



Australian
Competition &
Consumer
Commission



Pedal bicycles

The *Trade Practices Act 1974* provides for the introduction of consumer product safety standards where such standards are reasonably necessary to prevent the risk of injury.

A revised consumer product safety standard for pedal bicycles became effective on 1 November 1999.

Compliance with consumer product safety standards is mandatory. This means that all suppliers of pedal bicycles — including manufacturers, distributors, importers and retailers — must ensure their bicycles comply with the mandatory requirements. Hire bicycles are not required to comply but hirers should conduct regular safety checks and maintain their bicycles in safe condition.



The consumer product safety standard (mandatory standard)

The revised mandatory standard is based on Australian/New Zealand Standard AS/NZS 1927:1998 *Pedal bicycles — Safety requirements*, published by Standards Australia.

Suppliers should be aware that although these new requirements took effect on 1 November 1999, the mandatory requirements based on AS 1927-1989 remain valid until 31 October 2000. This lead-in time is to allow existing complying stocks of bicycles to be sold.

While both standards will be valid until 31 October 2000, the Australian Competition and Consumer Commission (ACCC) encourages all suppliers to aim for compliance with the new requirements as soon as possible.

To aid compliance, suppliers are advised to read the new mandatory standard notice (included in this guide) in conjunction with AS/NZS 1927:1998. The Australian Standard is available for purchase from Standards Australia on free call 1300 65 46 46 or website: <http://www.standards.com.au>

Suppliers' responsibility

This guide provides an overview of the mandatory requirements for bicycles based on AS/NZS 1927:1998. It aims to increase supplier understanding of the coverage and application of the mandatory standard.

The guide is of a general nature and there may be important qualifications or exceptions to the mandatory standard that it does not cover. Therefore suppliers should always seek professional advice to ensure their product complies with the mandatory requirements.

Suppliers are responsible for ensuring their pedal bicycles meet the safety standard.

Coverage of the mandatory standard

The requirements of the mandatory standard apply to all manually powered bicycles including fully assembled and partially assembled bicycles.

To determine if a bicycle comes within the category of a partially assembled bicycle, suppliers should refer to clause 1.4.6 of AS/NZS 1927:1998.



Exclusions

Bicycles excluded from the mandatory standard include:

- bicycles having a wheelbase* of less than 640 mm;
- bicycles which are designed and intended for use as a competitive bicycle having single crank-to-wheel ratio and no free-wheeling feature between the pedal and the front wheel;
- one of a kind bicycles, being bicycles that are uniquely constructed to the order of an individual consumer;
- bicycles which are designed to be hinged or folded, or taken apart beyond removal of the front wheel, for ease of storage or portability;
- tandem bicycles;
- power assisted bicycles; and
- bicycles showing signs of appreciable wear or second-hand bicycles.

Requirements of the mandatory standard

To comply with the mandatory standard bicycles must meet requirements for marking, labelling, instructions, design and performance.

Marking

Bicycles are to be permanently and legibly marked with the name and address in Australia of either the manufacturer, importer or other supplier and the identification number of the bicycle.

Specific marking requirements can be found in clause 1.5 of AS/NZS 1927:1998.

Labelling

Informative labelling is required where bicycle components need to be either adjusted, or attached and adjusted. Clauses 1.6.2, 1.6.3 and 1.6.4 of AS/NZS 1927:1998 detail the circumstances for which a warning statement must be provided and specify the wording and positioning of the label.

* The wheelbase is the distance between the centres of the front and back axles. For an adjustable wheelbase the measurement is taken from the centre of the front axle to the centre of the back axle in the central position of possible adjustment.



Bicycles styled or constructed to look similar to off-road or stunt bicycles (e.g. 'BMX', 'mountain' bikes) but are not so suited must be labelled accordingly. Clause 1.6.5 details the warning requirements including wording and label positioning.

Instructions

Bicycles must be supplied with use and maintenance instructions. For bicycles that are partially assembled simple, clear and adequate instructions for completing the assembly are also required.

Specific requirements for instructions can be found in clause 1.7 and Appendix A of AS/NZS 1927:1998.

Design requirements

Section 2 of AS/NZS 1927:1998 sets out the requirements for bicycle design.

These requirements apply to fully assembled bicycles. Partially assembled bicycles are also subject to these requirements and must be fully assembled in accordance with the manufacturer's instructions before being tested for compliance.

The requirements cover:

- sharp edges
- fasteners
- projections
- control cables
- ground clearance
- toe clearance
- wheels
- protective guards
- drive chain
- pedals
- steering systems
- seat pillar
- braking systems
- reflectors
- warning device
- lighting equipment (where fitted)

The mandatory standard requires that a child's bicycle (wheelbase between 640 mm and 765 mm) be equipped with no fewer than two braking systems one of which must be a back-pedal brake.

Clause 2.14 of AS/NZS 1927:1998 provides details for all braking systems including back-pedal systems and hand brakes.

A checklist for retailers, which covers information and design requirements, is included in this guide.



Performance requirements

The mandatory standard requires that both fully assembled bicycles and individual sub-assemblies meet performance requirements.

Partially assembled bicycles are also subject to the same performance requirements as fully assembled bicycles. The bicycle must be fully assembled in accordance with the manufacturer's instructions before being tested for compliance.

Fully assembled bicycles

Fully assembled bicycles must comply with requirements in section 3 of AS/NZS 1927:1998. These requirements set performance levels for:

- roadworthiness
- steering stability
- seat pillar and seat adjustment clamp strength
- braking

Section 3 also sets performance requirements for the assembly instructions of partially assembled bicycles.

Subassemblies

Subassemblies must comply with requirements in section 4 of AS/NZS 1927:1998. These requirements set performance levels for:

- wheel
- handlebar assembly
- front fork
- drive chain
- pedal
- brake friction pads
- fork and frame assembly

A subassembly that has been used for testing compliance with the requirements of section 4 must not be used in the manufacture of bicycles for supply to consumers.

Retailer information

Retailers have a responsibility to ensure that the goods they stock meet mandatory safety standards. To aid compliance retailers should always:

- stipulate that the goods they order meet the mandatory standard; and
- undertake visual checks to ensure compliance with the more obvious requirements.

The 'Checklist' section of this guide is provided to help retailers visually assess bicycles. The checklist may be copied as necessary.



The ACCC's role

The ACCC is responsible for enforcing mandatory consumer product safety and information standards.

Because injury prevention is better than cure, the ACCC attaches great importance to promoting compliance with the safety provisions as well as to remedial enforcement action.

It conducts random surveys of retail outlets throughout Australia to detect non-complying products, assess the overall level of marketplace compliance and liaise with suppliers. It also investigates allegations by consumers and suppliers about non-complying goods.

The ACCC frequently seeks the immediate withdrawal of defective goods from sale and recall of the goods. Other remedies available to the ACCC include injunctions, damages, a requirement for corrective advertising and various ancillary orders.

Penalties

Supplying goods that do not comply with a mandatory standard is an offence under the Trade Practices Act and may result in fines of up to \$200 000 for corporations and \$40 000 for individuals.

Product liability

Part VA of the Trade Practices Act contains provisions on product liability. Under the provisions consumers are able to seek compensation or damages for personal injury or other loss caused by a defective product.

Goods will be considered defective 'if their safety is not such as persons generally are entitled to expect'. This is an objective measure of expectations of the general public and not of one individual.

Generally it is manufacturers or importers of products that are liable under Part VA. However, in instances where other suppliers such as retailers cannot identify the manufacturer, they may be deemed liable for the damages.



Suppliers may reduce their exposure to product liability action through responsible and sensible business practices that include:

- regularly reviewing product design and production;
- implementing and reviewing quality assurance procedures;
- product testing to relevant standards;
- appropriate marketing; and
- providing clear and thorough user instructions.

Other legislation

A State or Territory may have its own product safety standards. For information about State and Territory laws suppliers should contact the relevant consumer affairs or fair trading agency.

ACCC website

Information on product safety and standards is available on the ACCC website: <http://www.accc.gov.au>

The site is regularly updated with news on mandatory standards, bans and recalls. Product safety media releases and links to other useful websites are also available.



Checklist

Marking

Is the bicycle permanently marked with:

- the name and address in Australia of the manufacturer, importer or other supplier; and
- the identification number of the bicycle either stamped or engraved on the frame?

Informative labelling

If the bicycle is supplied:

- fully assembled but with the handlebars misaligned is there a cautionary label on the handlebars advising that adjustment is required?
- with misaligned handlebars and detached pedals is there a cautionary label advising that attachment and adjustment is required?

For all other partially assembled bicycles:

- does the consumer package have the following warning in bold capital letters 15 mm high?

THIS IS A PARTIALLY ASSEMBLED BICYCLE REQUIRING THE ATTACHMENT OF THE FOLLOWING PARTS IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS

- is the warning followed by a list in lettering at least 10 mm high of the detached components and the tools necessary for proper assembly and adjustment, including a recommendation that a torque wrench be used?
- does each detached component or the consumer package of the partially assembled bicycle contain the following warning, with the word 'warning' in 20 mm high capitals and the remaining words no lower than 10 mm?

WARNING: IN THE INTERESTS OF SAFETY IT IS RECOMMENDED THAT YOU HAVE THIS BICYCLE ASSEMBLED BY A SKILLED BICYCLE MECHANIC

If the bicycle is styled like a BMX off-road or stunt bicycle but not actually suited for that purpose, does the bicycle bear the following warning on an adhesive label in a prominent position in capital letters at least 3mm high?

WARNING: THIS BICYCLE IS NOT DESIGNED FOR OFF-ROAD USE OR FOR STUNTING



Instructions

Is the bicycle supplied with an owner's manual containing instructions for use and maintenance?

If the bicycle is partially assembled, does its instruction manual also include assembly instructions?

Sharp edges

Are all parts of the bicycle that could come into contact with the rider's hands or legs free from sharp edges?

Are the following free from sharp edges:

- each end of the front mudguard;
- rear end of the rear mudguard;
- each end of the chain guard; and
- end of the kickstand?

Control cables

Are the control cables (brake and gear) fitted with end protectors to stop them unravelling?

Wheels and tyres

Are the wheels secured to the frame with a positive locking device? Are the locking nuts securely tightened?

If fitted with a quick-release device:

- is it adjustable to allow setting for tightness; and
- does the form and marking of the device clearly indicate the open and locked positions?

Are the tyres marked with the manufacturer's recommended inflation pressure in kilopascals (lettering must be at least 3 mm high)?

If the inflation pressure is in units other than kilopascals, is the kilopascal equivalent given in the instruction manual?

Protective guards

For a child's bike (wheelbase of between 640–765 mm) does the guard enclose the chainwheel and upper run of the chain?

For all other bicycles, is the upper junction of the chain and chainwheel guarded?



Is the chainguard able to be removed only with the use of a tool?

If derailleur gears are fitted to the rear wheel, has a protective guard been fitted?

Pedals

Is there tread on both surfaces of the pedal?#

If the pedal is designed only for use with toe clips are they fitted to the pedal?

Handle bars (steering system)

Are the ends of the handlebars securely capped or covered by other end-mounted devices?

Are the handgrips secure?

Does the handlebar stem have either a permanent ring/mark to indicate the minimum insertion depth or a positive and permanent way to ensure minimum depth insertion?

Seat pillar

Does the seat pillar have a permanent mark or ring indicating minimum insertion depth?

Brakes

There must be at least two brakes fitted, one on the front wheel the other on the back.

For hand brakes:

- does the right lever connect to the front brake and the left to the rear; and
- are they in a position accessible to a rider in the normal riding position?

If the bicycle is for a child, is it fitted with a back-pedal brake?

Are the brake friction pads securely attached to the backing plate or holder and, when applied, do they contact only the wheel rim?

If the bike has cantilever brakes does it have a safety device fitted to prevent the stirrup cable from contacting the tyre?

Note: If the pedal has a definite preferred position, tread is only needed on the upper side. Tread is not necessary on pedals designed to be used only with toe clips but if toe clips are optional the pedal surfaces must have tread.



Reflectors

A bicycle must be fitted with reflectors that comply with Australian Standard AS 2142, Reflectors for pedal bicycles.

Is the bicycle fitted with:

- at least one rear red reflector;
- at least one yellow reflector to each wheel and visible from each side;
- yellow reflectors on the front and rear sides of the pedals; and
- at least one white front reflector?

Bell (warning device)

Is a bell or suitable audible warning device fitted?

Lighting

Where lights are fitted, do they meet the Australian Standard AS 3562, *Lighting equipment for bicycles*?

Alternatively, do the lights meet the requirements permitted by a relevant regulatory authority, such as the local road traffic authority?



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SPECIAL

COMMONWEALTH OF AUSTRALIA

Trade Practices Act 1974

Consumer Protection Notice No. 8 of 1999

CONSUMER PRODUCT SAFETY STANDARD:

PEDAL BICYCLES

I. JOSEPH BENEDICT HOCKEY, Minister for Financial Services and Regulation, pursuant to section 65E of the *Trade Practices Act 1974*, hereby:

- (a) REVOKE the consumer product safety standard in respect of Pedal Bicycles published in Gazette No. GN 59 of 21 December 1994.
- (b) DECLARE that:
 - (i) in respect of the goods specified in Division 1 of the Schedule to this Notice, those standards approved by the Standards Association of Australia specified in Division 2 of the Schedule as amended by the variations specified in Division 3 of the Schedule, are consumer product safety standards for the purposes of section 65C of the *Trade Practices Act 1974*;
 - (ii) the first mentioned standard in Division 2 of the Schedule to this Notice comes into effect on the day this Notice is published in the Commonwealth Gazette and will cease to have effect on 31 October 2000; and
 - (iii) the second mentioned standard in Division 2 of the Schedule to this Notice comes into effect on 1 November 1999 and will cease to have effect on 31 October 2004.

Note:

The older version of the Australian Standard is included to allow time for existing stocks of bicycles to be sold. Manufacturers and importers are strongly advised to ensure that their product range complies with the most recent version of Australian Standards listed in this product safety standard.

THE SCHEDULE

Division 1: Particulars of Goods

Pedal bicycles, including fully assembled or partially assembled bicycles, but not including the following:

- 1) bicycles having a wheel base of less than 640mm;
- 2) bicycles which are designed and intended for use as a competitive bicycle having single crank-to-wheel ratio and no free-wheeling feature between the pedal and the front wheel;
- 3) one of a kind bicycles, being bicycles that are uniquely constructed to the order of an individual consumer;
- 4) bicycles which are designed to be hinged or folded, or to be taken apart beyond removal of the front wheel, for ease of storage or portability;
- 5) tandem bicycles;
- 6) power assisted bicycles; and
- 7) bicycles showing signs of appreciable wear or second hand bicycles.

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**Division 2: The Standard**

Either:

- (a) Australian Standard *AS 1927-1989 Pedal bicycles for normal road use—Safety requirements* approved by the Standards Association of Australia on 9 March 1989 and published on 19 May 1989;

Or:

- (b) Joint Australian and New Zealand Standard *AS/NZS 1927: 1998 Pedal bicycles—Safety requirements* published by the Standards Association of Australia and Standards New Zealand on 5 September 1998.

Division 3: Variations*AS 1927-1989 Pedal bicycles for normal road use—Safety requirements.*

AS 1927-1989 as specified in Division 2 (a) is varied by:

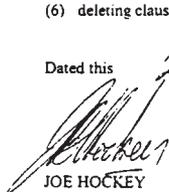
- (1) deleting clause 1.2;
- (2) deleting clause 1.5(a) and substituting:
"The registered name and address of the Australian manufacturer or assembler or the registered name and address of the Australian distributor of the pedal bicycle";
- (3) deleting from clauses 1.1, 2.1, 3.1, and 4.1 the word "sale" and substituting in each case the word "supply"; and
- (4) deleting from clause 2.14.2.8 the word "provided" and substituting the word "fitted".

AS/NZS 1927: 1998 Pedal bicycles—Safety requirements.

AS/NZS 1927:1998 as specified in Division 2 (b) is varied by:

- (1) deleting clause 1.2;
- (2) deleting from clause 1.3 the words "New Zealand Traffic Regulations 1976";
- (3) deleting from clause 1.5 (a) the words "or New Zealand";
- (4) deleting clause 2.15.1;
- (5) deleting from clause 2.16 the words "Note: There is no regulatory requirement in New Zealand for a warning device to be fitted to a bicycle."; and
- (6) deleting clause 2.17.1.

Dated this 25th day of August 1999.


 JOE HOCKEY
 Minister for Financial Services and Regulation



Mandatory standards and bans under the Trade Practices Act as at January 2000

Mandatory standards

- Balloon-blowing kits
- Bean bags
- Bicycles
- Bicycle helmets
- Child restraints for motor vehicles
- Children's nightwear — flammability
- Clothing and textile products — care labelling
- Cosmetics and toiletries
- Cots for household use
- Disposable cigarette lighters
- Elastic luggage straps
- Exercise cycles
- Fire extinguishers (portable)
- Flotation toys and swimming aids for children
- Jacks, including trolley jacks
- Motorcycle helmets
- Paper patterns for children's nightwear
- Ramps for motor vehicles
- Sunglasses and fashion spectacles
- Support stands for motor vehicles
- Tobacco products
- Toys for children under 3

Permanent bans

- 'Diveman' underwater breathing apparatus
- Gas masks which contain asbestos
- Glucomannan in tablet form
- 'Quickie' line release system
- Seat belt accessories, including 'Klunk Klip', 'Comfix', 'Auto Comfort'
- Sun visors including 'Autotrend Sun Filter' and similar internal visors
- Tobacco products (smokeless)
- Victim toys

Interim bans

- Candles with lead wicks

Further details on the mandatory standards and bans can be obtained from ACCC offices.

ACCC website

Updates on product safety and standards can be obtained from the ACCC website:
<http://www.accc.gov.au>



ACCC contacts

ACT (National Office)

Tel: (02) 6243 1111
Fax: (02) 6243 1199

New South Wales

Tel: (02) 9230 9133
Fax: (02) 9223 1092

Tamworth

Tel: (02) 6761 2000
Fax: (02) 6761 2445

Queensland

Tel: (07) 3835 4666
Fax: (07) 3832 0372

North Queensland

Tel: (07) 4729 2666
Fax: (07) 4721 1538

South Australia

Tel: (08) 8213 3444
Fax: (08) 8410 4155

Tasmania

Tel: (03) 6215 9333
Fax: (03) 6234 7796

Victoria

Tel: (03) 9290 1800
Fax: (03) 9663 3699

Western Australia

Tel: (08) 9325 3622
Fax: (08) 9325 5976

Northern Territory

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Fax: (08) 8946 9600

