



Victoria Government Gazette

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Fair Trading Act 1999

ORDER REVOKING PERMANENT BAN ORDER

I, Tony Robinson, Minister for Consumer Affairs, pursuant to the powers conferred on me by Part 3 Division 1 of the **Fair Trading Act 1999**, hereby revoke the permanent ban order referred to in Schedule 1 prohibiting the supply goods of the kind specified in that Schedule.

Schedule 1

Goods known as a skimmer box, which forms part of the filtration system in spa pools and swimming pools, is of open construction and integrally moulded into the structure of the pool and does not have a fixed lid (being a lid which can only be removed by the use of a tool) published in the Victorian Government Gazette No. 56 of 5 June 1985.

Dated 2 August 2010

TONY ROBINSON
Minister for Consumer Affairs

Explanatory Note

The purpose of this order is to revoke the permanent ban order prohibiting the supply of goods known as a skimmer box, which forms part of the filtration system in spa pools and swimming pools, is of open construction and integrally moulded into the structure of the pool and does not have a fixed lid (being a lid which can only be removed by the use of a tool), due to the introduction of a new fixed term ban order in relation to skimmer boxes and suction outlets in pools and spas.

Fair Trading Act 1999

FIXED TERM BAN ORDER PROHIBITING THE SUPPLY OF DANGEROUS GOODS

I, Tony Robinson, 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 ('the goods') of the kind specified below, for a period up to 19 January 2012:

Particulars of Goods:

1. Potty skimmers designed for installation in domestic swimming pools or spas.
2. Pool or spa outlets which are not designed to reduce or minimise the likelihood of entrapment of any part of a person's body or hair by the outlet when in use.

Note: In this clause, 'outlets' does not include outlets which comply with the relevant provisions of an Australian or ASME / ANSI / ASTM Standard having the purpose of reducing or minimising the likelihood of entrapment of any part of a person's body or hair by the outlet when in use.

3. Transportable swimming pools or spas which contain integrally moulded potty skimmers or outlets that are not designed to reduce or minimise the likelihood of entrapment of any part of a person's body or hair by the outlet when in use.

Note: In this clause, 'outlets' does not include outlets which comply with the relevant provisions of an Australian or ASME / ANSI / ASTM Standard having the purpose of reducing or minimising the likelihood of entrapment of any part of a person's body or hair by the outlet when in use.

Interpretation:

- 'ANSI' means American National Standards Institute.
'ASME' means American Society of Mechanical Engineers.
'ASTM' means American Society for Testing and Materials.

SPECIAL

‘Australian or ASME / ANSI / ASTM Standard having the purpose of reducing or minimising the likelihood of entrapment’ includes AS1926.3; AS2610.2, AS2818, and ANSI A112.

‘Potty skimmer’ means a pool or spa outlet at water level used as a suction point for the water reticulation system which (a) resembles a child’s chamber-pot or other toilet device and which (b) has no protective device fixed to the skimmer box outlet which would prevent a person becoming lodged or caught in the skimmer box outlet through the operation and effect of suction within or through the water reticulation system.

I make this order noting the requirements imposed by the Commonwealth Government under the **Trade Practices Act 1974** Consumer Protection Notice No. 26 of 2010, thereby satisfying the requirements of sections 40(1) and 40(2)(c) of the **Fair Trading Act 1999**.

Dated 2 August 2010

TONY ROBINSON MP
Minister for Consumer Affairs

Explanatory Note

This Fixed Term Ban Order prohibits the supply of dangerous skimmer boxes and suction outlets in pools and spas and replaces the previous permanent ban order published in the Victorian Government Gazette No. 56 of 5 June 1985.

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