



Fair Trading (General) Amendment (Projectile Toys) Regulation 2003

under the

Fair Trading Act 1987

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

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to amend the *Fair Trading (General) Regulation 2002* for the following purposes:

- (a) to repeal provisions prescribing an outdated Australian Standard relating to the construction of projectile toys as the product safety standard for projectile toys for the purposes of the *Fair Trading Act 1987*,
- (b) to prescribe certain provisions of Australian and New Zealand Standard AS/NZS ISO 8124.1:2002, *Safety of toys, Part 1: Safety aspects related to mechanical and physical properties* (ISO 8124-1:2000, MOD) (with certain modifications) as the product safety standard for projectile toys for the purposes of that Act.

This Regulation is made under the *Fair Trading Act 1987*, including sections 26 and 92 (the general regulation-making power).

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Clause 1 Fair Trading (General) Amendment (Projectile Toys) Regulation 2003

Fair Trading (General) Amendment (Projectile Toys) Regulation 2003

under the

Fair Trading Act 1987

1 Name of Regulation

This Regulation is the *Fair Trading (General) Amendment (Projectile Toys) Regulation 2003*.

2 Amendment of Fair Trading (General) Regulation 2002

The *Fair Trading (General) Regulation 2002* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 2)

Part 2, Division 14

Omit the Division. Insert instead:

Division 14 Projectile toys

49 Definitions

In this Division:

AS/NZS ISO 8124 means the Australian/New Zealand Standard entitled AS/NZS ISO 8124.1:2002, *Safety of toys, Part 1: Safety aspects related to mechanical and physical properties* (ISO 8124-1:2000, MOD) as published jointly by Standards Australia and Standards New Zealand on 16 May 2002.

discharge mechanism has the same meaning as in AS/NZS ISO 8124.

improvised projectile means a pen, pencil, marker, pen or marker cap, paper clip, pen or biro refill, battery, marble, pebble, stone, coin or nail.

projectile has the same meaning as in AS/NZS ISO 8124.

projectile toy with stored energy has the same meaning as in AS/NZS ISO 8124.

projectile toy without stored energy has the same meaning as in AS/NZS ISO 8124.

50 Safety standard

- (1) The product safety standard prescribed for projectile toys with stored energy is that they must comply with the requirements of clause 4.18.2 of AS/NZS ISO 8124.
- (2) The product safety standard prescribed for projectile toys without stored energy is that they must comply with the requirements of clause 4.18.3 of AS/NZS ISO 8124.

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Schedule 1 Amendment

50A Variation of AS/NZS ISO 8124

For the purposes of this Division, AS/NZS ISO 8124 is taken to be amended as follows:

- (a) by omitting Clause 4.18.2 (a) (3),
- (b) by omitting Clause 4.18.2 (b),
- (c) by omitting Clause 4.18.2 (c) and inserting instead:
 - (c) The discharge mechanism of the toy must not, without modification by the user, be able to discharge an improvised projectile so that it propels the projectile in free flight for a horizontal distance that exceeds 300mm when discharged at a vertical height of 300mm.
- (d) by omitting Clause 4.18.3 (e).

BY AUTHORITY
