

THE REGULATION ZONE

**Toys 0 - 36 months Regulation
Industry Awareness Update
September 2023**





BREAKING NEWS - A new mandatory toy safety standard for children up to and including 36 months announced.

- The honorable Stephen Jones, Assistant Treasurer and Minister for Financial Services on the 29th of August 2023 approved the following safety standard, the ***Consumer Goods (Toys for Children up to and including 36 Months of Age) Safety Standard 2023***.
- The new regulatory instrument commenced on the 5th of September 2023.

The new Australian toy safety regulation - a global game changer!

The regulation recognises not one, not two, but FOUR leading global standards for children's toy safety.

Here's what you need to know: the four standards now recognised includes: -

- Australian standard AS/NZS ISO 8124.1:2023: Safety of toys – Part 1: Safety aspects related to mechanical and physical properties.
- International (ISO) standard ISO 8124-1:2022: Safety of toys – Part 1: Safety aspects related to mechanical and physical properties.
- European (EN) standard EN 71-1:2014 + A1:2018: Safety of toys – Part 1: Mechanical and physical properties.
- American (ASTM) standard ASTM F963-17: Standard Consumer Safety Specification for Toy Safety.

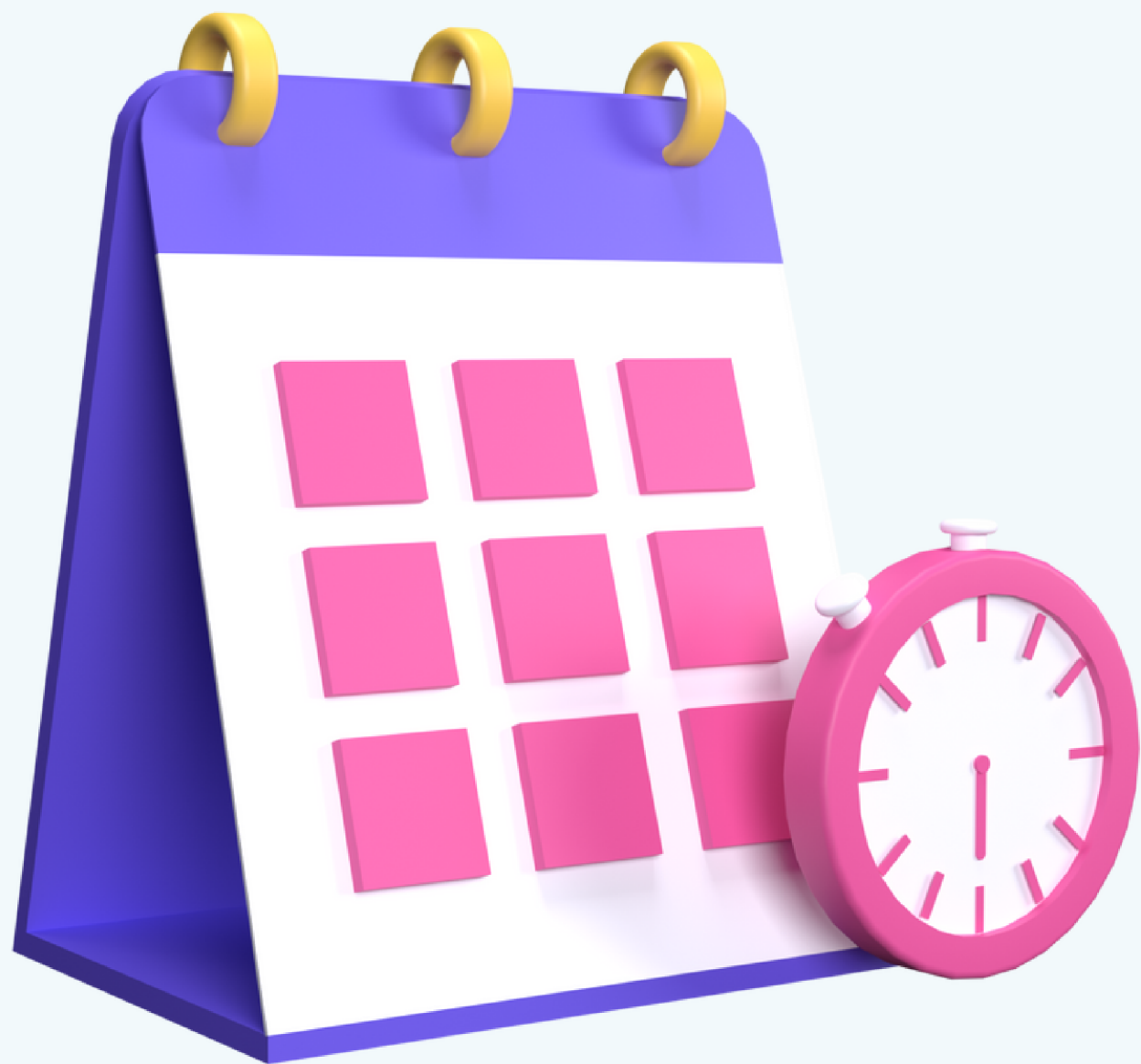


Just a minute, there's more!



The mandatory standard now also requires toys for children up to and including 36 months of age containing any type of battery that fits wholly within the small parts cylinder, as referenced by ISO 8124.1: 2014 clause 5.2, to have the battery compartment secured in such a way that it can only be accessed by using a tool. This is based on the potential harm that can come from accessible batteries and posing a choking hazard.

These requirements are in addition to the four Button Battery safety and information standards that became mandatory on the 22nd of June 2022.



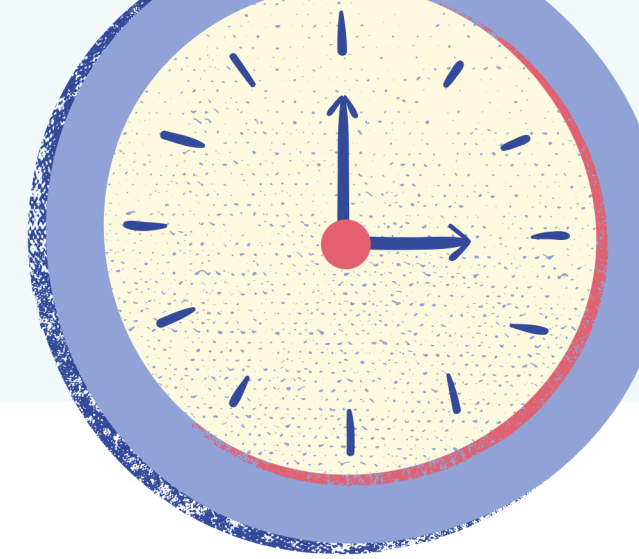
Hang on, there is a transition period.

The transitional period means the period of 18 months beginning on the day the instrument commenced, meaning that all toys covered by these new safety standards must comply with the standards by no later than the 4th of March 2025.

Any toys still in the supply chain including at retail must comply by this date or the toys can no longer be offered for sale.

- 29th of August 2023 the new legislation was signed.
- 5th of September 2023 the new regulation commenced.
- 4th of March 2025 the transition period ends, game on.

THE CLOCK IS RUNNING, DON'T ALLOW THE TIME TO RUN OUT ON YOU.



The mandatory product safety standards apply to all toys for children up to and including 36 months, any toys within the supply chain must comply the 5th of March 2025 or suppliers may face fines and penalties for non-compliance!

Suppliers, sellers & retailers must NOT supply non-compliant toys from this date.

Penalties for non-compliance may include:

- Infringement notices
- Recalls
- 87B Undertakings
- Possible financial remedies

A supplier may be found guilty of a criminal offence if they fail to comply with a mandatory safety or information standard.

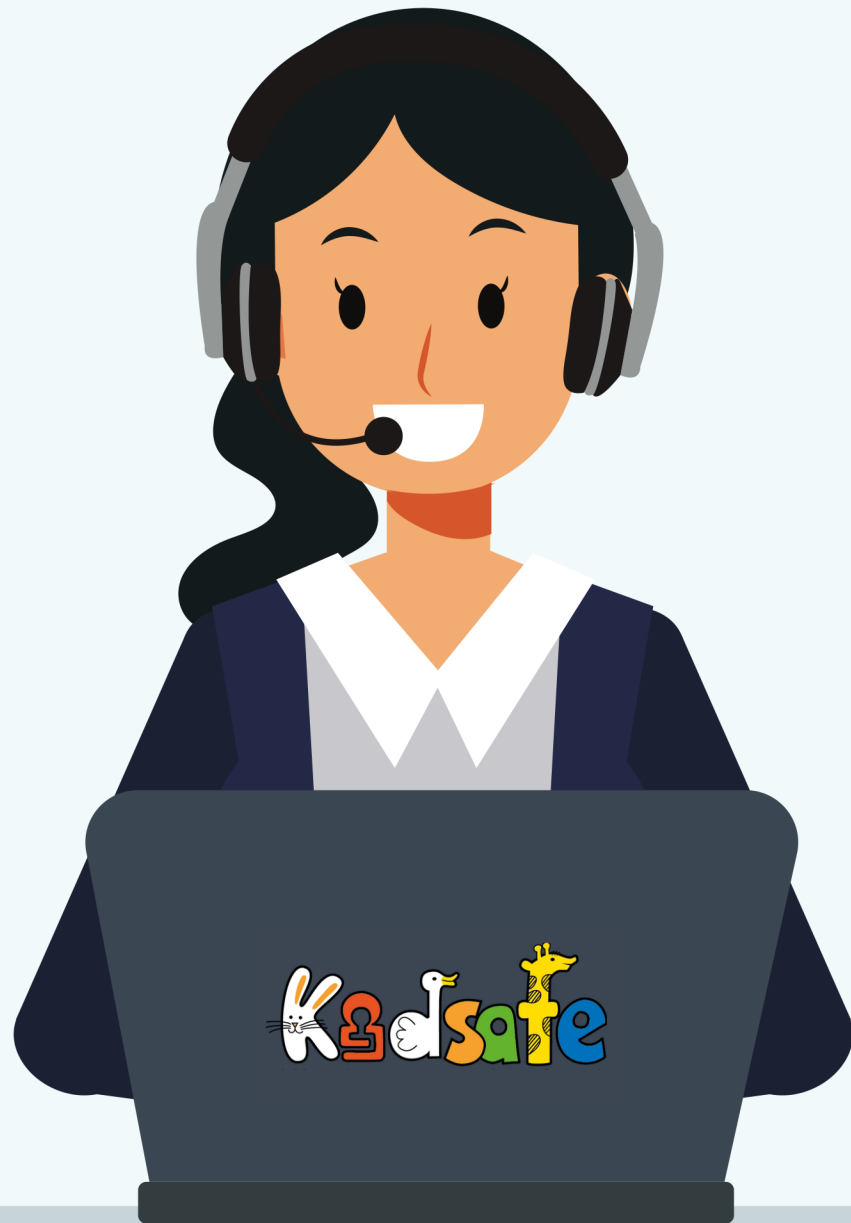
The maximum fines include:

- \$500 000 for individuals

For a body corporate, the greater of:

- \$10 000 000
- Three times the value of the benefit received, or
- 10% of annual turnover in the preceding 12 months, if a court cannot determine the benefit obtained from the offence.

HOW CAN KIDSAFE VICTORIA HELP?



Kidsafe Vic can help your team understand the requirements - we can virtually walk you through these.



We can provide guidance on the testing pathways - we can help you build a suitable program for testing externally that will demonstrate compliance.



Kidsafe Vic can conduct an independent audit of your product range - this could include a desktop sweep of your online or marketplace platform.



We can provide an initial product and test report review to give you an unbiased view of how your product/s stack up.



**Need help? Looking for an external consultancy
specialising in child product safety?**

Contact us today

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