

1991—No. 635

**FAIR TRADING ACT 1987—REGULATION**

(Relating to children's tents and playhouses)

NEW SOUTH WALES



*[Published in Gazette No. 174 of 13 December 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.

PETER COLLINS  
Minister for Consumer Affairs.

---

**Commencement**

1. This Regulation commences on 1 February 1992.

**Amendment**

2. The Product Safety Regulation 1988 is amended by omitting clause 40 and by inserting instead the following clause:

**Design and construction**

40. The tent or playhouse must comply with the following requirements:
  - (a) it must have a hole or holes for ventilation in its upper part (the upper part being the part above the upper third of the linear distance from the lowest point to the highest point of the tent or playhouse when fully erected);
  - (b) the hole or holes must have an area or total area of:
    - (i) 7 500 square millimetres if the volume of the tent or playhouse is 2 cubic metres or less; or
    - (ii) 15 000 square millimetres if the volume of the tent or enclosure is more than 2 cubic metres

- (c) any cover, lid, door or other means of closing the tent or playhouse must:
- (i) be of the type that would open after applying a force of 40 newtons or less; and
  - (ii) not include an automatic locking device; and
  - (iii) if designed to be locked, be fitted with a locking device that would readily be opened from both the inside and the outside.

---

**EXPLANATORY NOTE**

Part 16 of the Product Safety Regulation 1988 prescribes the product safety standard for tents and playhouses which are made as playthings for children and are sufficiently large for a child to enter. Clause 40 sets out the requirements of the standard in respect of the design and construction of such tents and playhouses.

The object of this Regulation is to clarify the existing requirements relating to the ventilation of children's tents and playhouses and include requirements relating to the means of closing or locking them. This is to ensure that children's tents and playhouses are constructed in a way that avoids the possibility of children suffering heat exhaustion or suffocating if trapped. The new requirements are based on the requirements relating to toy enclosures contained in the Australian Standard Specification entitled "Children's Toys (Safety Requirements) Part 2—Constructional Requirements" and numbered AS 1647, Part 2—1981, of Standards Australia.

---