

Fair Trading (Product Information Standards) Regulation 1997

[1997-405]



New South Wales

Status Information

Currency of version

Repealed version for 24 March 2000 to 31 August 2002 (accessed 18 July 2024 at 4:21)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

The Regulation was repealed by the [Subordinate Legislation Act 1989 No 146](#), sec 10 (2) with effect from 1.9.2002.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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Fair Trading (Product Information Standards) Regulation 1997



New South Wales

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The *Fair Trading (Product Information Standards) Regulation 1992* is repealed.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

Schedule 2 Care labelling of certain goods

(Clause 5)

1 Definitions

In this Schedule:

AS 1957-1987 means the document entitled *Care labelling of clothing, household textiles, furnishings, upholstered furniture, bedding, piece goods and yarns*, numbered AS 1957-1987, and published by Standards Australia, as in force on 2 November 1987, as varied by clause 2.

AS/NZS 1957-1998 means the document entitled *Textiles—Care labelling*, numbered AS/NZS 1957:1998, and published jointly by Standards Australia and Standards New Zealand, as in force on 5 January 1998, as varied by clause 2.

2 Variation of product information standards

- (1) For the purposes of this Schedule, AS 1957-1987 is taken to have been amended by inserting “mattresses, bed bases,” after “bedding,” in clause 1.

(2) For the purposes of this Schedule, AS/NZS 1957-1998 is taken to have been amended as follows:

(a) by omitting clauses 1.1, 1.2, 1.3, 1.4, 2.1.3 and 2.2 (b),

(b) by omitting clause 2.2 (c) and by inserting instead:

(c) The wording of the label shall be in English and be clearly legible.

(c) by omitting note 1 to clause 2.2,

(d) by inserting "This includes individual pieces of household textile products sold as sets (eg napkin and tablecloth sets)." at the end of note 5 to clause 2.2,

(e) by inserting after clause 2.3:

2.4 Where in this standard there is a requirement for care instructions from categories in Tables 1, 2 or 3 to be provided on or with articles, words that have a similar meaning to the care instructions listed in Tables 1, 2 or 3 may be used.

(f) by omitting "each of" from clause 3.4,

(g) by omitting "each of" from clause 3.5,

(h) by omitting "each category" from clause 3.6 and inserting "the categories" instead,

(i) by omitting "For upholstered furniture, bedding and other furnishings in Table 2, instructions shall be given from each category and a prohibitive instruction given if a cleaning method is unsuitable." from clause 3.6.

3 Application of Schedule

(1) This Schedule applies to any of the following goods that are made from textiles, plastics, plastic coated fabrics, suede, skins, hides, grain leathers or furs, and that are not excluded goods:

(a) clothing,

(b) household textiles,

(c) apparel,

(d) furnishings or upholstered furniture,

(e) bedding, mattresses or bed bases,

(f) piece goods or yarns.

(2) In this clause:

excluded goods means:

- (a) second-hand goods,
- (b) the following kinds of clothing (namely, unsupported coats (including overcoats, jackets and the like) of PVC film, handkerchiefs, braces, garter suspenders, arm bands, belts and headwear),
- (c) all footwear (other than all types of hosiery and textile materials used in the manufacture of footwear),
- (d) the following kinds of drapery (namely, floor cloths, dish cloths, dusters, cleaning cloths and pressing cloths),
- (e) the following kinds of haberdashery (namely, ornaments, artificial flowers, sewing and embroidery threads and all other small items of haberdashery used in the making of clothing and textile products where instructions are not needed to ensure that the clothing or textile product is not damaged during cleaning and maintenance),
- (f) 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 cushions and cushion covers manufactured from remnants and labelled by the manufacturer with the following disclaimer “cushion cover manufactured from remnants, care treatment unknown”),
- (g) all jute products,
- (h) all medical and surgical goods (namely, bandages, dressings, sanitary pads and materials forming part of manufactured medical and surgical goods),
- (i) the following kinds of canvas goods (namely, beach and garden umbrella coverings),
- (j) the following kinds of miscellaneous goods (namely, cords, twines, lashings, garden hose, toys, umbrellas and parasols, shoelaces, woven labels, flex coverings, goods manufactured for sporting purposes (including sporting gloves but excluding all other apparel), articles intended for one-time use only, mops, basket hangers, shoe holders, remnants, industrial gloves, polypropylene webbing furniture and all bags and cases (including handbags, purses, wallets, travel bags, school bags, sports bags, briefcases and wash bags)).

4 Product information standard

- (1) The product information standard for goods to which this Schedule applies is that the goods must comply with AS/NZS 1957-1998.
- (2) For the purposes of this Schedule, compliance with a provision of AS/NZS 1957-1998 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.

5 Transitional provisions—compliance with standard

- (1) For the purposes of this Regulation, compliance with AS 1957-1987 is taken to be compliance with AS/NZS 1957-1998, until 1 January 2000.
- (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.

6 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 adult’s, children’s and baby clothing (namely, collars, neckwear, bow ties, gloves, mittens, all types of hosiery, incontinence garments, reversible garments, fur garments, bibs, washable nappies, squares of flannelette, terry towelling or muslin and baby pilchers),
- (b) the following kinds of drapery (namely, face washers, serviettes, doilies, table cloths, tray cloths, centres, runners, duchess sets, mosquito netting and 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 and hot water bottle covers),

(c) the following kinds of haberdashery (namely, elastic, elastic threads, ribbons, zips, iron-on binding patches or trim, velcro-type fasteners, curtain making kits and other small items of haberdashery used in the making of clothing and textile products where instructions are needed to ensure that the clothing or textile product is not damaged during cleaning and maintenance),

(d) all shower curtains,

(e) all gardening gloves.

(3) Until 1 January 2000, **prescribed goods**, as defined in subclause (2), includes trim and shawls.

7 Care instructions for goods unable to be washed or drycleaned

Where goods are unable to be washed or drycleaned, the permanent label must include appropriate instructions in words that:

(a) warn that the goods are unable to be washed or drycleaned, and

(b) adequately describe the care treatment for the goods.

Schedule 3 Petrol

1 Definitions

In this Schedule:

consent authority, **development application** and **development consent** have the same meanings as they have in the [Environmental Planning and Assessment Act 1979](#).

petrol station means a building or place used for the fuelling of motor vehicles involving the sale by retail of petrol, whether or not any other fuel or other product is sold there and whether or not the building or place is used for any other purpose, but does not include a place where the primary business is the hiring, leasing or sale of motor vehicles.

2 Product information standard

The product information standard for regular unleaded petrol supplied at a petrol station is that the price at which that petrol is supplied to retail customers at the petrol station must be disclosed by being displayed at the petrol station on one or more signs (**petrol price signs**) that comply with the following requirements:

(a) a petrol price sign must be so positioned and lit that any price and other matter that it displays will be readily seen by motorists approaching the petrol station at any time that the petrol station is open for business for the supply of petrol,

- (b) a price displayed on a petrol price sign must be a price per litre of petrol.

3 Planning restriction not affected

The product information standard specified in clause 2 does not apply to the extent of any inconsistency with:

- (a) a requirement or prohibition imposed by or under the *Environmental Planning and Assessment Act 1979* or the *Local Government Act 1993* (other than a requirement that development consent be obtained), or
- (b) a requirement under the *Environmental Planning and Assessment Act 1979* that development consent be obtained, but only if that development consent has been applied for and refused.

4 Temporary exemption

- (1) The product information standard specified in clause 2 does not apply to a petrol station in existence as at 24 March 2000 if:
 - (a) a development application for consent to the erection of a sign at the petrol station that complies with the requirements of clause 2 has been lodged with a consent authority but has not been determined, or
 - (b) development consent for such a sign has been granted by a consent authority and the sign is in the process of being erected.
- (2) This clause ceases to have effect on 1 October 2000.