



Trade Practices (Consumer Product Safety Standard) (Motor Vehicle Recovery Straps) Regulations 2010¹

Select Legislative Instrument 2010 No. 213

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Trade Practices Act 1974*.

Dated 8 July 2010

QUENTIN BRYCE
Governor-General

By Her Excellency's Command

CRAIG EMERSON
Minister for Competition Policy and Consumer Affairs

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1 Name of Regulations

These Regulations are the *Trade Practices (Consumer Product Safety Standard) (Motor Vehicle Recovery Straps) Regulations 2010*.

2 Commencement

These Regulations commence on the day after they are registered.

3 Purpose

For subsection 65C (2) of the Act, these Regulations prescribe a consumer product safety standard for motor vehicle recovery straps.

4 Application

- (1) These Regulations apply to motor vehicle recovery straps that are:
- (a) manufactured in Australia on or after 1 October 2010; or
 - (b) imported into Australia on or after that day.

- (2) On and after 1 January 2011, these Regulations apply to all motor vehicle recovery straps:
- (a) manufactured in Australia, no matter when they were manufactured; and
 - (b) imported into Australia, no matter when they were imported.

5 Definitions

In these Regulations:

Act means the *Trade Practices Act 1974*.

gross vehicle mass or **GVM**, for a motor vehicle, means the maximum loaded mass of the vehicle as stated:

- (a) on the compliance plate, registration certificate or build plate for the vehicle; or
- (b) in the handbook for the vehicle; or
- (c) in documentation for the vehicle available from the vehicle's manufacturer.

minimum breaking strength, for a motor vehicle recovery strap, means the minimum load necessary to cause the strap to fail.

motor vehicle recovery strap means a strap, commonly called a snatch strap, for attaching to a bogged vehicle to tow it clear of the bogged situation.

6 Packaging information

The following information must appear on the packaging of a motor vehicle recovery strap or on a label attached to the packaging:

- (a) the strap's brand name or the logo of the strap's supplier;
- (b) the name and contact details of the strap's Australian manufacturer, importer, distributor or other supplier;
- (c) the strap's minimum breaking strength, expressed in metric units;
- (d) a recommendation that the minimum breaking strength of the strap should be between 2 and 3 times the gross vehicle mass (GVM) of any vehicle it is used with.

7 Information permanently fixed to motor vehicle recovery strap

The following information must be permanently fixed to a motor vehicle recovery strap, so that it is clearly visible and legible when the strap is being used:

- (a) the name or logo of the strap's Australian manufacturer, importer, distributor or other supplier;
- (b) the strap's batch code or serial number;
- (c) the strap's minimum breaking strength, expressed in metric units;
- (d) a recommendation that the minimum breaking strength of the strap should be between 2 and 3 times the gross vehicle mass (GVM) of any vehicle it is used with;
- (e) advice that the strap must be suited to the GVM of the lighter of the 2 vehicles used in the recovery process;
- (f) the warning set out in regulation 9.

8 Instructions on use

- (1) A motor vehicle recovery strap must be accompanied by instructions on how to use and maintain the strap.
- (2) Without limiting subregulation (1), the instructions must state that:
 - (a) persons intending to use the strap should consider completing a nationally recognised four wheel drive training course, or contact a four wheel drive club for comprehensive advice on the proper selection and use of the strap; and
 - (b) the strap must not be used for lifting or conventional towing; and
 - (c) persons intending to use the strap must ensure that the strap is not damaged and is in usable condition; and
 - (d) the strap's strength and stretch are reduced when the strap is saturated with water; and
 - (e) an object such as a recovery damper, heavy bag or blanket must be draped over the strap during use to reduce any unintentional rebound of the strap; and

- (f) while the strap is being used, persons outside the motor vehicles involved in the recovery process:
 - (i) must be kept at a safe distance from the motor vehicles, recommended to be at least 1.5 times the length of the unstretched strap; and
 - (ii) must never place themselves in the path of the vehicle performing the recovery.
- (3) The instructions must also include:
 - (a) a recommendation that the minimum breaking strength of the strap should be between 2 and 3 times the gross vehicle mass (GVM) of any vehicle it is used with; and
 - (b) advice that the strap must be suited to the GVM of the lighter of the 2 vehicles used in the recovery process; and
 - (c) the warning set out in regulation 9.

9 Warning to appear on motor vehicle recovery strap and instructions

For regulations 7 and 8, the warning to be set out is the following:

‘WARNING — Always follow product instructions. It is important to correctly attach the motor vehicle recovery strap to a motor vehicle. A standard tow ball or vehicle tie-down point is not designed for this purpose and may result in the strap or a vehicle component detaching from a motor vehicle and striking and seriously injuring or killing a person. Only attach the strap to a vehicle recovery point or device that is suitably rated for use with the strap. Incorrect use has previously resulted in serious injury and death.’

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.