



Trade Practices (Consumer Product Safety Standard) (Bicycle Helmets) Regulations 2001

Statutory Rules 2001 No. 279 as amended

made under the

Trade Practices Act 1974

This compilation was prepared on 15 December 2009
taking into account amendments up to SLI 2009 No. 390

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Contents

1	Name of Regulations [see Note 1]	3
2	Commencement [see Note 1]	3
3	<i>Trade Practices (Consumer Product Safety Standard) (Bicycle Helmets) Regulations 1999 — repeal</i>	3
4	Purpose	3
5	Application	3
6	Standard until 12 December 2010	4
7	Standard from 13 December 2010	5
Schedule 1	Australian/New Zealand Standards	6
Part 1	AS/NZS 2063:1996	6
Part 2	Variations to AS/NZS 2063:1996	6
Part 3	AS/NZS 2063:2008	6
Part 4	Variations to AS/NZS 2063:2008	7
Schedule 2	Snell Standards	8
Part 1	1995 Standard For Protective Headgear For Use In Cycling	8
Part 2	Compliance with the Snell Standard	8
Notes		9

1 Name of Regulations [see Note 1]

These Regulations are the *Trade Practices (Consumer Product Safety Standard) (Bicycle Helmets) Regulations 2001*.

2 Commencement [see Note 1]

These Regulations commence on gazettal.

3 *Trade Practices (Consumer Product Safety Standard) (Bicycle Helmets) Regulations 1999* — repeal

Statutory Rules 1999 No. 230 is repealed.

4 Purpose

For subsection 65C (2) of the *Trade Practices Act 1974*, these Regulations set out the consumer product safety standard for bicycle helmets.

5 Application

- (1) These Regulations apply to protective helmets for pedal cyclists.
- (2) However, these Regulations do not apply to the following helmets:
 - (a) protective helmets of a size too small to be reasonably fitted to:
 - (i) Headform AA defined in Australian/New Zealand Standard AS/NZS 2512.1:1998, published by the Standards Association of Australia on 5 September 1998; or
 - (ii) Headform AA defined in Australian/New Zealand Standard AS/NZS 2512.1:2009, published by Standards Australia on 7 April 2009;
 - (b) helmets for use as toys which cannot be reasonably mistaken for protective helmets for pedal cyclists;

- (c) helmets for use as toys which may be reasonably mistaken for protective helmets for pedal cyclists, if the words *Warning: toy helmet only — do not use as safety headgear* are marked clearly and legibly in a conspicuous position on:
- (i) the helmet or on a label attached to the helmet at the time of supply to the consumer; and
 - (ii) the principal outer display face of any packaging in which the helmet is supplied to the consumer;
- with the word *Warning* in capital letters not less than 5 mm high, and the remaining words in letters not less than 2.5 mm high;
- (d) helmets (except BMX helmets) designed and constructed principally for use by cyclists engaged in competitive racing, if the words *Warning: racing headgear only — inadequate impact protection for normal road use* are marked clearly and legibly in a conspicuous position on:
- (i) the helmet or on a label attached to the helmet at the time of supply to the consumer; and
 - (ii) the principal outer display face of any packaging in which the helmet is supplied to the consumer;
- with the word *Warning* in capital letters not less than 5 mm high, and the remaining words in letters not less than 2.5 mm high.

6 Standard until 12 December 2010

Until the end of 12 December 2010, each of the following is a standard for protective helmets for pedal cyclists:

- (a) the standard described in Part 1 of Schedule 1 (AS/NZS 2063:1996) as varied by Part 2 of that Schedule;
- (b) the standard described in Part 3 of Schedule 1 (AS/NZS 2063:2008) as varied by Part 4 of that Schedule;
- (c) the standard described in Part 1 of Schedule 2 (Snell Standards), subject to Part 2 of that Schedule.

7 Standard from 13 December 2010

On and after 13 December 2010, the standard for protective helmets for pedal cyclists is the standard described in Part 3 of Schedule 1 (AS/NZS 2063:2008) as varied by Part 4 of that Schedule.

Schedule 1 Australian/New Zealand Standards

(regulations 6 and 7)

Part 1 AS/NZS 2063:1996

Australian/New Zealand Standard *Pedal cycle helmets*, published by Standards Australia on 5 May 1996 as amended by Amendment No. 1 of 5 November 1996.

Part 2 Variations to AS/NZS 2063:1996

[1] Clause 1

omit

[2] After clause 5.6

insert

5.7 BMX Helmets Helmets designed and constructed principally for use by cyclists engaged in BMX competition racing need not comply with provisions regarding ventilation openings or type testing.

[3] Paragraph 8.1 (e)

omit

Part 3 AS/NZS 2063:2008

Australian/New Zealand Standard *Bicycle helmets*, published by Standards Australia on 27 November 2008.

Part 4 Variations to AS/NZS 2063:2008

[1] Clause 1

omit

[2] Clause 5.3.3

substitute

5.3.3 Internal projections

The helmet should have no internal projections or irregularities likely to cause injury to the wearer in case of an accident.

[3] After clause 5.5

insert

5.6 BMX Helmets Helmets designed and constructed principally for use by cyclists engaged in BMX competition racing need not comply with provisions regarding ventilation openings or type testing.

Schedule 2 Snell Standards

(regulation 6)

Part 1 1995 Standard For Protective Headgear For Use In Bicycling

1995 Standard For Protective Headgear For Use In Bicycling, including the Child Helmet Addendum To Standards For Protective Headgear, published by the Snell Memorial Foundation of the United States of America and available on the Internet as the document:

<http://www.smf.org/standards/b95-2std.html>.

Part 2 Compliance with the Snell Standard

A person is not required to comply with a provision of the Standard that requires the person to obtain third party certification of a helmet.

Note The Standard requires a person who manufactures a helmet, and who wishes to comply with the Standard, to obtain third party certification of the helmet.

Table of Instruments

Notes to the *Trade Practices (Consumer Product Safety Standard) (Bicycle Helmets) Regulations 2001*

Note 1

The *Trade Practices (Consumer Product Safety Standard) (Bicycle Helmets) Regulations 2001* (in force under the *Trade Practices Act 1974*) as shown in this compilation comprise Statutory Rules 2001 No. 279 amended as indicated in the Tables below.

Table of Instruments

Year and Number	Date of notification in <i>Gazette</i> or FRLI registration	Date of commencement	Application, saving or transitional provisions
2001 No. 279	5 Oct 2001	5 Oct 2001	
2006 No. 217	11 Aug 2006	12 Aug 2006	—
2007 No. 260	27 Aug 2007 (see F2007L02621)	28 Aug 2007	—
2008 No. 242	2 Dec 2008 (see F2008L04523)	3 Dec 2008	—
2009 No. 390	14 Dec 2009 (see F2009L04426)	15 Dec 2009	—

Table of Amendments

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
R. 5	am. 2009 No. 390
Heading to r. 6	rs. 2006 No. 217; 2007 No. 260; 2008 No. 242
R. 6	am. 2006 No. 217; 2007 No. 260; 2008 No. 242 rs. 2009 No. 390
R. 7	ad. 2009 No. 390
Schedule 1	
Heading to Schedule 1	rs. 2009 No. 390
Schedule 1	am. 2009 No. 390
