 furniture, the warning must include statements to the following effect:

 (a) always secure this furniture with an anchor device;

 (b) never allow children to stand, climb or hang on drawers, doors, or shelves.

8 Display and supply of toppling furniture in stores

 (1) If a person carries on a business that supplies toppling furniture at retail premises, the person must cause a warning about the risk of tip overs and the importance of anchoring to be displayed on or near the toppling furniture.

 (2) The warning must be clearly visible, prominent and legible.

Note: For example, the warning could be in the form of:

(a) a hang or swing tag attached to the toppling furniture; or

(b) a placard placed on top of or near to the toppling furniture; or

(c) a removable sticker affixed to the toppling furniture.

 (3) The warning must include the following:

 (a) an alert word (such as DANGER or WARNING) with the letters of the alert word in upper case;

 (b) an internationally recognised safety alert symbol;

 (c) a pictogram that shows a child standing or climbing on the toppling furniture, with a cross or strikethrough;

 (d) a statement to the effect that children have died from furniture toppling over.

 (4) If the toppling furniture is category 1 furniture, the warning must include statements to the following effect:

 (a) this furniture type is at high risk of toppling over;

 (b) always secure this furniture with an anchor device;

 (c) for more information, ask staff or visit www.productsafety.gov.au.

 (5) If the toppling furniture is category 2 furniture, the warning must include statements to the following effect:

 (a) always secure your television with an anchor device;

 (b) for more information, ask staff or visit www.productsafety.gov.au.

 (6) If the toppling furniture is category 3 furniture, the warning must include statements to the following effect:

 (a) this furniture type is at risk of toppling over;

 (b) you should secure this furniture with an anchor device;

 (c) for more information, ask staff or visit www.productsafety.gov.au.

Division 2—Warnings and safety information on furniture

9 Warnings and safety information to be affixed on toppling furniture

 (1) If a person supplies toppling furniture, the person must cause a warning about the risk of tip overs and the importance of anchoring to be displayed on the toppling furniture.

 (2) The warning must:

 (a) have text and information that is clearly visible, prominent and legible; and

 (b) be on an affixed permanent and durable warning label that:

 (i) will last the lifetime of the product, assuming normal use; and

 (ii) is in a location where it will be visible when the toppling furniture is empty.

Note: For subparagraph (b)(ii), examples of a location where a label will be visible when the product is empty include on the inside of a door or drawer.

 (3) The warning must include the following:

 (a) an alert word (such as DANGER or WARNING) with the letters of the alert word in upper case;

 (b) an internationally recognised safety alert symbol;

 (c) a pictogram that shows a child standing or climbing on the toppling furniture, with a cross or strikethrough;

 (d) a statement to the effect that children have died from furniture toppling over.

 (4) If the toppling furniture is category 1 furniture, the warning must include statements to the following effect:

 (a) always secure this furniture with an anchor device;

 (b) never allow children to stand, climb or hang on drawers, doors, or shelves;

 (c) never open more than one drawer at a time;

 (d) place heavy items down low;

 (e) never place a television on this furniture;

 (f) this is a permanent label. Do not remove!

 (5) If the toppling furniture is category 2 furniture, the warning must include statements to the following effect:

 (a) always secure your television with an anchor device;

 (b) never allow children to stand, climb or hang on drawers, doors, or shelves;

 (c) this is a permanent label. Do not remove!

 (6) If the toppling furniture is category 3 furniture, the warning must include statements to the following effect:

 (a) secure this furniture with an anchor device;

 (b) never allow children to stand, climb or hang on drawers, doors, or shelves;

 (c) always secure your television with an anchor device;

 (d) this is a permanent label. Do not remove!

10 Warnings and safety information to be provided with instructions

 (1) If a person supplies toppling furniture, the person must cause a warning about the risk of tip overs and the importance of anchoring to be included in the instructions (including assembly instructions) supplied with the toppling furniture (if any).

 (2) The warning must be clearly visible, prominent and legible.

 (3) The warning must include the following:

 (a) an alert word (such as DANGER or WARNING) with the letters of the alert word in upper case;

 (b) an internationally recognised safety alert symbol;

 (c) a pictogram that shows a child standing or climbing on the toppling furniture, with a cross or strikethrough;

 (d) a statement to the effect that children have died from furniture toppling over.

 (4) If the toppling furniture is category 1 furniture, the warning must include statements to the following effect:

 (a) always secure this furniture with an anchor device;

 (b) never allow children to stand, climb or hang on drawers, doors, or shelves;

 (c) never open more than one drawer at a time;

 (d) place heavy items down low;

 (e) never place a television on this furniture.

 (5) If the toppling furniture is category 2 furniture, the warning must include statements to the following effect:

 (a) always secure your television with an anchor device;

 (b) never allow children to stand, climb or hang on drawers, doors, or shelves.

 (6) If the toppling furniture is category 3 furniture, the warning must include statements to the following effect:

 (a) secure this furniture with an anchor device;

 (b) never allow children to stand, climb or hang on drawers, doors, or shelves.