



New South Wales

# Fair Trading (Product Information Standards) Regulation 1997

under the

Fair Trading Act 1987

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Fair Trading Act 1987*.

Faye Lo Po' MP

Minister for Fair Trading

## Explanatory note

The object of this Regulation is to repeal and remake the provisions of the *Fair Trading (Product Information Standards) Regulation 1992*. The new Regulation deals with the following matters:

- (a) information standards for textile products (Schedule 1),
- (b) information standards for the “care” labelling of clothing and other softgoods (Schedule 2),
- (c) other matters of a minor nature (clauses 1–6).

This Regulation adopts the following standards and codes of practice:

- AS 1957 (Care labelling of clothing, household textiles, furnishings, upholstered furniture, bedding, piece goods and yarns) published by Standards Australia, as in force on 2 November 1987,
- AS 2392 (Labelling of clothing, household textiles and furnishings) published by Standards Australia,
- AS/NZS 2450 (Textiles—Natural and man-made fibres—Generic names) published jointly by Standards Australia and Standards New Zealand,

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- AS/NZS 2622 (Textile products—Fibre content labelling) published jointly by Standards Australia and Standards New Zealand,

This Regulation is made under the *Fair Trading Act 1987*, including section 92 (the general regulation making power) and section 38.

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

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## Fair Trading (Product Information Standards) Regulation 1997

### 1 Name of Regulation

This Regulation is the *Fair Trading (Product Information Standards) Regulation 1997*.

### 2 Commencement

This Regulation commences on 1 September 1997.

### 3 Definition

In this Regulation:

*the Act* means the *Fair Trading Act 1987*.

### 4 Notes

The explanatory note and table of contents do not form part of this Regulation.

### 5 Product information standards

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

### 6 Repeal

The *Fair Trading (Product Information Standards) Regulation 1992* is repealed.

## Schedule 1 Textile products

(Clause 5)

### 1 Definitions

In this Schedule:

*AS 2392* means the document entitled Labelling of clothing, household textiles and furnishings, numbered AS 2392, and published by Standards Australia, as in force at 1 September 1997.

*AS/NZS 2450* means the document entitled Textiles—Natural and man-made fibres—Generic names, numbered AS/NZS 2450, and published jointly by Standards Australia and Standards New Zealand, as in force at 1 September 1997.

*AS/NZS 2622* means the document entitled Textile products—Fibre content labelling, numbered AS/NZS 2622, and published jointly by Standards Australia and Standards New Zealand, as in force on 1 September 1997.

*textile product* has the same meaning as it has in AS/NZS 2622.

### 2 Product information standard

- (1) The product information standard for textile products is that they must comply with AS/NZS 2622.
- (2) For the purposes of this Schedule, compliance with a provision of AS/NZS 2622 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.

### 3 Form of information

The label in which any statement required for a textile product by AS/NZS 2622 is contained must comply with AS 2392 and AS/NZS 2450.

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## Schedule 2 Care labelling of certain goods

(Clause 5)

### 1 Definitions

In this Schedule:

AS 1957 means the document entitled *Care labelling of clothing, household textiles, furnishings, upholstered furniture, bedding, piece goods and yarns*, numbered AS 1957, and published by Standards Australia, as in force on 2 November 1987, but amended by inserting in clause 1 after the word “bedding,” the words “mattresses, bed bases,”.

### 2 Application of Schedule

(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 yarns,

as are made from textiles, plastics, plastic coated fabrics, suede, skins, hides, grain leathers or furs and as are not excluded goods.

(2) In this clause:

***excluded goods*** means:

- (a) the following kinds of clothing (namely, handkerchiefs, braces, garter suspenders, arm bands, belts, headwear and unsupported coats (including overcoats, jackets and the like of PVC film)),
- (b) all footwear (other than hosiery and other than textile materials used in the manufacture of footwear),
- (c) the following kinds of drapery (namely, floor cloths, dish cloths, dusters, cleaning cloths and pressing cloths),

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- (d) the following kinds of haberdashery (namely, ornaments, artificial flowers, sewing and embroidery threads, maternity inset panels, bust improvers and bra pads, replacement bra parts and replacement pockets),
- (e) the following kinds of furnishings (namely, 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 and 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) all jute products,
- (g) all medical and surgical goods (that is, bandages, dressings, sanitary pads and materials forming part of manufactured medical and surgical goods),
- (h) the following kinds of canvas goods (namely, beach and garden umbrella coverings),
- (i) the following kinds of miscellaneous goods (namely, 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)).

### 3 Product information standard

- (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.

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#### 4 Form of information for prescribed goods

- (1) The care instructions for goods to which this Schedule applies that are prescribed goods may be given:
- (a) on a removable 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.

- (2) In this clause:

*prescribed goods* means:

- (a) the following kinds of men's and boys' clothing (namely, collars, gloves, mittens, all types of hosiery, incontinence garments, reversible jackets and fur garments),
- (b) the following kinds of women's and children's clothing (namely, collars, neckwear, gloves, mittens, all types of hosiery, incontinence garments, reversible jackets, fur garments and shawls),
- (c) the following kinds of baby clothing (namely, gloves, mittens, bibs, washable nappies, squares of flannelette, terry towelling or muslin, baby pilchers and fur garments),
- (d) the following kinds of drapery (namely, 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 tips, appliance covers for teapots, toasters and the like),
- (e) the following kinds of haberdashery (namely, elastic and elastic threads, ribbons, zips, iron-on binding patches or trim, Velcro type fasteners and curtain making kits),
- (f) all shower curtains,
- (g) all gardening gloves,
- (h) the following kinds of piece goods (namely, trim).