

**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

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 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

1. spectacles comprising nominally afocal (plano power) filters mounted in a spectacle frame; or
2. individual nominally afocal (plano power) filters intended for use in sunglasses; or
3. rimless sunshields and one-piece visors; or
4. clip-on and slip-on type sunglasses; or
5. children’s sunglasses; or
6. fashion spectacles/light tint sunglasses;

but does not include:

1. prescription and readymade spectacles; or
2. safety glasses and safety goggles intended to provide protection against optical radiation other than from the sun; or
3. eyewear for protection against radiation in solaria; or
4. eye protectors for sport; or
5. 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:
	1. 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
	2. 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>).

1. 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).