FAIR TRADING ACT 2010

The following instrument is published under the *Fair Trading Act 2010* section 21

Consumer Goods (Trolley Jacks) Safety Standard 2017

I, Michael McCormack, Minister for Small Business, make the following safety standard.

Dated 14 December 2017

Michael McCormack
Minister for Small Business

Contents

Part 1—Preliminary

1 Name
2 Commencement
3 Authority
4 Schedules
5 Definitions

Part 2—Safety standard

6 Requirements during transitional period
7 Safety standard for trolley jacks after transitional period
8 Variation of the Australian Standard

Schedule 1—Repeals

Consumer Product Safety Standard for Trolley Jacks (Consumer Protection Notice No 10 of 2008) (Federal Register of Legislation No. F2008L03230)

Part 1—Preliminary

1 Name

This instrument is the *Consumer Goods (Trolley Jacks) Safety Standard 2017*.

2 Commencement

This instrument commences on the day after this instrument is registered on the Federal Register of Legislation.

3 Authority

This instrument is made under sections 104 and 105 of the Australian Consumer Law.

Note: The reference to the Australian Consumer Law is a reference to Schedule 2 to the *Competition and Consumer Act 2010* as it applies as a law of the Commonwealth, States and Territories: see section 140K of that Act and corresponding provisions of Acts of States and Territories applying that Schedule.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Definitions

In this instrument:

Australian Standard means Australian Standard *AS 2615:2016 Hydraulic trolley jacks*, as in force on the commencement of this instrument.

Note: The Australian Standard could in 2017 be purchased from SAI Global's website (https://www.saiglobal.com). The Australian Competition and Consumer Commission can make a copy of the standard available for viewing at one of its offices, subject to licensing conditions.

transitional period means the period of 24 months beginning on the day this instrument commences.

trolley jack has the same meaning as hydraulic trolley jack has in the Australian Standard.

Part 2—Safety standard

6 Requirements during transitional period

(1) During the transitional period, a trolley jack must comply with:

(a) the standard set by Consumer Protection Notice No 10 of 2008 (Federal Register of Legislation No. F2008L03230), made under section 65E of the *Trade Practices Act 1974*, as that notice was in force immediately before the commencement of this instrument; or

(b) the Australian Standard as varied by section 8.

Note 1: The notice could in 2017 be viewed on the Federal Register of Legislation website (https://www.legislation.gov.au).

Note 2: Under item 4 of Schedule 7 to the *Trade Practices Amendment (Australian Consumer Law) Act (No. 2) 2010*, the standard set by the notice continued in force from the start of 1 January 2011 as if it were a safety standard made under section 104 of the Australian Consumer Law (because it was taken under section 65E of the *Trade Practices Act 1974* to be a prescribed consumer product safety standard for the purposes of section 65C of that Act immediately before 1 January 2011).

(2) This section is repealed at the end of the last day of the transitional period.

7 Safety standard for trolley jacks after transitional period

After the transitional period, the Australian Standard, as varied by section 8, is declared to be a safety standard for trolley jacks.

8 Variation of the Australian Standard

(1) For the purposes of this Part, the Australian Standard is varied by:

(a) omitting clause 5.4(a) and clause 9(f); and

(b) replacing clause 6.3 with the text set out in subsection (2) of this section; and

(c) replacing the words “1 min” in clause D3(g) in Appendix D with “15 minutes”.

(2) The replacement text for clause 6.3 of the Australian Standard is as follows:

6.3 Ease of operation

When the hydraulic trolley jack is tested in accordance with Appendix A and the operating force exceeds 450 N, Appendix F must be used to determine the maximum capacity of the hydraulic trolley jack using a maximum operating force of 450 N.

Schedule 1—Repeals

Consumer Product Safety Standard for Trolley Jacks (Consumer Protection Notice No 10 of 2008) (Federal Register of Legislation No. F2008L03230)

1 The whole of the instrument

Repeal the instrument.

Note: Under item 4 of Schedule 7 to the *Trade Practices Amendment (Australian Consumer Law) Act (No. 2) 2010*, the Consumer Product Safety Standard for Trolley Jacks continued in force from the start of 1 January 2011 as if it were a safety standard made under section 104 of the Australian Consumer Law (because it was taken under section 65E of the *Trade Practices Act 1974* to be a prescribed consumer product safety standard for the purposes of section 65C of that Act immediately before 1 January 2011).