Product safety

Corded internal window coverings
Supplier guide
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Corded internal window coverings

What is this guide about?

Under the Australian Consumer Law (ACL), mandatory consumer product safety standards are introduced when considered reasonably necessary to prevent or reduce the risk of injury to a person. This guide provides a summary of the requirements for the supply of corded internal window coverings.

A full list of mandatory standards and bans is available from pages 21–23.

Who should read this guide?

Suppliers of corded internal window coverings should read this guide to familiarise themselves with the hazards of and the mandatory requirements for these products.

What are corded internal window coverings?

Under the mandatory standard, corded internal window coverings are window coverings that can be used inside a building and are either:

- window coverings, such as curtains or blinds, with a cord
- fittings used with a window covering which have a cord (e.g. traverse rods or tracks).
Examples of window coverings

Venetian blind

Roman blind
Curtains
What are the hazards?

Fifteen Australian children have died since the early 1990s after being strangled by blind or curtain cords, and 200 children died in the USA between 1991 and 2005 after being strangled by blind or curtain cords. These figures are considered to be conservative.

The ACCC has identified a major hazard associated with blind and curtain cords.

**Strangulation**

Children can become entangled in blind or curtain cords if they try to use, play with or play around window coverings. Even where windows are set high into the wall, children can climb onto window sills or furniture to access the cords on the window coverings. Cords or looped cords that become tangled around a child’s neck can very quickly lead to strangulation.

Loose cords can also strangle infants sleeping or playing in cots placed near a window where cords are within reach or hanging into the cot.

**Examples of hazardous situations**
Mandatory standard


Meeting mandatory requirements

To comply with the mandatory standard for corded internal window coverings, suppliers must meet all the requirements for design, construction and marking. The following are some key requirements of the mandatory standard.

Design and construction

Cord guide

A cord guide is a device designed to retract, tension or secure a cord. If a cord guide is supplied with a corded internal window covering, the supplier needs to ensure that the cord guide is designed:

- to remain firmly attached to a wall or other structure and be able to withstand a tension force of 70 Newtons (N) applied in any direction for 10 seconds (note: a force of 70 N is approximately equal to a 7 kg object being pulled down by the Earth’s gravity)
- to prevent the possibility of a cord forming a loop of 220 mm or longer at a height less than 1600 mm above the floor.

Labelling and instructions

A corded internal window covering must come with all of the following:

- a warning label on any retail packaging of the product
- a warning label or swing tag attached to the cord
- installation instructions containing required information
- any components specified in the installation instructions as necessary for cord safety requirements.
Warning label on retail packaging

Warning labels on retail packaging must contain the following words:

**WARNING: CURTAIN AND BLIND CORDS HAVE CAUSED THE DEATH OF YOUNG CHILDREN AND MUST BE INSTALLED SO THAT THEY ARE NOT A STRANGULATION HAZARD. FOLLOW THE INSTALLATION INSTRUCTIONS.**

The words for this warning must be:

- legible
- in red
- in upper case letters
- at least 5 mm high
- on a white background.

Warning label on cord

A warning label or swing tag attached to the cord must contain the following words:

**WARNING: Young children have died by wrapping loose curtain and blind cords or chains around their necks. Secure cords or chains with cord guides or keep them out of reach by winding them around a cleat. Move cots and furniture away from window covering cords or chains. Do not remove this label.**

The words in this warning must be legible. The word WARNING must be in upper case letters and at least 5 mm high. The rest of the wording must be in lower case and at least 1.5 mm high.

Please note that ‘cord’ means a rope, strap, string, chain, line or wire used to manipulate a corded internal window covering.

The definition of a cord does not include curtain tie-backs. However, suppliers should take care to address any hazard that may be posed by such items (e.g. by providing additional safety information).

Installation instructions

Installation instructions must include statements with the following information:

- To avoid creating a possible strangulation hazard for children, the window covering must be installed in such a way that a loose cord cannot form a loop of 220 mm or longer at a height less than 1600 mm above the floor.
• If a cord guide is installed lower than 1600 mm above the floor:
  – it must be sufficiently secured or tensioned to ensure the cord is not able to form a loop of 220 mm or longer
  – it must be designed to prevent a child from being able to remove the cord from the cord guide.

• If a cleat is used to secure a cord it must be at least 1600 mm above the floor, as a child can unwind a cord from a cleat.

Examples of fittings used with window coverings

Transitional arrangements
Suppliers may continue to supply blinds and curtains which comply with existing state and/or territory legislation until 30 June 2011. Please refer to the regulations (reproduced on pages 12–19) for more information.

Pencil pleat curtains
The ACCC has also adopted a specific compliance position in relation to pencil pleat curtains, pencil pleat tape and similar products (see ‘Answers to suppliers’ questions’ on page 9).

Until 30 June 2011, suppliers may continue to supply these products without risk of action by the ACCC, provided they:

• give clear directions to the consumer/installer to trim the excess cord or tape after installation
• clearly direct the consumer/installer to safely secure the excess cord out of the reach of a child by winding it around a cleat (in this case, a supplier must provide cleats and hardware such as screws).

Suppliers can provide this important product information to consumers/installers at point of sale.

From 1 July 2011, all suppliers must ensure they meet the mandatory requirements referred to in the previous section of this guide.
### Additional guidance on meeting mandatory requirements

#### Answers to suppliers’ questions

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Q. Does the warning on the retail package need to follow the exact form of words prescribed by Regulation 7 of the regulations?</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>Q. Does the warning on the cord need to follow the exact form of words prescribed by Regulation 8 of the regulations?</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>Q. Paragraph 9(a) and 9(b) of the regulations require installation instructions to contain certain information (i.e. a statement about cord installation and related practical suggestions). Are suppliers required to use the same wording of the statement and practical suggestions given in this paragraph?</td>
<td>A. No, the installation instructions do not require the wording of the statement and practical suggestions to be followed exactly. It is sufficient if suppliers provide the statement and practical suggestions to the effect of the wording used in Paragraph 9(a) and 9(b). The important thing is to clearly convey these important installation instructions to the consumer and the installer.</td>
</tr>
<tr>
<td>Q. Do the regulations only apply to corded internal window coverings with looped cords?</td>
<td>A. No. The regulations also apply to window coverings such as curtains or blinds, or to fittings used with window coverings, that can be used inside a building and have a cord (i.e. a single cord) which has the potential to form a loop.</td>
</tr>
<tr>
<td>Q. The regulations warn against the possibility of a cord forming a loop 220 mm or longer. Is the 220 mm measurement to be taken along the perimeter of the loop or from one side of the loop to the other?</td>
<td>A. The measurement is to be taken along the perimeter of the cord (i.e. any cord 220 mm or longer is capable of forming a loop of 220 mm or more).</td>
</tr>
<tr>
<td>Q. Do pencil pleat ready-made curtains and pencil pleat tape need to comply with the regulations?</td>
<td>A. Yes. Pencil pleat ready-made curtains and pencil pleat tape fall within the definition of a corded internal window covering, as they are respectively curtains and fittings used with a window covering that can be used inside a building and have a cord. This interpretation is made on the basis that the cords within pencil pleat ready-made curtains and pencil pleat tape are used to manipulate a corded internal window covering by way of gathering the top of the curtain.</td>
</tr>
</tbody>
</table>

### Further information

Visit the ‘Blind and curtain cords’ section under ‘Window furnishings’ at www.productsafety.gov.au for more information, including updates.
Your responsibilities as a supplier

As a supplier, you are legally responsible for ensuring that the corded internal window coverings you supply meet the mandatory safety standard requirements, which are enforceable by law. Failure to comply can result in legal action, penalties and/or recalls.

All suppliers are equally responsible for ensuring that the products they supply meet the mandatory standard.

To do this, we strongly advise you to take the following steps:

• Read the requirements specified in the regulations printed in this guide. Do not rely on the guide alone.

• Have systems in place to visually check these products to ensure they comply with the requirements of this mandatory standard.

• Where necessary, use reports from reliable, independent testing laboratories to verify compliance.

• Register to receive automatic email updates from the Product Safety Australia website (www.productsafety.gov.au) to help ensure you are aware of the latest product safety information.

Information for retailers

If you are a retailer, you are responsible for ensuring that the products you supply meet mandatory safety standards. To ensure that the corded internal window coverings you sell comply with the mandatory standard, you should always:

• stipulate that any corded internal window coverings you order must meet the mandatory standard

• undertake visual checks of delivered stock where possible to check compliance with the requirements of the mandatory standard

• obtain and keep reliable written verification from independent sources that products have been tested to and meet the mandatory requirements.

Providing safety advice to consumers

Retailers can provide additional safety advice to consumers, such as the following:

• Consider alternatives to corded internal window coverings, such as window coverings which do not have cords or chains.

• Loose blind and curtain cords can kill. Fix them securely out of reach so kids are out of danger.

• Check and fix your existing blinds:
  – Check all your window furnishings and securely fix all long, loose or looped cords out of children’s reach.
Buy cleats or tensioning devices with strong mounts, such as two screw holes, from a hardware or window furnishing shop and secure these in a place that is out of reach of children.

Avoid using double-sided tape or glue to secure cleats or tensioning devices, as they may fall off when a load is placed on them.

Where possible, cut the dangerous loop out of cords and attach a tassel to the end of each strand. Some blinds will not operate if you do this, so seek professional advice first.

If you cannot securely fix your unsafe cords out of reach, get a reliable tradesperson to do it for you. If you are renting a home, seek help from your landlord or agent.

• Keep children away from all cords/chains:
  – Parents and carers should keep children away from all cords.
  – Don’t put cots, beds, playpens or furniture that a baby can climb on near corded curtains or blinds.
  – Never leave children alone in a room with cords they can reach.

• For more information, consumers can:
  – visit the ACCC’s Product Safety Australia website (www.productsafty.gov.au) and subscribe to email alerts
  – contact the ACCC on 1300 302 502 to order a copy of the brochure Safety alert: Blind and curtain cords
  – follow Product Safety Australia on Twitter: www.twitter.com/ProductSafetyAU.

Select Legislative Instrument 2010 No.212 as amended
made under the

Trade Practices Act 1974

This compilation was prepared on 27 November 2010
taking into account amendments up to 2010 No. 306

Prepared by the Office of Legislative Drafting and Publishing,
Attorney-General’s Department, Canberra
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## Notes

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<td></td>
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</tr>
</tbody>
</table>
1 **Name of Regulations** [see Note 1]

These Regulations are the *Trade Practices (Consumer Product Safety Standard — Corded Internal Window Coverings) Regulations 2010*.

2 **Commencement** [see Note 1]

These Regulations commence on the day after they are registered.

3 **Purpose**

For subsection 65C (2) of the *Trade Practices Act 1974*, these Regulations prescribe a consumer product safety standard for corded internal window coverings.

4 **Application**

These Regulations apply to corded internal window coverings supplied after 30 December 2010.

4A **Transitional**

Starting on 31 December 2010 and ending at the end of 30 June 2011, compliance with an instrument or provision of an instrument mentioned in the following table is taken to be compliance with regulations 6 to 9 if:

(a) corded internal window coverings are supplied in a State or Territory; and

(b) the compliance is with the instrument or provision of the instrument made in that State or Territory.

<table>
<thead>
<tr>
<th>Item</th>
<th>Name of instrument</th>
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<tbody>
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<td>1</td>
<td><em>Fair Trading Regulation 2007</em> (NSW), regulation 77</td>
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<td>2</td>
<td>Fixed term ban order prohibiting the supply of dangerous goods, published in the Victoria Government Gazette No. S 396 on 31 December 2008</td>
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Regulation 5

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<th>Item</th>
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<tr>
<td>3</td>
<td><em>Fair Trading Regulation 2001 (Qld)</em>, Schedule 5B</td>
</tr>
<tr>
<td>4</td>
<td>Order (Curtain Blind Cords), published in the Government Gazette of Western Australia No. 15 on 23 January 2004, and Amendment to Order (Curtain Blind Cords), published in the Government Gazette of Western Australia No. 65 on 16 April 2004</td>
</tr>
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<td>5</td>
<td>Declaration of Dangerous Goods, published in the South Australian Government Gazette No. 6 on 22 January 2009</td>
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<tr>
<td>6</td>
<td>Sale of Hazardous Goods Order 2004 (Tas), Part 3</td>
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<td>7</td>
<td><em>Fair Trading (Consumer Product Safety Standards) Regulation 2009 (ACT)</em>, Schedule 11</td>
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<tr>
<td>8</td>
<td>Prohibition of Supply of Goods, dated 13 February 2009 (NT)</td>
</tr>
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</table>

5 Definitions

In these Regulations:

**cleat** means a device that has a bar with arms around which a cord can be wound, and that can be attached to a wall or other structure.

**cord** means a rope, strap, string, chain, line or wire used to manipulate a corded internal window covering.

**corded internal window covering** means:

(a) a window covering, such as a curtain or blind; or

(b) fittings used with a window covering, such as a traverse rod or track;

that can be used inside a building and has a cord.

**cord guide** means a device designed to retract, tension or secure a cord.

**retail packaging** means the packaging in which a corded internal window covering is supplied when it is offered for retail sale.

6 Standard — corded internal window covering

(1) The supply of a corded internal window covering must be accompanied by:
(a) if the window covering is in retail packaging — a warning label on the retail packaging; and
(b) a warning label or swing tag attached to the cord; and
(c) installation instructions containing the information mentioned in regulation 9; and
(d) any components specified in the installation instructions as necessary for cord safety requirements.

(2) If a cord guide is supplied with a corded internal window covering, the cord guide must be designed:
(a) to remain firmly attached to a wall or other structure specified in the installation instructions when subjected to a tension force of 70 N applied in any direction for 10 seconds; and
(b) to prevent the possibility of a cord forming a loop 220 mm or longer at a height of less than 1 600 mm above floor level.

7 Standard — warning on retail package

(1) The warning label mentioned in paragraph 6 (1) (a) must contain the words: ‘WARNING: CURTAIN AND BLIND CORDS HAVE CAUSED THE DEATH OF YOUNG CHILDREN AND MUST BE INSTALLED SO THAT THEY ARE NOT A STRANGULATION HAZARD. FOLLOW THE INSTALLATION INSTRUCTIONS’.

(2) The words specified in subregulation (1) must be legible, in red upper case letters at least 5 mm high on a white background.

8 Standard — warning on cord

(1) The warning label or swing tag mentioned in paragraph 6 (1) (b) must contain the words: ‘WARNING: Young children have died by wrapping loose curtain and blind cords or chains around their necks. Secure cords or chains with cord guides or keep them out of reach by winding them around a cleat. Move cots and furniture away from window covering cords or chains. Do not remove this label’.
(2) The words specified in subregulation (1) must be legible, with the word ‘WARNING’ in upper case letters at least 5 mm high and the other words in lower case letters at least 1.5 mm high.

9 **Standard — installation instructions**

The installation instructions mentioned in paragraph 6 (1) (c) must include:

(a) a statement that, to avoid creating a possible strangulation hazard for children, the corded internal window covering must be installed in such a way that a loose cord cannot form a loop 220 mm or longer at a height of less than 1 600 mm above floor level; and

(b) practical suggestions on how to install the corded internal window covering to ensure compliance with paragraph (a), including:

(i) a statement that a cord guide may be installed lower than 1 600 mm above floor level if the cord is sufficiently secured or tensioned to prevent a loop 220 mm or longer from being formed; and

(ii) a statement that if a cord guide is installed lower than 1 600 mm above floor level it must be designed to prevent a child from being able to remove the cord; and

(iii) a statement that if a cleat is used to secure the cord it must be at least 1 600 mm above floor level because a child is capable of unwinding a cord from a cleat.
Notes to the *Trade Practices (Consumer Product Safety Standard — Corded Internal Window Coverings) Regulations 2010*

**Note 1**


**Table of Instruments**

<table>
<thead>
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<th>Year and Number</th>
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<th>Date of commencement</th>
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<td>2010 No. 306</td>
<td>26 Nov 2010 (see F2010L03089)</td>
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Table of Amendments

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<td>R. 4A.........................</td>
<td>ad. 2010 No. 306</td>
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</table>
Role of the ACCC

To minimise the risk of injury associated with consumer products, the ACCC undertakes a variety of activities:

- consulting with suppliers and other agencies to identify non-compliant goods
- developing mandatory safety and information standards, when necessary
- informing and educating suppliers about emerging hazards and requirements of mandatory standards or bans
- liaising with suppliers to assist them in understanding how to comply with the standards or bans.
- promoting benefits of compliance with mandatory safety standards or bans
- assessing overall levels of marketplace compliance with mandatory safety standards or bans
- informing and educating consumers to choose only compliant products, report suppliers of non-compliant goods to the ACCC and always use products safely
- conducting compliance surveys or inspections to detect non-complying products
- investigating allegations from consumers and suppliers about supply of non-compliant products
- investigating possible breaches found during compliance surveys or inspections
- seeking the immediate withdrawal of non-compliant or unsafe products from sale
- seeking the recall of non-compliant or unsafe products from the market
- taking action against suppliers including:
  - substantiation, infringement or public warning notices
  - court enforceable undertakings, injunctions and various other court orders
  - damages, compensation orders, disqualification orders and civil penalties
  - adverse publicity orders or requirements for corrective advertising
  - prosecutions resulting in criminal sanctions (fines).
Product liability

Parts 3–5 of the ACL (which forms Schedule 2 to the *Competition and Consumer Act 2010*) contain provisions on product liability. Under these provisions, consumers can seek compensation or damages for personal injury or other loss caused by a safety defect in products supplied by a manufacturer.

Goods with a safety defect are those that are not as safe as people are generally entitled to expect.

Generally the manufacturers or importers of products are liable under Parts 3–5 of the ACL. But if other suppliers, such as retailers, cannot identify the manufacturer or importer, they may be deemed liable for the damages.

Suppliers may reduce their exposure to product liability action by using these responsible and sensible business practices:

- conducting regular reviews of product designs and production
- implementing and reviewing quality assurance procedures
- testing products regularly to relevant standards, including batch testing
- conducting appropriate marketing
- providing clear and thorough user instructions
- where necessary, conducting a quick voluntary recall of any products that are defective or unsafe.
Mandatory standards and bans

The following mandatory standards and bans apply nationally under the ACL.

Mandatory standards

- Aquatic toys
- Babies’ dummies
- Baby bath aids
- Baby walkers
- Balloon-blowing kits
- Basketball rings and backboards
- Bean bags
- Bicycle helmets
- Bunk beds
- Care labelling—clothing and textile products
- Child restraints for motor vehicles
- Children’s household cots
- Children’s nightwear and paper patterns for children’s nightwear
- Children’s portable folding cots
- Children’s projectile toys
- Children’s toys containing magnets
- Corded internal window coverings
- Cosmetics and toiletries—ingredient labelling
- Disposable cigarette lighters
- Elastic luggage straps
- Exercise cycles
- Hot water bottles
- Lead and certain elements in children’s toys
- Motor vehicle recovery straps
- Movable soccer goals
- Pedal bicycles
- Portable fire extinguishers (aerosol type)
- Portable fire extinguishers (non-aerosol type)
• Portable ramps for motor vehicles
• Prams and strollers
• Protective helmets for motorcyclists
• Reduced fire risk cigarettes
• Sunglasses and fashion spectacles
• Swimming aids and flotation aids for water familiarisation and swimming tuition
• Tobacco labelling
• Toys for children under, up to and including 36 months of age
• Treadmills
• Trolley jacks
• Vehicle jacks
• Vehicle support stands

Interim bans

Interim bans may be made by the state, territory or Commonwealth Minister. Their duration may be 60–120 days. Check the Product Safety Australia website (www.productsafety.gov.au) for details of any interim bans.

Permanent bans

• Candles with lead wicks
• Children’s plastic products with more than 1 per cent DEHP
• Children’s stationery sets containing undeclared knives or cutters with a metal blade
• Combustible candle holders
• Fire footbags and other such goods
• Gas masks with asbestos breathing devices
• Glucomannan in tablet form
• Inflatable toys, novelties and furniture containing beads
• Jelly cups containing konjac
• Miniature motorbikes (monkey bikes) with unsafe design features
• No hole tongue studs
• Novelty cigarettes
• Pools and spas with unsafe design features
• Sky lanterns
• Smokeless tobacco products
• Tinted headlight covers
• Toothpaste containing Diethylene glycol (DEG)
• Toy-like novelty cigarette lighters
• Yo-Yo water balls

**Penalties**

Supplying products that do not comply with a mandatory standard or ban is an offence under the ACL.

Fines for non-compliance are:
• up to $1.1 million for companies
• up to $220 000 for individuals.

**More information**

For the latest information on bans, standards and recalls, visit www.productsafety.gov.au.
Key terms used in this guide

Below is a list of key terms that have been used in this guide.

<table>
<thead>
<tr>
<th>Term</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Australian Consumer Law (ACL)</strong></td>
<td>The ACL replaces previous Commonwealth, state and territory consumer protection legislation in fair trading acts. It is contained in a schedule to the <em>Trade Practices Act 1974</em>, which has been renamed the <em>Competition and Consumer Act 2010</em> (CCA).</td>
</tr>
<tr>
<td><strong>Competition and Consumer Act 2010 (CCA)</strong></td>
<td>The <em>Competition and Consumer Act 2010</em> (formerly the <em>Trade Practices Act 1974</em>) deals with almost all aspects of the marketplace: the relationships between suppliers, wholesalers, retailers, competitors and customers. It covers anti-competitive conduct, unfair market practices, industry codes, mergers and acquisitions of companies, product safety, product labelling, price monitoring, and the regulation of industries such as telecommunications, gas, electricity and airports.</td>
</tr>
<tr>
<td><strong>corded internal window coverings</strong></td>
<td>Corded internal window coverings are window coverings that can be used inside a building, such as:</td>
</tr>
<tr>
<td></td>
<td>• curtains or blinds, or</td>
</tr>
<tr>
<td></td>
<td>• fittings used with a window covering (e.g. traverse rod or track).</td>
</tr>
<tr>
<td><strong>cord</strong></td>
<td>A cord is a rope, strap, string, chain, line or wire used to manipulate a corded internal window covering.</td>
</tr>
<tr>
<td><strong>cord guide</strong></td>
<td>A cord guide is a device designed to retract, tension or secure a cord.</td>
</tr>
<tr>
<td><strong>cleat</strong></td>
<td>A cleat is a device that has a bar with arms on which a cord can be wound, and can be attached to a wall or other structure.</td>
</tr>
<tr>
<td>mandatory consumer product safety standard</td>
<td>The Commonwealth Minister can prescribe compulsory safety standards for consumer goods and product related services. Suppliers must not supply goods or services that do not comply with a safety standard for goods of that kind. Safety standards require goods to comply with particular performance, composition, content, design, construction, finish, labelling or packaging rules. Visit <a href="http://www.productsafety.gov.au">www.productsafety.gov.au</a> for a list of products that mandatory safety standards currently apply to in Australia. Many mandatory standards are based on Australian voluntary standards published by SAI Global.</td>
</tr>
<tr>
<td>regulation</td>
<td>A regulation is a form of delegated legislation made pursuant to an Act of Parliament. Regulations can be issued by a government minister under the authority of primary legislation. Regulations are used to make the detailed arrangements, which give effect to the intent and purpose of primary legislation.</td>
</tr>
<tr>
<td>supplier</td>
<td>Anyone in the business of selling, exchanging, leasing, hiring or hire-purchasing of goods or provisions, or of granting or conferring of services.</td>
</tr>
<tr>
<td>supply</td>
<td>Selling, exchanging, leasing, hiring or hire-purchasing of goods or provisions, or granting or conferring of services.</td>
</tr>
</tbody>
</table>
Contacts

Australian Competition and Consumer Commission

Product safety

For more information about mandatory standards, bans, recalls and emerging issues—and to subscribe to email alerts and RSS—visit our websites:
www.productsafety.gov.au
www.recalls.gov.au

You can also follow us on Twitter: @ProductSafetyAU

ACCC Infocentre: 1300 302 502

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

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

National office
23 Marcus Clarke Street
Canberra ACT 2601
GPO Box 3131
Canberra ACT 2601
Tel: (02) 6243 1111
Fax: (02) 6243 1199

New South Wales
Level 20
175 Pitt Street
Sydney NSW 2000
GPO Box 3648
Sydney NSW 2001
Tel: (02) 9230 9133
Fax: (02) 9223 1092

Victoria
Level 35, The Tower
360 Elizabeth Street
Melbourne Central
Melbourne Vic 3000
GPO Box 520
Melbourne Vic 3001
Tel: (03) 9290 1800
Fax: (03) 9663 3699

Queensland
Brisbane
Level 24
400 George Street
Brisbane Qld 4000
PO Box 12241
George Street Post Shop
Brisbane Qld 4000
Tel: (07) 3835 4666
Fax: (07) 3835 4653

Townsville
Level 6, Central Plaza
370 Flinders Mall
Townsville Qld 4810
PO Box 2016
Townsville Qld 4810
Tel: (07) 4729 2666
Fax: (07) 4721 1538

Western Australia
3rd floor, East Point Plaza
233 Adelaide Terrace
Perth WA 6000
PO Box 6381
East Perth WA 6892
Tel: (08) 9325 0600
Fax: (08) 9325 5976

South Australia
Level 2
19 Grenfell Street
Adelaide SA 5000
GPO Box 922
Adelaide SA 5001
Tel: (08) 8213 3444
Fax: (08) 8410 4155

Northern Territory
Level 8, National Mutual Centre
9–11 Cavenagh St
Darwin NT 0800
GPO Box 3056
Darwin NT 0801
Tel: (08) 8946 9666 (general)
Tel: (08) 8946 9610
(reception)
Fax: (08) 8946 9600

Tasmania
3rd floor, AMP Building
86 Collins Street
(Cnr Elizabeth and Collins streets)
Hobart Tas 7000
GPO Box 1210
Hobart Tas 7001
Tel: (03) 6215 9333
Fax: (03) 6234 7796

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