

FAIR TRADING ACT 1987—REGULATION

(Relating to baby walkers)

NEW SOUTH WALES



[Published in Gazette No. 97 of 22 July 1994]

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.

WENDY MACHIN
Minister for Consumer Affairs.

Commencement

1. This Regulation commences on 1 November 1994.

Amendment

2. The Product Safety Regulation 1988 is amended by inserting after Part 23 the following Part:

PART 2—BABY WALKERS

Definition

59. In this Part:

“**baby walker**” means a device that consists of a frame on wheels designed to support, inside the frame and with his or her feet touching the ground, a child who has not learned to walk, being a device that is propelled by the movement of the child.

Safety standard

60. (1) The product safety standard prescribed for baby walkers is that:
 - (a) they have affixed to them a label bearing the following warning:

“WARNING: Avoid injuries. Baby can move fast in this walker. Never leave baby unattended. Do not allow near steps, stairs, heaters, electrical cords or hot objects.”; and

- (b) they are accompanied by legible written instructions and warnings in the English language that provide the following:
- (i) instructions on how the walker is to be assembled (if it is not fully assembled when sold) and the recommended position for use;
 - (ii) instructions on how the walker is to be maintained and cleaned;
 - (iii) instructions on how the walker is to be folded and unfolded (if it is capable of being folded);
 - (iv) instructions on how to adjust the height of the walker (if the height is adjustable);
 - (v) instructions on how to secure the latching or locking mechanism of the walker (if it is equipped with a latching or locking mechanism);
 - (vi) instructions on how to use the restraint system;
 - (vii) instructions on the maximum and minimum weights and heights of children for whom the walker is designed;
 - (viii) a warning that the walker should not be used by a child who can walk unaided;
 - (ix) a warning that the walker should not be used by a child who cannot sit unaided;
 - (x) a warning that a child should never be left unattended in the walker;
 - (xi) a warning that doors to stairways should be closed, and barriers should be in place across open stairways and steps while a child is using the walker;
 - (xii) a warning that electrical cords and heaters, fireplaces and other hot objects, as well as any other objects or substances that may be dangerous, should be guarded or put out of reach of a child using the walker;
 - (xiii) a warning that the walker should not be used (whether indoors or outdoors) on surfaces that have any obstructions that could cause the walker to tip over;
 - (xiv) a warning that the walker should never be carried with a child in it;
 - (xv) a warning that both feet of a child who is in the walker should be able to touch the ground;

- (xvi) a warning that the walker should not be used if it is damaged or broken;
 - (xvii) a warning (if the walker is capable of being adjusted) that the walker should never be adjusted with a child in it;
 - (xviii) a warning (if the walker is capable of being folded) that care must be taken while folding and unfolding the walker to prevent fingers being caught; and
- (c) the written instructions are accompanied by line drawings, photographs or symbols if those instructions are not by themselves sufficient to explain the steps required.
- (2) A label referred to in subclause (1) (a) must:
- (a) be permanently affixed; and
 - (b) bear the word "WARNING" in upper case red letters not less than 5 millimetres high on a white background; and
 - (c) bear the remaining words in upper or lower case letters not less than 2.5 millimetres high; and
 - (d) be conspicuously displayed.
- (3) The instructions and warnings referred to in subclause (1) (b) must be provided with the baby walker in the form of an accompanying leaflet or swing tag.

EXPLANATORY NOTE

The object of this Regulation is to establish a product safety standard for baby walkers.

This Regulation is made under sections 26 and 92 of the Fair Trading Act 1987, and supersedes an order in force under section 31 of that Act. The order concerned is revoked at the same time as this Regulation commences.
