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Fair Trading Act 1999

PERMANENT BAN ORDER PROHIBITING THE SUPPLY OF DANGEROUS GOODS

I, Marsha Thomson, Minister for Consumer Affairs, pursuant to the powers conferred on me by Part 3 Division 1 of the **Fair Trading Act 1999** hereby make an order prohibiting the supply in Victoria of goods, as defined in the Schedule 1 of this order, unless the goods (excluding goods mentioned in Schedule 3) comply with the conditions set out in Schedule 2 of this order.

I make this order noting that the supply of the goods the subject of this order has been permanently prohibited or restricted by reason of their being dangerous under a law of the State of New South Wales by the Fair Trading (General) Amendment (Soccer Goals) Regulation 2005 published in the New South Wales Gazette No. 28 of 25 February 2005, thereby satisfying the requirements of section 40(1) and 40(2)(b) of the **Fair Trading Act 1999**.

Schedule 1

For the purposes of this order, "the goods" means moveable soccer goal which is a freestanding structure consisting of at least two upright posts, a crossbar and support bars that is designed:

- (a) to be used by adults or children for the purposes of a soccer goal, and
- (b) to be used without any other form of support or restraint (other than pegs, stakes or other forms of temporary anchoring device), and
- (c) to be able to be moved to different locations.

Schedule 2

Conditions

In this Schedule, a moveable soccer goal, when set up in accordance with the manufacturer's instructions on a flat level surface without pegs, stakes or other forms of temporary anchoring device:

- (a) must not fall over, or fail to return to an upright position, when subjected to a

horizontal pull force of 2000 newtons to the centre of the crossbar for no less than 60 and no more than 70 seconds, and

- (b) must have all exposed corners and edges rounded with a radius of no less than 3 millimetres, and
- (c) must have permanently marked clearly and legibly in a conspicuous position on the crossbar or an upright post:
 - (i) the name or trademark of the manufacturer, retailer or importer of the moveable soccer goal, and
 - (ii) the words "WARNING – ALWAYS ANCHOR GOAL – NEVER CLIMB OR HANG ON CROSSBAR. Unanchored goals can tip over causing serious injury or death." with upper case letters at least 25 millimetres high and lower case letters at least 12.5 millimetres high, and
- (d) if part of the structure of the moveable soccer goal joins the base of an upright post and runs along the ground (a ground frame) the moveable soccer goal must not have any gap greater than 5 millimetres at the point where the ground frame joins the upright post, and no part of the ground frame must extend past the front or sides of the upright post.

In this Schedule, a person who, in trade or commerce, supplies a moveable soccer goal:

- (a) must hold a test report issued no more than 12 months before the supply, indicating:
 - (i) that the particular moveable soccer goal has been tested, and
 - (ii) the method used to carry out the test and the results of the test, and
 - (iii) that the results of the test show that the moveable soccer goal complies with this order prescribed for moveable soccer goals, and
- (b) must supply a copy of the test report with the moveable soccer goal and

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- (c) must, on request, make available, for inspection by an inspector (appointed under the **Fair Trading Act 1999**) any such test report held by the person, and
- (d) must, if supplying a moveable soccer goal to which this order does not apply, supply with the moveable soccer goal a certificate setting out the reasons why this Order does not apply to that moveable soccer goal.

Schedule 3

Exemptions

This order does not apply to a moveable soccer goal:

- (a) that is supported by a sleeve set in the ground,
- (b) that weighs less than 28+0.25 kilograms, when weighed with all attachments (other than pegs, stakes or other forms of temporary anchoring device) using a commercially available scale, or
- (c) that is designed for indoor use only.

Dated 30 November 2005

MARSHA THOMSON MP
Minister for Consumer Affairs

Explanatory Note

This order permanently prohibits the supply of a moveable soccer goal unless it complies with the conditions set out in Schedule 2. The object of the order is to reduce the incidence of serious injury or death resulting from the instability of the structure, causing it to overbalance and strike any person underneath it. Certain types of moveable soccer goals are exempted under Schedule 3.

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