

**FAIR TRADING ACT 1987—REGULATION**

(Relating to protective helmets for pedal cyclists)

NEW SOUTH WALES



*[Published in Gazette No. 52 of 28 March 1991]*

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.

G. B. PEACOCKE

Minister for Business and Consumer Affairs.

**Commencement**

1. This Regulation takes effect on 31 March 1991.

**Amendment**

2. The Product Safety Regulation 1988 is amended:

(a) by inserting in clause 29 after the definition of "AS 2063.1-1986" the following definition:

**"AS 2063.2-1990"** means the Australian Standard entitled "Lightweight Protective Helmets (For Use in Pedal Cycling, Horse-Riding and Other Activities Requiring Similar Protection) Part II - (Basic Performance Requirements)" and numbered AS 2063.2-1990, of the Standards Association of Australia, as in force on 9 April 1990;

(b) by omitting clause 30 and by inserting instead the following clauses:

**Safety standard from 31 March 1991 to 8 April 1992**

29A. (1) The safety standard prescribed for protective helmets for pedal cyclists, if those helmets are manufactured in or imported into New South Wales between 31 March 1991 and 8 April 1992, is that they must comply with:

**1991—No. 160**

---

- (a) clauses 3, 4.5, 5 and 6.2 of AS 2063.1-1986; or
  - (b) AS 2063.2-1990.
- (2) For the purposes of this clause, AS 2063.1-1986 is treated as having been amended as follows:
- (a) by inserting in clause 4.5 after the words "a positioning index" and also after the word "helmet" where firstly occurring the words "as defined in AS 2512.1";
  - (b) by inserting in clause 5 after the word "helmets" where firstly occurring the words "as defined in AS 2512.1";
  - (c) by inserting in clause 6.2.1. after the word "helmet" where firstly occurring the words "as defined in AS 2512.1";
  - (d) by inserting in clause 6.2.2 after the word "helmet" and also after the word "headform" the words "as defined in AS 2512.1".

**Safety standard from 9 April 1992**

30. (1) The safety standard prescribed for protective helmets for pedal cyclists, if those helmets are manufactured in or imported into New South Wales on or after 9 April 1992, is that they must comply with AS 2063.2-1990.

(2) Those protective helmets must be marked:

- (a) in the manner set out in clause 8 of AS 2063.2-1990 with the matter specified in clauses 7.1, 7.2 and 7.3 of AS 2063.1;
  - (b) with the registered certification trade mark of the Standards Association of Australia encircled by the words "Manufactured to Australian Standard 2063".
- (c) by omitting from clause 31 the matter "Clause 30 does not apply" and by inserting instead the matter "Clauses 29A and 30 do not apply".

---

**EXPLANATORY NOTE**

The object of this Regulation is to amend the Product Safety Regulation 1988 by prescribing that the safety standard for protective helmets is:

- (a) in the case of helmets manufactured in or imported into New South Wales between 31 March 1991 and 8 April 1992 - Australian Standard 2063.1-1986 (the current standard) or Australian Standard 2063.2-1990; and
  - (b) in the case of helmets manufactured in or imported into New South WALES on or after 9 April 1992 - Australian Standard 2063.2-1990.
-