

Reprint
as at 18 April 2017



**Product Safety Standards (Children's Nightwear and
Limited Daywear Having Reduced Fire Hazard)
Amendment Regulations 2009**
(SR 2009/52)

Product Safety Standards (Children's Nightwear and Limited Daywear Having Reduced Fire Hazard) Amendment Regulations 2009: revoked (after expiring on 1 July 2009), on the close of 17 April 2017, pursuant to regulation 7 of the Product Safety Standards (Children's Nightwear and Limited Daywear Having Reduced Fire Hazard) Regulations 2016 (LI 2016/58).

Anand Satyanand, Governor-General

Order in Council

At Wellington this 23rd day of March 2009

Present:

His Excellency the Governor-General in Council

Pursuant to section 29 of the Fair Trading Act 1986, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, and on the recommendation of the Minister of Consumer Affairs, makes the following regulations.

Contents

		Page
1	Title	2
2	Commencement	2

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

These regulations are administered by the Ministry of Business, Innovation, and Employment.

r 1

3	Expiry	2
4	Principal regulations amended	2
5	New regulation 8 inserted	2
	8 Additional transitional variations to product safety standard	2
6	New Schedule 2 added	3
	Schedule	3
	New Schedule 2 added	

Regulations

1 Title

These regulations are the Product Safety Standards (Children's Nightwear and Limited Daywear Having Reduced Fire Hazard) Amendment Regulations 2009.

2 Commencement

These regulations come into force on 1 April 2009.

3 Expiry

These regulations expire on the close of 30 June 2009.

4 Principal regulations amended

These regulations amend the Product Safety Standards (Children's Nightwear and Limited Daywear Having Reduced Fire Hazard) Regulations 2008.

5 New regulation 8 inserted

The following regulation is inserted after regulation 7:

8 Additional transitional variations to product safety standard

- (1) On and after 1 April 2009 until the close of 30 June 2009,—
 - (a) a person must comply with either regulation 5 or this regulation; and
 - (b) compliance with either regulation is compliance with the other regulation.
- (2) AS/NZS 1249:2003 (with the variations set out in Schedule 1 and the further variations set out in Schedule 2) is a product safety standard for the goods to which these regulations apply for the purposes of section 29 of the Fair Trading Act 1986.
- (3) This regulation and Schedule 2 expire on the close of 30 June 2009.

6 New Schedule 2 added

The schedule set out in the Schedule of these regulations is added as Schedule 2.

**Schedule
New Schedule 2 added**

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**Schedule 2
Additional transitional variations to AS/NZS 1249:2003**

r 8

Provision	Variations
Clause 5.2	Add "(except as set out in Clause 5.7)" after "the following information".
Clause 5.3	Add "(except as set out in Clause 5.7)" after "shall apply".
Clause 5.4	Add "(except as set out in Clause 5.7)" after "shall apply".
Clause 5.5(i)	Add "(except as set out in Clause 5.7)" after "as specified in NZS 7702".
New clause 5.7	Add: "5.7 TRANSITIONAL FIRE HAZARD LABEL REQUIREMENTS FOR CATEGORY 2 AND 3 GARMENTS A Category 2 or 3 garment need not have a label complying with Clauses 5.2(c), 5.3(a), and 5.4, or in the light orange specified in NZS 7702 (see Clause 5.5(i)), but instead may have an adhesive label (to which the rest of this Section applies) if— " (a) the fire hazard wording for the category, as shown in Table 5.1, is clearly marked on the adhesive label and that label is firmly adhered to the garment at all times when the garment is offered for retail sale; and " (b) that adhesive label is located on the front and outside of the garment, as close as possible to the top and centre of the garment as its design allows; and " (c) that adhesive label is a light orange colour; and " (d) any other fire hazard information on any other label is permanently erased (or the label is permanently removed from the garment); and " (e) there is a sign that is clearly and prominently placed close to the display of the garments for retail sale that— " (i) explains that new fire hazard labels are required on and from 1 April 2009, but that until 1 July 2009 an adhesive label may be used for some garments (which should be removed before washing) instead of a sewn-in label; and " (ii) gives brief advice on the effect of the new fire hazard label and on how to reduce fire hazard risks."

Rebecca Kitteridge,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 26 March 2009.

Reprints notes

1 *General*

This is a reprint of the Product Safety Standards (Children's Nightwear and Limited Daywear Having Reduced Fire Hazard) Amendment Regulations 2009 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Product Safety Standards (Children's Nightwear and Limited Daywear Having Reduced Fire Hazard) Regulations 2016 (LI 2016/58): regulation 7

Product Safety Standards (Children's Nightwear and Limited Daywear Having Reduced Fire Hazard) Amendment Regulations 2009 (SR 2009/52): regulation 3