



Product Safety Standards (Pedal Bicycles) Regulations 2000

Michael Hardie Boys, Governor-General

Order in Council

At Wellington this 4th day of September 2000

Present:

The Right Hon Helen Clark presiding in Council

Pursuant to section 29(2) of the Fair Trading Act 1986, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council and on the recommendation of the Minister of Consumer Affairs, makes the following regulations.

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Regulations

1 Title

These regulations are the Product Safety Standards (Pedal Bicycles) Regulations 2000.

2 Commencement

These regulations come into force on 15 October 2000.

3 Interpretation

In these regulations, unless the context otherwise requires,—
partially assembled pedal bicycle means a pedal bicycle that is assembled to the stage where 1 or more of the following components is detached from the frame:

- (a) pedals:
- (b) front wheel:
- (c) front mudguard:
- (d) handlebars:
- (e) handlebar stem:
- (f) handlebar grips:
- (g) brake levers:
- (h) gear levers (if fitted):
- (i) seat:
- (j) seat pillar:
- (k) front reflector:
- (l) front reflector bracket:
- (m) rear reflector:
- (n) rear reflector bracket

subassembly of a pedal bicycle means a unit assembled separately but designed to be incorporated with other units into a pedal bicycle.

4 Application

- (1) These regulations apply to the following goods:
 - (a) pedal bicycles:
 - (b) partially assembled pedal bicycles:
 - (c) subassemblies of pedal bicycles.
- (2) However, these regulations do not apply to a pedal bicycle, a partially assembled pedal bicycle, or a subassembly of a pedal bicycle, if the pedal bicycle—
 - (a) has a wheel base of less than 640 mm:
 - (b) is powered partly or totally by an engine:
 - (c) is designed and intended for use primarily in competitions and has a single crank-to-wheel ratio and no free-wheeling feature between the pedal and the rear wheel:
 - (d) is designed and made to the order of a particular user:

(e) is a recumbent bicycle.

5 Product safety standard for pedal bicycles

Australian/New Zealand Standard AS/NZS 1927:1998 Pedal bicycles—Safety requirements (with the variations set out in the Schedule) is a product safety standard for the goods to which these regulations apply for the purposes of section 29 of the Fair Trading Act 1986.

6 Revocation

The Product Safety Standards (Pedal Bicycles) Regulations 1991 (SR 1991/225) are revoked on the close of 15 October 2001.

7 Transitional provisions

Until the Product Safety Standards (Pedal Bicycles) Regulations 1991 are revoked,—

- (a) a person must comply with either the Product Safety Standards (Pedal Bicycles) Regulations 1991 or these regulations; and
 - (b) compliance with either set of regulations is compliance with the other set of regulations.
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Schedule
Variations to Australian/New Zealand
Standard AS/NZS 1927:1998
Pedal bicycles—Safety requirements

Clause 1.1

Omit (including its note).

Clause 1.3

Omit.

Clause 1.4.1

Omit and substitute:

“**Bicycle**—a two-wheeled pedal vehicle that is propelled by human effort only and not by an engine.”

Clause 1.4.6

Omit paragraph (f).

Clause 1.6

Omit and substitute:

“1.6 INFORMATIVE LABELLING**“1.6.1 Components and partially assembled bicycles**

The following warning must accompany, or be stated on the packaging for, the components of a pedal bicycle if the bicycle is supplied, or offered for supply, or advertised for supply in the form of components for assembly or in a partially assembled condition:

“**WARNING:** In the interests of safety it is recommended that you have this bicycle assembled by a skilled bicycle mechanic.

“1.6.2 Pseudo off-road or stunt bicycles

The following warning must accompany, or be attached to, a pedal bicycle that is supplied, or offered for supply, or advertised for supply if the bicycle is designed to look suitable for use off-road or in stunts but it is not suitable for that type of use (for example, a bicycle that is designed to look like, but is not, a BMX or mountain bike):

“**WARNING:** This bicycle is not designed for off-road use or for stunting.

“1.6.3 Form of warnings

These warnings—

- “(a) must be stated in writing, be in English and be clearly legible; but
“(b) can be given using different words as long as the words have the same effect and are not misleading.”

Clause 2.8.3

Omit (including its note).

Clause 2.15

Omit and substitute:

“2.15 REFLECTORS

Reflectors must be fitted to a pedal bicycle and must comply with regulations made under the Transport Act 1962.”

Clause 2.16

Omit.

Clause 2.17

Omit and substitute:

“2.17 LIGHTING EQUIPMENT

Lighting equipment fitted to a pedal bicycle must comply with regulations made under the Transport Act 1962.”

Clause 4.6

Omit.

Marie Shroff,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 15 October 2000, replace the Product Safety Standards (Pedal Bicycles) Regulations 1991. The regulations declare the Australian/New Zealand Standard AS/NZS 1927:1998 Pedal bicycles—Safety requirements to be a product safety standard for the goods to which the regulations apply for the purposes of section 29 of the Fair Trading Act 1986.

The standard specifies safety requirements for the design, assembly, and performance of pedal bicycles, partially assembled pedal bicycles, and subassemblies of pedal bicycles. The standard does not apply to bicycles with a wheel base of less than 640 mm, track racers, “one of a kind” bicycles, bicycles that are powered by an engine, or recumbent bicycles.

The Australian/New Zealand Standard AS/NZS 1927:1998 Pedal bicycles—Safety requirements supercedes the standard prescribed by the previous regulations. The main changes in the new standard are as follows:

- there are more detailed requirements for front wheel quick-release devices:
- handlebars may have an increased width of 700 mm:
- assembly instructions must be adequate to enable a partially assembled bicycle to be assembled in a safe condition:
- the proof test for children’s bicycles is no longer required as other tests in the standard are sufficient:
- steering geometry limits are recommended.

There is a transitional period until 15 October 2001 during which either standard may be complied with.

It is an offence under section 40 of the Fair Trading Act 1986 to supply, or offer to supply, or advertise to supply goods for which a product safety standard has been prescribed unless the goods comply with that standard. If goods do not comply with a product safety standard, under section 32 of the Act, the Minister of Consumer Affairs may require the supplier to recall the goods, or disclose to the public information on them, or repair or replace the goods, or refund the price of the goods. The Act also authorises the granting of injunctions and specifies other remedies that may be obtained against persons who contravene Part III of the Act.

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These regulations are administered in the Ministry of Consumer Affairs.
