

CONSUMER AFFAIRS

Implementing and Enforcing Mandatory Standards

This fact sheet has been produced to provide consumers and traders with a better understanding of the implementation and enforcement of mandatory standards.

Mandatory product safety standards are declared where products have been shown to present undue hazards. Product information standards are introduced where there is potential for consumer detriment in the absence of information about a product.

In declaring mandatory standards the Government provides protection for consumers by specifying minimum requirements that must be met before products are sold.

Mandatory standards are created in one of two ways:

- The Northern Territory Government may introduce a mandatory safety standard applicable only in the Territory under the *Consumer Affairs and Fair Trading Act*, or
- The Commonwealth Government may introduce a mandatory safety standard under the *Trade Practices Act 1974* which is applicable Australia-wide.

Consumer Affairs and the Australian Competition and Consumer Commission (ACCC) work closely in the development and review of these mandatory standards, and in ensuring high levels of compliance.

TWO TYPES OF MANDATORY STANDARDS

There are two types of mandatory standards:

- **Safety Standards:** These require goods to comply with particular performance, composition, contents, methods of manufacture or processing, design, construction, finish or packaging rules (e.g. construction of toys for children under three years).
- **Information Standards:** These require prescribed information to be given to consumers when they purchase specified goods (e.g. labelling for tobacco products and garments).

Where an existing standard is available, such as a published Australian Standard, this is used as the basis for the mandatory standard. The mandatory standard (as declared in the relevant government gazette notice) specifies the goods covered and may vary the published standard. In cases where there is no existing standard available, the mandatory standard is created by regulation.

Compliance with consumer product safety and information standards is mandatory and responsibility for compliance rests with suppliers.

CURRENT MANDATORY STANDARDS

The Northern Territory has introduced mandatory product safety standards for baby walkers and bunk beds. The Commonwealth government has introduced a vast range of mandatory standards which apply to products ranging from child restraints to disposable cigarette lighters to flotation toys and swimming aids for children.

A full list of the Commonwealth mandatory product safety and information standards currently in force is available at www.accc.gov.au.

Copies of all mandatory product safety and information standards are available from Consumer Affairs or the ACCC offices. Other relevant information about product safety issues can be obtained from the Consumer Affairs website or by phoning 1800 019 319.

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