

**Reprint
as at 1 July 2013**



**Microwave Ovens Regulations
1982
(SR 1982/221)**

David Beattie, Governor-General

Order in Council

At the Government Buildings at Wellington this 27th day of
September 1982

Present:

The Right Hon R D Muldoon presiding in Council

Pursuant to section 119(d) of the Health Act 1956, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

Contents

		Page
1	Title and commencement	2
2	Interpretation	2

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

These regulations are administered by the Ministry of Health.

3	Restrictions on sale and use of microwave ovens by manufacturers and importers	3
4	Servicing of microwave ovens	4
5	Offences	4
6	Existing microwave ovens	5
	Schedule	5

Regulations

1 Title and commencement

- (1) These regulations may be cited as the Microwave Ovens Regulations 1982.
- (2) These regulations shall come into force on 1 April 1983.

2 Interpretation

In these regulations, unless the context otherwise requires,—
cavity, in relation to a microwave oven, means that area of the oven in which the microwave field is enclosed and confined
interlock, in relation to a microwave oven, means a component or set of components that prevents the generation of microwave power when access to the cavity of the oven is possible

microwave means an electromagnetic wave with a frequency in the range of 3×10^2 to 1×10^5 megahertz

microwave oven means an appliance that—

- (a) is designed to supply microwave energy to material within a cavity; and
- (b) is or is likely to be commonly used for the cooking or heating of food for immediate consumption

sell includes hire, lease, lend, and give

use means operate for any purpose other than the carrying out of any test required by these regulations.

3 Restrictions on sale and use of microwave ovens by manufacturers and importers

- (1) This regulation applies to every person who manufactures or imports a fully assembled microwave oven, or who completes the assembly of such an oven.
- (2) No person to whom this regulation applies shall sell any microwave oven nor, while he is in possession of such an oven, permit any person to use it, unless—
 - (a) the oven is so constructed that—
 - (i) it does not, when new and containing a centrally positioned test load of 0.275 ± 0.015 litres of water at an initial temperature of $20 \pm 10^\circ\text{C}$, emit microwave radiation at a power density exceeding 10 Wm^{-2} (averaged over an area of $2 \times 10^{-3}\text{m}^2$) at any distance of 50 or more millimetres from the external surface of the oven; and
 - (ii) it will not thereafter emit radiation at a power density exceeding 50 Wm^{-2} for the test conditions, and at any distance, described in subparagraph (i); and
 - (b) the oven incorporates at least 2 electrically and mechanically independent interlocks in such a manner that—
 - (i) at least 1 is concealed from the view of, and protected from ready access by, any person using the oven; and
 - (ii) the door will not open while the power supply is connected to the microwave generator; and
 - (iii) the microwave generator cannot be switched on while the door is open; and
 - (c) there is permanently attached to the oven a notice which—
 - (i) is in the form set out in the Schedule; and
 - (ii) is readily visible to any person using the oven; and
 - (d) the covering or baffle arrangement over any viewing screen, vent, or access port in the cavity wall will prevent insertion of any object into the cavity while the microwave generator is operating.

- (3) Without limiting subclause (2), no person to whom this regulation applies shall sell any microwave oven unless—
- (a) a person who is competent to do so has inspected the oven and verified, by measurement where appropriate, that the microwave oven complies with the requirements of subclause (2); and
 - (b) he supplies to the purchaser a certificate, signed by the person who conducted the inspection under paragraph (a), stating that the oven complies with the requirements of subclause (2); and
 - (c) he is satisfied that the services of a person who is competent to repair and maintain the oven are, and are likely to continue to be, available to the purchaser.

4 Servicing of microwave ovens

- (1) Every person who accepts any microwave oven for the purpose of repair or maintenance shall use his best endeavours (including verification by measurement where appropriate) to ensure that on completion of the repair or maintenance work the oven complies with the requirements of regulation 3(2).
- (2) If any person to whom subclause (1) applies is unable to bring the oven up to the standard required by regulation 3(2), he shall, on returning the oven to the owner, issue to the owner a written warning to the effect that the oven does not comply with the requirement or requirements of that regulation specified in the warning.

5 Offences

- (1) Every person commits an offence against these regulations who—
- (a) acts in contravention of or fails in any respect to comply with any provision of regulation 3 or regulation 4 or regulation 6(2); or
 - (b) makes any statement (whether in a certificate or not and whether in writing or not) to any person for the purposes of these regulations which he knows to be false at the time of making the statement.
- (2) Every person who commits an offence against these regulations is liable on conviction to a fine not exceeding \$500 and,

if the offence is a continuing one, to a further fine not exceeding \$50 for every day on which the offence has continued.

Regulation 5(2): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

6 Existing microwave ovens

- (1) In this regulation **existing microwave oven** means a microwave oven—
 - (a) that was manufactured in, or imported into, New Zealand before 1 April 1983; or
 - (b) all the components of which were manufactured in, or imported into, New Zealand before that date.
- (2) No person who manufactured or imported an existing microwave oven shall sell the oven nor, while he is in possession of it, permit any person to use it unless it is so constructed that it will not emit radiation at a power density exceeding 50 Wm^{-2} for the test conditions, and at any distance, described in regulation 3(2)(a)(i).
- (3) Subject to subclause (2), regulation 3 does not apply in respect of existing microwave ovens.
- (4) Except as provided in subclause (3), these regulations apply to existing microwave ovens.

Schedule

r 3(2)(c)(i)

CAUTION MICROWAVES

DO NOT operate this oven if the door is bent, warped or otherwise damaged and does not close firmly.

DO NOT tamper with the door safety interlocks.

MAINTENANCE should be carried out only by a qualified serviceman.*

*If this wording is inappropriate it may be suitably varied, but a clear warning against modifying the appliance to eliminate safety devices must be conveyed.

Note: Lettering shown in capitals shall be not less than 3 mm in height. Lettering shown in lower case shall be not less than 1.5 mm in height.

P G Millen,
Clerk of the Executive Council.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 30 September 1982.

Contents

- 1 General
 - 2 Status of reprints
 - 3 How reprints are prepared
 - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
 - 5 List of amendments incorporated in this reprint (most recent first)
-

Notes

1 *General*

This is a reprint of the Microwave Ovens Regulations 1982. The reprint incorporates all the amendments to the regulations as at 1 July 2013, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*

Criminal Procedure Act 2011 (2011 No 81): section 413
