



Product Safety Standards (Household Cots) Regulations 2005

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 18th day of July 2005

Present:

Her Excellency the Governor-General in Council

Pursuant to section 29 of the Fair Trading Act 1986, Her 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 (Household Cots) Regulations 2005.

2 Commencement

These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

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 a child

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

4 Application

(1) These regulations apply to cots designed or intended for use as a sleeping facility for an infant or a child in the home.

(2) However, 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 2172:2003 Cots for household use—Safety requirements declared to be product safety standard

Australian/New Zealand Standard 2172:2003 Cots for household use—Safety requirements (with the variations set out in the Schedule to these regulations) is a product safety standard for cots to which this regulation applies for the purposes of section 29 of the Fair Trading Act 1986.

6 Revocation

The Product Safety Standards (Household Cots) Regulations 2000 (SR 2000/162) are revoked on the close of the period of 1 year beginning on the day after the date on which these regulations are notified in the *Gazette*.

7 Transitional provisions

Until the Product Safety Standards (Household Cots) Regulations 2000 are revoked,—

- (a) a person must comply with either the Product Safety Standards (Household Cots) Regulations 2000 or these regulations; and
- (b) compliance with either set of regulations is compliance with the other set of regulations.

Schedule

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**Variations to Australian/New Zealand
Standard 2172:2003 Cots for household use—
Safety requirements**

Part 1

Variations to Australian/New Zealand Standard 2172:2003

Cots for household use—Safety requirements for cots except
second-hand cots

Provision	Variations
1	Omit this clause
2	Omit this clause
4	Omit this clause
7	Omit this clause
8	Omit this clause

Part 2

Variations to Australian/New Zealand Standard 2172:2003

Cots for household use—Safety requirements for second-
hand cots

Provision	Variations
1	Omit this clause
2	Omit this clause
4	Omit this clause

Part 2—*continued*

Provision	Variations
7	Omit this clause
8	Omit this clause
9	Omit subclauses 9.3 to 9.8
10	Omit this clause
11	Omit this clause
12	Omit this clause

Diane Morcom,
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 the 28th day after the date of their notification in the *Gazette*, prescribe a product safety standard for cots. The regulations apply to cots designed or intended for use as a sleeping facility for an infant or a child in the home. They do not apply to folding cots, carry cots, cradles, or bassinets, or to antique cots or collectible cots that bear a warning that they may be unsuitable as a sleeping facility.

These regulations declare certain parts of the Australian/New Zealand Standard 2172:2003 Cots for household use—Safety requirements set out in the Schedule to be a product safety standard under section 29 of the Fair Trading Act 1986. Part 2 of the Schedule sets out the parts that apply to secondhand cots, while Part 1 sets out the parts that apply to all cots that are not secondhand. These regulations also—

- provide for a transitional period of 1 year during which people can comply with either these regulations or with the Product Safety Standards (Household Cots) Regulations 2000 (which incorporate the version previous to the Australian/New Zealand Standard 2172:2003):

- revoke the Product Safety Standards (Household Cots) Regulations 2000 1 year after these regulations are notified in the *Gazette*.
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Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 21 July 2005.

These regulations are administered in the Ministry of Consumer Affairs.
