



Product Safety Standards (Household Cots) Regulations 2000

Michael Hardie Boys, Governor-General

Order in Council

At Wellington this 21st day of August 2000

Present:

The Right Hon Helen Clark presiding in Council

Pursuant to section 29 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.

Contents

1	Title	
2	Commencement	
3	Interpretation	
4	Application	
5	Australian/New Zealand Standard 2172:1995 Cots for household use—Safety requirements declared to be product safety standard	<p style="text-align: center;">Schedule</p> <p style="text-align: center;">Variations to Australian/New Zealand Standard 2172:1995 Cots for household use—Safety requirements</p>

Regulations

1 Title

These regulations are the Product Safety Standards (Household Cots) Regulations 2000.

2 Commencement

These regulations come into force on 1 October 2000.

3 Interpretation

In these regulations, unless the context otherwise requires,—

antique cot means a cot that is more than 100 years old

collectible cot means a cot less than 100 years old that is supplied as a collectors' item and is not intended for use as a sleeping facility for an infant or child

cot means a free-standing product with raised sides and ends designed as an enclosed sleeping facility for an infant or child.

4 Application

- (1) Except as provided in subclause (2), these regulations apply to cots designed or intended for use as a sleeping facility for an infant or child in the home.
- (2) These regulations do not apply to the following:
 - (a) folding cots:
 - (b) carry cots:
 - (c) cradles:
 - (d) bassinets:
 - (e) antique cots or collectible cots that are labelled with a warning notice that can easily be read and that is displayed in a conspicuous position either on the cot or on any packaging bearing the words “WARNING: THIS COT MAY NOT BE SUITABLE FOR USE AS A SLEEPING FACILITY FOR INFANTS OR CHILDREN”.

5 Australian/New Zealand Standard 2172:1995 Cots for household use—Safety requirements declared to be product safety standard

Australian/New Zealand Standard 2172:1995 Cots for household use—Safety requirements (with the variations set out in the Schedule) is a product safety standard for cots to which this regulation applies for the purposes of section 29 of the Fair Trading Act 1986.

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Schedule
Variations to Australian/New Zealand Standard
2172:1995 Cots for household use—Safety
requirements

Part 1

Variations to Australian/New Zealand Standard 2172:1995
Cots for household use—Safety requirements for cots except
second-hand cots

Provision	Variations
Clause 1	Omit this clause
Clause 2	Omit this clause
Clause 4	Omit this clause
Clause 7	Omit this clause
Clause 8	Omit this clause
Clause 12	Omitting the words “State, Territory, or Federal”.

Part 2

Variations to Australian/New Zealand Standard 2172:1995
Cots for household use—Safety requirements for
second-hand cots

Provision	Variations
Clause 1	Omit this clause
Clause 2	Omit this clause
Clause 4	Omit this clause
Clause 7	Omit this clause
Clause 8	Omit this clause
Clause 9	Omit subclauses 9.3 to 9.8
Clause 10	Omit this clause
Clause 11	Omit this clause
Clause 12	Omit this clause.

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 1 October 2000, prescribe new product safety standards for household cots, except folding cots, carry cots, cradles, bassinets, antique cots, and collectible cots.

The regulations declare Australian/New Zealand Standard 2172:1995 Cots for household use—Safety requirements to be a product safety standard under section 29 of the Fair Trading Act 1986.

The regulations specify requirements for the safe design and performance of household cots. Certain cots are, however, exempted. These include antique cots and collectible cots as long as a warning is provided that these cots may not be suitable for use as a sleeping facility for infants and children. Second-hand cots are also exempted from certain durability, strength testing, packaging, and labelling requirements.

It is an offence under section 40 of the Fair Trading Act 1986 to supply, or offer to supply, or advertise to supply goods in respect of which a product safety standard has been prescribed unless the goods comply with that standard.

Section 32 of the Fair Trading Act 1986 empowers the Ministry of Consumer Affairs, in the case of goods that do not comply with a product safety standard, to require the supplier to recall the goods, or disclose to the public information relating to them, or repair or replace the goods, or refund the price of them.

In addition, the Act authorises the granting of injunctions, and specifies other remedies that may be obtained, against persons who contravene Part III of the Act.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 24 August 2000.

These regulations are administered in the Ministry of Consumer Affairs.
