

FAIR TRADING ACT 1987—REGULATION

(Relating to sunglasses and fashion spectacles)

NEW SOUTH WALES



[Published in Gazette No. 83 of 3 July 1992]

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Fair Trading Act 1987, has been pleased to make the Regulation set forth hereunder.

K. A. CHIKAROVSKI
Minister for Consumer Affairs.

Commencement

1. This Regulation commences on 10 July 1992.

Amendment

2. The Product Safety Regulation 1988 is amended by omitting Part 8 and by inserting instead the following Part:

PART 8—SUNGLASSES AND FASHION SPECTACLES

Definitions

21. In this Part:

“**AS 1067—1983**” means the Australian Standard entitled “Sunglasses and Fashion Spectacles—Non-prescription Types” and numbered AS 1067—1983, of Standards Australia, as in force on 11 January 1983;

“**AS 1067.1—1990**” means the Australian Standard entitled “Sunglasses and fashion spectacles Part 1: Safety requirements” and numbered AS 1067.1—1990, of Standards Australia, published on 17 September 1990 as amended by Amendment No. 1 of 18 December 1990;

“**sunglasses**” and “**fashion spectacles**” mean sunglasses and fashion spectacles having lenses of nominally zero refractive power and include sunglasses and fashion spectacles of the one-piece or visor type and clip-on sunglasses, but do not include:

- (a) glasses for special use (such as glasses for use while target shooting) which do not primarily provide protection against sun glare or radiation from natural sunlight in the circumstances set out in clause 1.4.2.2. or 1.4.2.3. of AS 1067—1983; or
- (b) goggles which are held in position by means of a strap passing around the back of the head; or
- (c) glasses which, in industrial environments, provide protection from radiation other than solar radiation or protection from physical impact; or
- (d) glasses for use as toys which are clearly and legibly labelled as toys.

Safety standard

22. (1) The safety standard prescribed for sunglasses and fashion spectacles is that they must comply with AS 1067—1983 or AS 1067.1—1990.

(2) For the purposes this clause, AS 1067—1983 is treated as having been amended as follows:

- (a) by omitting clause 1.1;
- (b) by omitting from clause 1.4.2.1 the word “only”;
- (c) by omitting clauses 2.2 and 2.4;
- (d) by inserting in clause 2.5.1 (b) after the words “the frame” the following words:

except for children’s sunglasses.

Children’s sunglasses with frames too small for measurement from 33mm from the centreline of the frame are to be measured at 6 selected points within a circle of 33mm diameter around the datum centre of each lens.

- (e) by inserting in clause 2.5.1 (c) after the words “is worn” the following words:

except for children’s sunglasses.

Children’s sunglasses with frames too small for measurement from 33mm from the centreline of the sunglass are to be measured from a point 25% of the width of the lens measured on either side of the centreline which lies in the

horizontal plane that would bisect the eyes when the visor is worn and at 6 selected points within a circle of 30mm diameter centred on the points.

- (f) by omitting clause 2.6;
 - (g) by inserting in clause 2.7.1 after the matter “Clause 2.7.2” the following words:
 - except that:
 - (a) specific-purpose sunglasses are not required to comply with the coloration limit requirements of Table 2.1; and
 - (b) general-purpose sunglasses, to the lenses of which are applied transparent monograms, logos or decorations, are not required to comply with the coloration limit requirements of Table 2.1 or with the requirements of clauses 2.7.3 and 2.7.4 if the words “**WARNING: Not suitable for driving**” are clearly and indelibly marked on:
 - (i) the frame in a colour which contrasts with the background; or
 - (ii) a pouch or other container supplied with the goods, in a conspicuous position and in lettering not less than 6mm high in a colour that contrasts with the background.
 - (h) by omitting from Table 2.1 in the matter relating to general-purpose sunglasses the matter “15” and by inserting instead the matter “8”;
 - (i) by omitting from Table 2.1 in the matter relating to specific-purpose sunglasses the matter “5” and by inserting instead the matter “3”;
 - (j) by omitting from clause 3.1.2 all the words after the word “abrasion.”
 - by omitting clauses 3.2.1, 3.2.2 and 3.2.4.
- (3) For the purposes of this clause, AS 1067.1—1990 is treated as having been amended as follows:
- (a) by omitting clause 1.1;
 - (b) by inserting in clause 2.2.1 (b) after the words “this point” the following words:

except for children’s sunglasses.

Children’s sunglasses with frames too small for measurement from 32mm from the centreline of the frame are to be measured at 6 selected points within a circle of 30mm diameter around the datum centre of each lens.

- (c) by inserting in clause 2.2.1 (c) after the words “these points” the following words:

except for children’s sunglasses.

Children’s sunglasses with frames too small for measurement from 32mm from the centreline of the sunglass are to be measured from a point 25% of the width of the lens measured on either side of the centreline which lies in the horizontal plane that would bisect the eyes when the visor is worn and at 6 selected points within a circle of 30 mm diameter centred on the points.

- (d) by omitting the boxes around the markings set out in clauses 4.2.2, 4.2.3 and 4.2.4 (both Type (a) and Type (b)).

EXPLANATORY NOTE

The purpose of this Regulation is to amend the Product Safety Regulation 1988 by varying the safety standard for sunglasses and fashion spectacles.

The current standard is compliance with Australian Standard AS 1067—1983 with certain modifications. This Regulation further modifies that Standard by including a provision for children’s sunglasses and removing a provision relating to lens curvature.

This Regulation also allows compliance with Australian Standard AS 1067.1—1990, with certain modifications, as an alternative safety standard.
