



## **Consumer Goods (Motor Vehicle Recovery Straps) Safety Standard 2017**

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

Dated 30 November 2017

Michael McCormack  
Minister for Small Business

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## Part 1—Preliminary

### 1 Name

This instrument is the *Consumer Goods (Motor Vehicle Recovery Straps) Safety Standard 2017*.

### 2 Commencement

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

### 3 Authority

This instrument is made under subsection 104(1) 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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:

**gross vehicle mass (GVM)**, for a motor vehicle, means the maximum loaded mass of the vehicle as stated:

- (a) on the compliance plate, registration certificate or build plate for the vehicle; or
- (b) in the handbook for the vehicle; or
- (c) in documentation for the vehicle available from the vehicle's manufacturer.

**minimum breaking strength**, for a motor vehicle recovery strap, means the minimum load necessary to cause the strap to fail.

**motor vehicle recovery strap** means a strap, commonly called a snatch strap, for attaching to a bogged vehicle to tow it clear of the bogged situation.

**transitional period** means the period of 24 months beginning on the day this instrument commences.

## **Part 2—Requirements**

### **Division 1—Basic requirements**

#### **6 Requirements during transitional period**

- (1) During the transitional period, a motor vehicle recovery strap, the instructions accompanying the strap and the packaging in which the strap is supplied, must meet the requirements set out in Division 2 or 3.
- (2) This section is repealed at the end of the last day of the transitional period.

#### **7 Requirements after transitional period**

After the transitional period, a motor vehicle recovery strap, the instructions accompanying the strap and the packaging in which the strap is supplied, must meet the requirements set out in Division 2.

## **Division 2—Details of requirements**

### **8 Warning and information to be permanently fixed to motor vehicle recovery strap**

A motor vehicle recovery strap must have permanently fixed to it, so that it is clearly visible and legible when the strap is being used:

- (a) the warning described in section 11; and
- (b) the following information:
  - (i) the name or logo of the strap's Australian manufacturer, importer, distributor or other supplier;
  - (ii) the strap's batch code or serial number;
  - (iii) the strap's minimum breaking strength, expressed in metric units;
  - (iv) a recommendation that the minimum breaking strength of the strap should be between 2 and 3 times the gross vehicle mass (GVM) of any vehicle it is used with;
  - (v) advice that the strap must be suited to the gross vehicle mass (GVM) of the lighter of the 2 vehicles used in the recovery process.

### **9 Instructions on use**

- (1) A motor vehicle recovery strap must be accompanied by instructions on how to use and maintain the strap.
- (2) Without limiting subsection (1), the instructions must:
  - (a) state that persons intending to use the strap should consider completing a nationally recognised four-wheel drive training course, or contact a four-wheel drive club for comprehensive advice on the proper selection and use of the strap; and
  - (b) state that the strap must not be used for lifting or conventional towing; and
  - (c) state that persons intending to use the strap must ensure that the strap is not damaged and is in a usable condition; and
  - (d) state that the strap's strength and stretch are reduced when the strap is saturated with water; and
  - (e) state that an object such as a recovery damper, heavy bag or blanket must be draped over the strap during use to reduce any unintentional rebound of the strap; and
  - (f) state that before attempting the vehicle recovery, passengers of the vehicles involved must:
    - (i) exit the vehicles; and
    - (ii) stand as far away from the vehicles as possible; and
    - (iii) avoid standing in the path of the vehicle performing the recovery; and
  - (g) include a recommendation that the minimum breaking strength of the strap should be between 2 and 3 times the gross vehicle mass (GVM) of any vehicle it is used with; and
  - (h) include advice that the strap must be suited to the gross vehicle mass (GVM) of the lighter of the 2 vehicles used in the recovery process; and
  - (i) include the warning described in section 11.

## Section 10



### 10 Packaging information

The following information must appear on the packaging of a motor vehicle recovery strap or on a label attached to the packaging:

- (a) the strap's brand name or the logo of the strap's supplier;
- (b) the name and contact details of the strap's Australian manufacturer, importer, distributor or other supplier;
- (c) the strap's minimum breaking strength, expressed in metric units;
- (d) a recommendation that the minimum breaking strength of the strap should be between 2 and 3 times the gross vehicle mass (GVM) of any vehicle it is used with.

### 11 Warning

- (1) For the purposes of paragraphs 8(a) and 9(2)(i), the warning must be in the following form:

	<b>WARNING</b> <b>INCORRECT USE MAY RESULT IN INJURY OR DEATH!</b>	
<p>Vehicle <b>OCCUPANTS</b> and <b>BYSTANDERS</b> have been <b>KILLED</b> by flying projectiles (such as tow balls) when recovery straps have been attached incorrectly.</p> <p><b>NEVER</b> attach recovery straps to vehicle fittings such as tow balls, tow bars, tie-down points or tow hooks.</p> <p><b>ONLY</b> attach recovery straps to an <b>APPROVED</b> recovery point/device that is suitably rated for use with the strap.</p> <p><b>BEFORE</b> attempting a vehicle recovery all passengers must exit the vehicles and stand as far away as possible.</p>		

- (2) In the warning:
  - (a) the letters of the words “WARNING” and “INCORRECT USE MAY RESULT IN INJURY OR DEATH” must be at least 5 millimetres high and in bold upper case; and
  - (b) the exclamation mark after the word “DEATH” must be at least 5 millimetres high and in bold; and
  - (c) the letters of the words “OCCUPANTS”, “BYSTANDERS”, “KILLED”, “NEVER”, “ONLY”, “APPROVED” and “BEFORE” must be in bold upper case; and
  - (d) each side of the triangle must be at least 20 millimetres in length and shown with a black line at least 1 millimetre wide; and
  - (e) the exclamation mark within the triangle must be shown in black and appear on a yellow background; and
  - (f) the picture of a circle that surrounds a picture of a tow ball mounted on a tow bar that has a diagonal line that crosses through it must comply with the following requirements:
    - (i) the diameter of the outer edge of the circle must be at least 20 millimetres;
    - (ii) the circle and diagonal line must be shown with red lines at least 1 millimetre wide;



(iii) the tow ball mounted on a tow bar must be in black.

### **Division 3—Details of alternative requirements that apply during transitional period**

#### **12 Requirements of the *Trade Practices (Consumer Product Safety Standard) (Motor Vehicle Recovery Straps) Regulations 2010***

- (1) If a motor vehicle recovery strap, the instructions accompanying the strap and the packaging in which the strap is supplied, does not comply with Division 2, the strap, the instructions and the packaging must comply with the requirements of the *Trade Practices (Consumer Product Safety Standard) (Motor Vehicle Recovery Straps) Regulations 2010*, as in force or existing immediately before the commencement of this instrument.

Note: The *Trade Practices (Consumer Product Safety Standard) (Motor Vehicle Recovery Straps) Regulations 2010* could in 2017 be viewed on the Federal Register of Legislation website (<https://www.legislation.gov.au>).

- (2) This Division is repealed at the end of the last day of the transitional period.

## **Schedule 1—Repeals**

### ***Trade Practices (Consumer Product Safety Standard) (Motor Vehicle Recovery Straps) Regulations 2010***

#### **1 The whole of the instrument**

Repeal the instrument.

Note: Under item 4 of Schedule 7 to the *Trade Practices Amendment (Australian Consumer Law) Act (No. 2) 2010*, the *Trade Practices (Consumer Product Safety Standard) (Motor Vehicle Recovery Straps) Regulations 2010* continued in force from the start of 1 January 2011 as if they were a safety standard made under section 104 of the Australian Consumer Law.