

1992—No. 477

FAIR TRADING ACT 1987—REGULATION

(Fair Trading (Product Information Standards) Regulation 1992)

NEW SOUTH WALES



[Published in Gazette No. 105 of 28 August 1992]

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Fair Trading Act 1987, has been pleased to make the Regulation set forth hereunder.

KERRY CHIKAROVSKI,
Minister for Consumer Affairs.

Citation

1. This Regulation may be cited as the Fair Trading (Product Information Standards) Regulation 1992.

Commencement

2. This Regulation commences on 1 September 1992.

Definition

3. In this Regulation:

“the Act” means the Fair Trading Act 1987.

Product information standards

4. (1) The standards set out in the Schedules to this Regulation prescribed (under section 38 of the Act) as product information standards for the goods to which those schedules apply.

(2) The consequences of a failure to comply with a product information standard are set out in section 39 of the Act.

Repeals

5. The following Regulations are repealed:

Regulations relating to Trade Descriptions (Leather Goods) published in Gazette No. 159 of 13 October 1950.

Consumer Protection (Trade Descriptions—Bedding and Upholstered Furniture) Regulations 1953.

Consumer Protection (Trade Descriptions—Millet Brooms) Regulations 1954.

Consumer Protection (Trade Descriptions—Toys) Regulations 1958.

Fair Trading (Product Information Standard—Footwear) Regulation 1989.

Fair Trading (Product Information Standard—Care Labelling) Regulation 1990.

SCHEDULE 1—LEATHER GOODS

(Cl.4)

Definition

1. In this Schedule:

“**leather goods**” means any of the following goods:

- (a) trunks, kit bags, suitcases or similar travel goods;
- (b) attache cases, school bags, hat cases, ladies’ handbags, shopping bags, purses, wallets or pouches;
- (c) document cases, folio cases or similar articles
- (d) musical instrument cases, wireless cases or gramophone cases;
- (e) razor strops;
- (f) footballs, punching balls, boxing gloves, cricket gear, golf bags or similar sporting goods;
- (g) leggings
- (h) men’s belts
- (i) leather gloves
- (j) bicycle saddles;
- (k) harness, saddles, horse collars, bridles or machine belting,

where the greater part of the area of the outside or covering of the goods is composed of leather, fibre, vulcanite or plastic or of some other material of a similar texture and appearance, but does not include straps or goods having an external surface area of less than 155 cm².

Product information standard

2. (1) Leather good made in Australia are to be marked with the following matter:

- (a) the words “made by” or “manufactured by” immediately followed by the name of the manufacturer; and
- (b) the name of the State or Territory in which the goods were made; and
- (c) the following words descriptive of the material constituting the outside or covering of the goods:
 - if the outside or covering is of leather tanned from the outside surface of hides of bovine beasts—the words “SOLID HIDE” or “TOP GRAIN HIDE”;
 - if the outside or covering is of leather tanned from the hides of bovine beasts and other than the outside surface of the hides is the finished surface—the words “SPLIT LEATHER”;
 - if the outside or covering is of leather tanned from calf skins—the word “CALF”;
 - if the outside or covering is of leather tanned from goat skins—the words “MOROCCO”, “KID” or other words truthfully describing the skins;
 - if the outside or covering is of leather tanned from sheep skins—the words “ROAN”, “BASE”, “SHEEP” or other words truthfully describing the skins;
 - if the outside or covering is of leather tanned from marsupial skins—the words “KANGAROO”, “WALLABY” or other words truthfully describing the skins;
 - if the outside or covering is of leather tanned from reptile skins—the words “CROCODILE”, “LIZARD” or other words truthfully describing the skins;
 - if the outside or covering is of leather tanned from any other type of skins—the words “BIG”, “SHARK” or other words truthfully describing the skins;
 - if the outside or covering is of any other material—the words “PLASTIC”, “FIBRE” or other words truthfully describing the material.

(2) Leather goods made outside Australia are to be marked with the following matter:

- (a) the name of the country in which the goods were made; and
- (b) words descriptive of the material constituting the outside or covering of the article.

Form of information

3. The product information standard is to be marked on or attached to the leather goods in legible letters (not less than 8 points in size) in any one or more of the following ways:

- (a) by stamping into the leather or outside covering;
- (b) by permanently attaching a woven tag to the article;
- (c) by stamping the article in permanent ink;
- (d) by permanently affixing a printed label to the article.

SCHEDULE 2—BEDDING AND UPHOLSTERED FURNITURE

(Cl. 4)

Definitions

1. In this Schedule:

- “**bedding**” includes mattresses, pillows, bolsters, quilts and cushions, but does not include sheets, pillowslips, blankets, rugs or other bed-coverings unless they are quilted,
- “**carbonised wool**” means virgin wool that has been scoured and carbonised;
- “**cotton linters**” means the fibrous material (consisting of short fibres or fuzz) that remains on cotton seeds after the ginning process has been completed and that is removed from the seeds by linters machines;
- “**down**” means a mixture containing 75 per cent or more by weight of superdown, the remaining part consisting entirely of small, light, fluffy feathers;
- “**eiderdown**” means down obtained entirely from eider duck
- “**featherdown**” means a mixture containing 33 per cent or more, but less than 75 per cent, by weight of superdown, the remaining part consisting entirely of small, light, fluffy feathers;
- “**flock**” means a filling material obtained substantially from the tearing up or disintegration of manufactured fabrics or materials, whether old or new;
- “**garnetted cotton**” means a filling material that has been obtained wholly from the tearing up or disintegration of new cotton fabrics and that has been garnetted or carded;
- “**garnetted silk or rayon**” means a filling material that has been obtained wholly from the tearing up or disintegration of new silk or rayon fabrics and that has been garnetted or carded;
- “**garnetted woollens**” means a filling material that has been obtained by the process of the fishing of new scoured woollen fabrics, or from the tearing up or disintegration and subsequent garnetting or carding of new fabrics, and that contains 85 per cent or more by weight of wool per unit volume throughout the material;
- “**garnetting or carding**” includes the process of tearing up or disintegration by a 3 cylinder ragging machine;
- “**Java kapok**” means a kapok that has been produced in Java or in other Indonesian or Pacific Islands;

“**mixture**” means a filling (other than flock) comprising two or more different filling materials blended one with the other;

“**new filling material**” means a filling material made from a substance that has not been used in the manufacture of another article or for any other purpose;

“**pad**” means a material needled to a cloth or hessian backing and used as an insulator;

“**previously used filling material**” means filling material that is not new filling material;

“**rubberised fibre**” means coconut fibre that has been treated with a rubber solution;

“**rubberised hair**” means hair that has been treated with a rubber solution;

“**Superdown**” means the undercoating of water-fowl (other than eider duck) comprising only light, fluffy filaments grown from quill points without quill shafts;

“**virgin wool**” means wool that has been scoured and washed but not dyed or spun;

“**wadding**” means a loosely fabricated sheet of fibres obtained by the disintegration and subsequent garnetting of new fibres or materials;

“**wool**” means the fleece of a domestic sheep or lamb.

Product information standard

2. (1) Bedding and upholstered furniture must be marked with a statement indicating:

- (a) the kind or kinds of filling materials used in the manufacture of the goods; and
- (b) whether any such filling is new or has previously been used; and
- (c) the name of the manufacturer of the goods or the registered trade mark of the manufacturer.

(2) Any bale, package or lot containing filling for use in the manufacture of bedding or upholstered furniture must be marked with a statement indicating the kind or kinds of filling and whether any such filling is new or has previously been used.

(3) A statement under this clause must also indicate, in the case of a filling consisting of a mixture of materials other than filling made into pads or wadding, the fact that it is such a mixture and the approximate percentage by weight of each type of filling in the mixture.

(4) If a filling consists wholly or partly of springs or spring units manufactured otherwise than of tempered steel wire, the statement must also indicate that fact.

(5) For the purpose of this Schedule, a statement indicating the trade name of a filling material does not of itself constitute a statement indicating the kind or kinds of material used in the filling.

Second hand articles

3. Any second-hand article of bedding and upholstered furniture must be marked with a statement of the fact that the article is second-hand in addition to any other statement with which it is required to be marked.

Appropriate names for filling materials

4. (1) This clause applies to the following filling materials:

Kapok, flock, coconut fibre, virgin wool, garnetted woollens, garnetted cotton, garnetted silk or rayon, carbonised wool, curled hair, superdown, down, eiderdown, featherdown, feathers, raw cotton, cotton lint, cotton linters, rayon, rubber latex foam, rubberised hair, rubberised fibre, sisal.

(2) If a filling consists wholly or partly of one or more of the filling materials referred to in subclause (1), the appropriate name or names set out in that subclause, without any additional or qualifying words, are to be used to describe the filling.

(3) No other filling material is to be described by a name set out in subclause (1) whether with or without any additional or qualifying words.

(4) Subclause (2) is subject to the following qualifications:

- (a) if kapok is used in a filling, the name of the country in which the kapok was produced or, in the case of Java Kapok, the word “Java” must precede the word “kapok”, for example, “Indain Kapok”, “Java Kapok” and so on;
- (b) if superdown, down, featherdown or feathers are used in a filling words may be added to indicate the type of bird from which the filling is derived;
- (c) if wing or tail feathers, or feathers which have been crushed or stripped, are used in a filling, a statement to that effect must be contained in the description;
- (d) if a filling contains wool which has not been scoured and carbonised, a statement to that effect must be contained in the description;
- (e) if a filling consists of wadding, the appropriate name of the substance from which the wadding is made, followed by the word “wadding”, must be contained in the description, for example, “cotton wadding”;
- (f) if a filling consists of a pad, the appropriate name of the material from which the pad is made, followed by the word “pad”, must be contained in the description, for example, “cotton pad”;
- (g) if new fabrics or materials of more than one kind are used in the manufacture of wadding or a pad, the description of the wadding or pad must contain the name of the substance which predominates, for example, “cotton wadding”, “rayon wadding” “silk wadding”, “wool wadding” and so on;
- (h) if a filling, other than a pad or wadding, has been garnetted or carded, the description may contain the word “garnetted”.

Form of information—bedding and upholstered furniture

5. (1) The information required to be marked on any bedding or upholstered furniture

- (a) must be affixed to each separate article by securely sewing flagwise into a seam in a conspicuous position a label on which the information is stamped; and
- (b) must be stamped on those labels, in indelible permanent ink in bold faced sans serif capital letters of equal size (not less than 10 points in size), in such a position that it is clearly legible.

(2) In the case of:

- (a) mattresses—all 4 edges of the labels must be sewn;

- (b) upholstered furniture and second-hand bedding—the labels may be:
- nailed, riveted, screwed, tacked, glued, gummed or sewn; or
 - immovably secured to or let into the goods by other suitable means,
- so that the information is clearly legible and, so far as reasonably practicable, so that the labels will not be rubbed off, obliterated or detached in the handling of the goods.

(3) The labels must be of cloth or cloth-lined material of a rectangular shape not less than 75 mm by 50 mm in size.

Form of information—filling materials

6. (1) The information required to be marked on any bales, packages or lots of filling materials for bedding and upholstered furniture must be affixed to each separate bale, package or lot:

- (a) by stamping or stencilling the information on it; or
- (b) by sewing or otherwise securely attaching to it a label on which the information is stamped in indelible permanent ink.

(2) The information must be in bold-faced sans serif capital letters of equal size of not less than 25mm in height and be in such a position that it is clearly legible.

(3) The labels must be of cloth or cloth-lined material.

SCHEDULE 3—MILLET BROOMS

(Cl. 4)

Definition

1. In this Schedule:

“**millet broom**” means a broom that contains millet fibre and a sweeping material other than millet fibre.

Product information standard

2. Millet brooms must be marked with a statement indicating the proportion by weight of millet fibre to the total amount of millet fibre and other sweeping material contained in the broom.

Form of information

3. The statement:

- (a) must appear on a label securely affixed to each broom in a conspicuous position; and
- (b) must be printed in bold faced sans serif capital letters (not less than 10 points in size); and
- (c) must be in the following form:

THIS BROOM CONTAINS

PER CENT MILLET.

SCHEDULE 4—TEXTILE PRODUCTS

(Cl. 4)

Definitions

1. In this Schedule:

“excluded goods” means:

- (a) men’s and boys’ wear (that is, handkerchiefs, collars braces, belts, garter suspenders, arm bands);
- (b) women’s and children’s wear (that is, handkerchiefs, corsets, brassieres, belts, handbags, collars, neckwear, women’s hats);
- (c) textile materials (that is, materials commonly used in the manufacture of footwear);
- (d) baby wear (that is, baby squares of flannelette, terry or muslin, baby bibs);
- (e) household drapery (that is, towels, towelling, face washers, bath mats, mattress cases, mattress covers, bed ticking, ticking, serviettes, doyleys, tray cloths, centres, runners, duchess sets, mosquito netting and covers made from mosquito netting butter muslin and gauze, floor cloths, dish cloths, dusters, cleaning cloth, cleaning cloths);
- (f) furnishings (that is, oil baize, window blinds, shade blinds, sun blinds, awnings, shower curtains, underfelt made from waste underlinings, linoleum, coir mats and matting, paper felt for underlinings);
- (g) canvas goods (that is, duck, canvas, sail cloth, deck chair covers, beach and garden umbrella coverings);
- (h) haberdashery (that is, ribbons forming part of manufactured articles, ornaments and artificial flowers);
- (i) goods of industrial usage (that is, printers’ and signwriters’ cloth, bookbinding cloth, filter cloth, undertakers’ cloth, sweat rags, mop cloth, ticket buckram);
- (j) medical and surgical goods (that is, bandages, dressings, sanitary pads, materials forming part of manufactured medical and surgical aids);
- (k) garment and headwear linings or trimmings (that is, woven, knitted, felted or other materials, commonly used for the purpose of linings interlinings or trimmings in the manufacture of or making up of garments and headwear);
- (l) jute products;
- (m) miscellaneous goods (that is, cords, twines, lashings, firemen’s hose, garden hose, pneumatic tyres, toys, woven labels, flex coverings, sporting goods (other than sporting clothes) used only for the purposes of sport, flags, gardening gloves, textile materials constituting the backing of carpets or of other pile fabrics);

“fibre” means wool, hair, silk, cotton, linen and any other fibrous material, whether natural or artificial;**“specialty animal fibre”** means cashmere, mohair or the hair of the alpaca, camel, llama or vicuna;

“textile products” means any of the following:

- (a) woven, knitted or felted materials manufactured from fibre;
- (b) tops, yarns, threads and lace;
- (c) articles of wearing apparel manufactured in whole or in part of any materials referred to in paragraph (a) or (b), but not including linings, interlinings or trimmings forming part of such articles;
- (d) any other goods manufactured in whole or in part of any materials referred to in paragraph (a) or (b);
- (e) carpets,

but does not include excluded goods;

“wool” means the fleece of a domestic sheep or lamb.

Product information standard

2. (1) Textile products containing 95 per cent or more by weight of wool must be marked with a statement that includes the words “pure wool” or “all wool”.

(2) Textile products containing less than 95 per cent by weight of wool must not be marked with a statement that includes the words “pure wool” or “all wool” but must be marked with a statement:

- (a) in the case of textile products containing less than 95 per cent but not less than 5 per cent by weight of wool:
 - specifying the percentage by weight of wool contained in the products; and
 - specifying the other fibres contained in the products in order of dominance by weight

in such a manner that, if the percentage by weight of wool is greater than that of any other fibre, the percentage by weight of wool is to be specified first, otherwise it is to be specified last;

- (b) in the case of textile products containing less than 5 per cent by weight of wool—specifying the fibres other than wool in order of dominance by weight followed by the words “less than 5 per cent wool”;
- (c) in the case of textile products containing no wool—specifying the fibre contained in the products or, if the products contain more than one fibre, the fibres in order of dominance by weight.

(3) This clause does not prevent textile products from being marked with a statement that includes the words “pure wool” or “all wool” if:

- (a) the textile products contain not less than 95 per cent by weight of wool together with specialty animal fibres; and
- (b) the weight of the wool is not less than 80 per cent of the weight of all fibres contained in the products.

(4) If, in accordance with subclause (3), the words “pure wool” or “all wool” are included in a statement in respect of textile products, subclause (2) (a) does not apply to those products.

(5) This clause does not require a statement with respect to a textile product containing less than 5 per cent by weight of any fibre (not being wool) to include any reference to that fibre.

(6) If a textile product contains any loading, weighting or filling substance which is removable by normal cleaning processes, and the weight of that substance or the total weight of all such substances exceeds 5 per cent of the weight of the product, the statement must include the expression “loose filling exceeds 5 per cent”.

(7) If a textile product contains paper the statement must include words indicating that fact.

(8) If a textile product was made outside Australia the statement must include the name of the country in which the product was made.

Description of artificial fibres

3. (1) If a statement is required to include words specifying an artificial fibre described by any of the following names:

- Acetate
- Acrylic
- Chlorofibre
- Elastomeric
- Glass
- Metallic yarn
- Paper yarn
- Polyamide or nylon
- Polyester
- Polyolefin
- Polyvinyl alcohol
- Rayon

the fibre must be specified by that name or, if there are alternative names listed for the fibre, by one of those names.

(2) If a statement is required to include words specifying an artificial fibre that is now of a kind referred to in subclause (1), that fibre must be described as “artificial fibre” or “man made fibre”.

Form of information

4. (1) A statement must be:

- (a) in the form of a principal label or brand; and
- (b) in the English language; and
- (c) in legible characters conspicuously placed so as to be clearly visible; and
- (d) affixed in as permanent a manner as practicable to the textile product by printing or stamping the statement on, or weaving the statement into or otherwise securely attaching the statement to, the product.

(2) If it is not reasonably practicable to affix a statement to the textile product, the statement may be affixed, in the manner prescribed by subclause (1) (d), to the principal covering in which the product is contained and in which it is usually sold.

(3) No additional matter is to be included in a statement if that matter would, by illustration, wording or size of lettering, tend to contradict or obscure the matter required to be contained in the statement.

SCHEDULE 5—TOYS

(Cl. 4)

Product information standard

1. Toys made outside Australia must be marked with a statement indicating the name of the country in which the toys were made.

Form of information

2. The statement must be in the English language and be attached to each toy in a conspicuous position.

SCHEDULE 6—FOOTWEAR

(Cl. 4)

Definitions

1. In this Schedule:

“**shoes**” means boots, shoes, sandals or other footwear;

“**sock lining**” means the thin slip of leather, paper or like material which is affixed to the upper surface of the insole;

“**sole**” means all that part of a shoe which, when the shoe is worn, is under the foot, and includes the heel, but does not include:

- (a) the insole; or
- (b) the sock lining; or
- (c) thread, wax, rivets, pegs, nails, toe-plates, heel plates, heel tips or heel caps;

“**upper**” means the outer covering of that part of a shoe above the sole, but does not include any thread, lace, eyelet, buckle, button or other adornment.

Application of Schedule

2. (1) This Schedule applies to:

- (a) shoes manufactured in Australia; and
- (b) shoes manufactured outside Australia, other than shoes whose trade description complies with the Commerce (Trade Descriptions) Act 1905 of the Commonwealth.

(2) The requirements of clause 3 (1) (b)–(e) does not apply to the following shoes:
Ski boots of moulded plastic uppers and rigid soles with or without replaceable sole sections, designed to fit ski bindings.

Product information standard

3. (1) Shoes must be marked with the following information:
- (a) the words “made by” or “manufactured by” immediately followed by:
 - the name of the manufacturer of the shoes; or
 - if the manufacturer of the shoes carries on business as a manufacturer under a business name registered under the Business Names Act 1962, or under any similar law of another State, a Territory or the Commonwealth, and has not granted the right to use that business name to any other person—that business name;
 - (b) in the case of shoes:
 - the soles of which consist entirely of leather—the words “all leather sole”; and
 - the uppers of which consist entirely of leather—the words “all leather upper”; and
 - the quarter linings of which consist entirely of leather—the words “all leather quarter lining”;
 - (c) in the case of shoes the soles of which do not consist entirely of leather:
 - a true statement of the materials composing the sole; or
 - in the case of soles consisting entirely of a synthetic material—the words “synthetic sole”; or
 - the words “non-leather sole”;
 - (d) in the case of shoes the uppers of which do not consist entirely of leather but consist entirely or partly of a material resembling leather:
 - a true statement of the materials composing the upper, or
 - in the case of uppers consisting entirely of synthetic material—the words “synthetic upper”; or
 - the words “non-leather upper”;
 - (e) in the case of shoes the quarter linings of which do not consist entirely of leather but consist entirely or partly of a material resembling leather:
 - a true statement of the materials composing the quarter linings; or
 - in the case of quarter linings consisting entirely of synthetic material—the words “synthetic quarter lining”; or
 - the words “non-leather quarter lining”.
- (2) For the purposes of this clause, a sole is to be considered to consist entirely of leather if the only material in the sole, other than leather, consists of any one or more of the following:
- (a) ordinary fillers of cork or waterproof felt;
 - (b) canvas used to reinforce the insole of the shoe;
 - (c) shanks made entirely of leatherboard, fibreboard, wood, metal or plastic, or any combination of those materials, and used only for strengthening the sole of the shoe at the waist;
 - (d) wood, plastic or metal used in the heel of the shoe;

- (e) stiffening made entirely of leatherboard, fibreboard, metal, plastic, canvas or other similar substance, glue or other similar substance, or any combination of those materials, where the stiffening is used only for the purpose of supporting the upper of the shoe at the heel or toe.

Form of information

4. (1) The information must be in the English language and be affixed to each shoe by being stamped, imprinted or embossed on any one of the following parts of the shoe:

- (a) the waist of the outsole of the shoe;
- (b) the inside of the upper above the inside waist of the shoe;
- (c) the heel seat or waist area of the sock lining or, if there is no sock lining, the heel seat or waist area of the insole.

(2) The information must be in clearly legible letters (not less than 10 points in size).

(3) If the materials of a shoe are such that it is not reasonably practicable for the product information to be stamped, imprinted or embossed on the shoe, the information is to be affixed to the shoe by stamping or impressing it on a label of rubber, plastic or durable cloth affixed by means of vulcanisation or adhesion.

SCHEDULE 7—CARE OF LABELLING OF CERTAIN GOODS

(Cl. 4)

Definitions

1. In this Schedule:

“**AS 1957–1987**” means the Australian Standard:

- (a) published by the Standards Association of Australia; and
- (b) numbered AS 1957–1987; and
- (c) entitled “Care Labelling of Clothing, Household Textiles, Furnishings Upholstered Furniture, Bedding, Piece Goods and Yarns”,

as in force 2 November 1987, but amended by inserting in clause 1 after the word “bedding,” the words “mattresses, bed bases,”;

“**excluded goods**” means:

- (a) men’s, women’s, children’s and infants’ wear (that is, handkerchiefs, braces, garter suspenders, arm bands, belts, headwear, unsupported coats (including overcoats, jackets and the like) of PVC film;
- (b) footwear (other than all types of hosiery, textile materials used in the manufacture of foot wear);
- (c) drapery (that is, floor cloths, dish cloths, dusters, cleaning cloths, pressing cloths);
- (d) haberdashery (that is, ornaments, artificial flowers, sewing and embroidery threads, maternity inset panels, bust improvers and bra pads, replacement bra parts, replacement pockets);

- (e) furnishings (that is, oil baize, window blinds, shade blinds, sun blinds, awnings, floor coverings, light fittings, lampshades, tapestries, wall hangings, ornaments, handicraft items, draught excluders, non-upholstered furniture, cushion and cushion covers manufactured from remnants and labelled by the manufacturer with the following disclaimer “cushion cover manufactured from remnants, care treatment unknown”);
- (f) jute products;
- (g) medical and surgical goods (that is, bandages, dressings, sanitary pads or materials forming part of manufactured medical and surgical goods);
- (h) canvas goods (that is, beach and garden umbrella coverings);
- (i) miscellaneous goods (that is, cords, twines, lashings, garden hose, toys, umbrellas and parasols, shoe laces, woven labels, flex coverings, sporting goods (other than sporting clothes) used for the purposes of sport, articles intended for one-time use only, mops, basket hangers, shoe holders, remnants, industrial gloves, regalia, polypropylene webbing for furniture, all bags and cases (including handbags, purses, wallets, travelbags, school bags, sports bags, briefcases and wash bags));

“prescribed goods” means:

- (a) men’s and boys’ wear (that is, collars, gloves, mittens, all types of hosiery, incontinence garments, reversible jackets, fur garments);
- (b) women’s and children’s wear (that is, collars, neckwear, gloves, mittens, all types of hosiery, incontinence garments, reversible jackets, fur garments, shawls);
- (c) baby wear (that is, gloves, mittens, bibs, washable nappies, squares of flannelette, terry towelling or muslin, baby pilchers, fur garments);
- (d) drapery (that is, face washers, serviettes, doyleys, table cloths, traycloths, centres, runners, duchess sets, mosquito netting, covers made from mosquito netting, butter muslin and gauze, tea towels, place mats, pot holders, finger Pips, appliance covers for teapots, toasters and the like);
- (e) haberdashery (that is, elastic and elastic threads, ribbons, zips, iron-on binding patches or trim, velcro type fasteners, curtain making kits);
- (f) shower curtains;
- (g) gardening gloves;
- (h) piece goods (that is, trim).

Application of Schedule

- 2. (1) This Schedule applies to such of the following goods:
 - (a) clothing;
 - (b) household textiles;
 - (c) furnishings or upholstered furniture;

- (d) bedding, mattresses or bed bases;
- (e) piece goods or yams,

as are made from textiles, plastics, plastic coated fabrics, suede, skins, hides, grain leathers or furs.

(2) This Schedule does not apply to excluded goods or to goods:

- (a) that are supplied by a person who, at the time of supply, reasonably believes that the goods will not be used in New South Wales; or
- (b) that are supplied under a credit-sale agreement (within the meaning of the Credit Act 1984) or under a hire-purchase agreement, if the supplier did not have possession of the goods before they were supplied and did not become owner of the goods before the agreement took effect; or
- (c) that are supplied as what is commonly known as scrap, that is, for the value of the materials of which they are composed and not for use as finished goods; or
- (d) that have been damaged and are supplied to a person who carries on a business of buying damaged goods or to a person by whom the goods were insured against damage; or
- (e) that are supplied in connection with the sale or lease of premises; or
- (f) that are supplied under a lease, hiring arrangement or hire-purchase agreement and in respect of which any law relating to instructions for their care is complied with at the time the lease or agreement takes effect.

Product information standard

3. (1) The product information standard for goods to which this Schedule applies is that the goods must comply with AS 1957–1987.

(2) For the purposes of this Schedule, compliance with a provision of AS 1957–1987 is optional, not mandatory, if it is a provision:

- (a) that is expressed as a recommendation; or
- (b) in relation to which the word “should” or “preferably” is used to indicate that the provision is of an advisory nature only.

Form of information for prescribed goods

4. The care instructions for prescribed goods may be given:

- (a) on a removeable ticket or label attached to the goods; or
 - (b) on a pamphlet accompanying the goods; or
 - (c) as printed instructions on the wrapper or other matter in which the goods are packaged.
-

TABLE OF PROVISIONS

1. Citation
2. Commencement
3. Definition
4. Product information standards
5. Repeals

SCHEDULE 1—LEATHER GOODS

SCHEDULE 2—BEDDING AND UPHOLSTERED FURNITURE

SCHEDULE 3—MILLET BROOMS

SCHEDULE 4—TEXTILE PRODUCTS

SCHEDULE 5—TOYS

SCHEDULE 6—FOOTWEAR

SCHEDULE 7—CARE LABELLING OF CERTAIN GOODS

EXPLANATORY NOTE

The object of this Regulation is to replace, without substantial alteration, 7 sets of Regulations relating to the information required to be marked on, or on labels on, certain goods. Six of the Regulations are to be repealed by this Regulation. The other is the Trade Descriptions (Textile Products) Regulations made under the Textile Products Labelling Acts 1954 which is being repealed by the Statute Law (Miscellaneous Provisions) Act 1992.

The Regulations are now to be one Regulation under the consumer protection provisions of the Fair Trading Act 1987 (sections 38 and 39).

This Regulation is made in connection with the staged repeal of subordinate legislation under the Subordinate Legislation Act 1989.
