



Consumer Goods (Sunglasses and Fashion Spectacles) Safety Standard 2017

I, Michael McCormack, Minister for Small Business, make the following safety standard.

Dated 18 October 2017

Michael McCormack
Minister for Small Business

Contents

Part 1—Preliminary	1
1 Name	1
2 Commencement	1
3 Authority	1
4 Schedules	1
5 Definitions	1
Part 2—Safety standards	3
6 Requirements for sunglasses and fashion spectacles before 1 July 2019	3
7 Requirements for sunglasses and fashion spectacles on and after 1 July 2019	3
8 Variations to the Australian standard	3
Schedule 1—Repeals	4

Part 1—Preliminary

1 Name

This instrument is the *Consumer Goods (Sunglasses and Fashion Spectacles) Safety Standard 2017*.

2 Commencement

This instrument commences the day after this instrument is registered on the Federal Register of Legislation.

3 Authority

This instrument is made under sections 104 and 105 of the Australian Consumer Law.

Note: The reference to the Australian Consumer Law is a reference to Schedule 2 to the *Competition and Consumer Act 2010* as it applies as a law of the Commonwealth, States and Territories: see section 140K of that Act and corresponding provisions of Acts of States and Territories applying that Schedule.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Definitions

In this instrument:

Australian standard means the Australian/New Zealand standard AS/NZS 1067.1:2016 *Eye and face protection - sunglasses and fashion spectacles* published by, or on behalf of, Standards Australia and Standards New Zealand, as in force immediately before the commencement of this instrument.

Note : The Australian Standard could in 2017 be purchased from SAI Global's website (<https://www.saiglobal.com>). The Australian Competition and Consumer Commission can make a copy of the standard available for viewing at one of its offices, subject to licensing conditions.

sunglasses and fashion spectacles means:

- (a) spectacles comprising nominally afocal (plano power) filters mounted in a spectacle frame; or
- (b) individual nominally afocal (plano power) filters intended for use in sunglasses; or
- (c) rimless sunshields and one-piece visors; or
- (d) clip-on and slip-on type sunglasses; or
- (e) children's sunglasses; or
- (f) fashion spectacles/light tint sunglasses;

but does not include:

- (g) prescription and readymade spectacles; or

- (h) safety glasses and safety goggles intended to provide protection against optical radiation other than from the sun; or
- (i) eyewear for protection against radiation in solarium; or
- (j) eye protectors for sport; or
- (k) sunglasses for use as toys and clearly and legibly labelled as toys.

Part 2—Safety standards

6 Requirements for sunglasses and fashion spectacles before 1 July 2019

- (1) Before 1 July 2019, sunglasses and fashion spectacles must comply with:
- (a) the Consumer Product Safety Standard: Sunglasses and fashion spectacles (Consumer Protection Notice No. 13 of 2003), as in force immediately before the commencement of this instrument; or
 - (b) the Australian standard as varied by section 8 of this instrument.

Note: The Consumer Product Safety Standard: Sunglasses and fashion spectacles could in 2017 be viewed on the Federal Register of Legislation website (<https://www.legislation.gov.au>).

- (2) This section is repealed at the start of 1 July 2019.

7 Requirements for sunglasses and fashion spectacles on and after 1 July 2019

On and after 1 July 2019, the Australian standard as varied by section 8 of this instrument is declared to be a safety standard for sunglasses and fashion spectacles.

8 Variations to the Australian standard

For the purposes of this Part, the Australian Standard is varied by deleting the following:

- (a) clause 1;
- (b) clause 4.2;
- (c) clause 4.3;
- (d) clause 7.4;
- (e) clause 7.5;
- (f) clause 7.6;
- (g) clause 8;
- (h) clause 10;
- (i) clause 12.1(c);
- (j) clause 12.2(a);
- (k) clause 12.2(c);
- (l) clause 12.3.2;
- (m) the NOTE to clause 13.1.

Schedule 1—Repeals

Consumer Product Safety Standard: Sunglasses and fashion spectacles (Consumer Protection Notice No.13 of 2003 made under subsection 65E(1) of the Trade Practices Act 1974) (Federal Register of Legislation No. F2008C00606)

1 The whole of the standard

Repeal the standard.

Note: Under item 4 of Schedule 7 to the *Trade Practices Amendment (Australian Consumer Law) Act (No. 2) 2010*, the Consumer Product Safety Standard: Sunglasses and fashion spectacles continued in force from the start of 1 January 2011 as if it were a safety standard made under section 104 of the Australian Consumer Law (because it was taken under section 65E of the *Trade Practices Act 1974* to be a prescribed consumer product safety standard for the purposes of section 65C of that Act immediately before 1 January 2011).