



Bunks beds: complying with the mandatory standard

All bunk beds sold in Australia must meet the mandatory consumer product safety standard for bunk beds administered by the ACCC.

In place since 2002, this mandatory standard requires bunk beds sold in Australia to comply with the Australian/New Zealand Standard 4220: 1994, bunk beds (with variations).

Bunk beds have been associated with many injuries to children. Hazards include falling from the top bunk or small heads and limbs being trapped in the bed framework, often leading to serious or even fatal injuries.

Studies show that in Australia at least 3850 bunk bed-related injuries to children under 15 are treated every year by hospital emergency departments or by general practitioners. Of these cases, about 390 are estimated to result in hospital admission. Almost half of all bunk bed injury cases are in the five- to nine-year age group and, of these, at least 180 need to be admitted to hospital.

The mandatory standard requires bunk beds to comply with various design, performance and marking provisions, including requirements to:

- provide guardrails to sides* and ends, with a minimum vertical distance between the upper surface of the guardrail and the upper surface of the mattress base of 260 mm
- ensure there are no gaps that can be entrapment hazards
- ensure there are no protrusions of greater than 8 mm
- provide a label indicating the maximum mattress height on the upper bed where the height of the guardrails is less than 360 mm.

Many bunk bed-related injuries to children occur through play. The ACCC notes recent trends indicate an increased level of supply of novelty-style bunk beds that incorporate slides and play sets or bunks designed as, for example, a double-decker bus. Suppliers should note that while novelty-style bunk beds are required to comply with the mandatory standard, the ACCC discourages the supply of bunk beds that encourage play activities.

What should suppliers do?

It is the responsibility of all suppliers of bunk beds—including manufacturers, importers, distributors, hirers and retailers—to ensure that the goods they supply comply with the mandatory standard.

If you are unsure whether the goods you supply comply with the mandatory standard, you should obtain copies of:

- test certificates from suppliers/manufacturers of the bunk bed
- the Bunk Bed Consumer Protection Notice (No.1, 2003).

If necessary, you should have sample testing done.

If you are still unsure whether the goods you supply comply with the mandatory standard, you should withdraw your products from sale until their compliance with the mandatory standard can be confirmed.

Suppliers can obtain a copy of the bunk bed consumer protection notice from the ACCC Infocentre by calling **1300 302 502** or visiting the ACCC website (www.accc.gov.au).

Copies of AS/NZS 4220:1994, bunk beds (with variations) can be purchased from SAI Global by calling **131 242** or visiting its website (www.saiglobal.com).

Penalties

Suppliers should note that the ACCC regularly conducts random product safety surveys to ensure that products comply with relevant mandatory safety and information standards. Penalties under the *Trade Practices Act 1974* can be severe for suppliers, including importers and retailers, with courts able to impose fines of up to \$1.1 million for corporations and \$220 000 for individuals.

* Guardrails are essential, even on the wall side of the bunk, because children can slip between the bed and the wall.

ACCC contacts

ACCC Infocentre
1300 302 502

ACCC website
www.accc.gov.au

For all other business information go to www.business.gov.au.

Callers who are deaf or have a hearing or speech impairment can contact the ACCC through the National Relay Service www.relayservice.com.au.

TTY or modem users, phone 133 677 and ask for 1300 302 502.

Voice-only (speak and listen) users, phone 1300 555 727 and ask for 1300 302 502.

Publications to help businesses comply with the Trade Practices Act

The ACCC has a wide range of publications available to assist businesses understand their rights and obligations under the Act, including:

Advertising and selling

Small business and the Trade Practices Act

Summary of the Trade Practices Act

Publications can be ordered through the ACCC Infocentre or you can download electronic copies for free from the ACCC website.

Important notice

The information in this fact sheet is for general guidance only. It reflects the ACCC's view on what is required to comply with certain provisions of the *Trade Practices Act 1974*. It does not constitute legal advice and should not be relied on as a statement of the law relating to the Act. You should obtain legal advice if there is doubt about whether any conduct may breach the Act.

Other federal or state-based laws may impose additional requirements or responsibilities on your businesses when dealing with other businesses or consumers, beyond the requirements of the Trade Practices Act.