

FAIR TRADING ACT 2010

The following instrument is published under the *Fair Trading Act 2010* Section 21



Competition and Consumer (Australian Consumer Law—Electronic Ticket Resale Service) Information Standard 2022

I, Michael Sukkar, Assistant Treasurer, Minister for Housing, and Minister for Homelessness, Social and Community Housing, make the following information standard.

Dated: 30 March 2022.

Michael Sukkar
Assistant Treasurer
Minister for Housing
Minister for Homelessness, Social and Community Housing

CONTENTS

PART 1—PRELIMINARY	2837
1 Name	2837
2 Commencement	2837
3 Authority	2837
4 Definitions	2837
5 Inconsistency with State and Territory Laws	2837
PART 2—ELECTRONIC TICKET RESALE SERVICE DISPLAY REQUIREMENTS	2837
6 Display requirements	2837

PART 1—PRELIMINARY

1 Name

This instrument is the *Competition and Consumer (Australian Consumer Law—Electronic Ticket Resale Service) Information Standard 2022*.

2 Commencement

(1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after the end of the period of 6 months beginning on the day this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

(2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Competition and Consumer Act 2010*.

4 Definitions

Note: Expressions have the same meaning in this instrument as in the Competition and Consumer Act 2010 as in force from time to time—see paragraph 13(1)(b) of the Legislation Act 2003.

In this instrument—

event includes all of the following—

- (a) a sporting event;
- (b) an entertainment event, including a concert, a performance at a theatre or the opera, and a dance event;
- (c) a festival;
- (d) a cultural event or display;
- (e) an arena event;
- (f) any other form of public performance, exhibition, display or public gathering.

market has the meaning given by section 4E of the Act.

service has the meaning given by section 2 of Schedule 2 to the Act.

supply has the meaning given by section 2 of Schedule 2 to the Act.

the Act means the *Competition and Consumer Act 2010*.

5 Inconsistency with State and Territory Laws

This information standard is not intended to exclude or limit the operation of a law of a State or Territory that is capable of operating concurrently with the provisions of Part 2.

PART 2—ELECTRONIC TICKET RESALE SERVICE DISPLAY REQUIREMENTS

6 Display requirements

(1) Under subsection 134(1) of Schedule 2 to the Act, this section sets out an information standard for a service that meets all of the following conditions—

- (a) the service is the provision of information to a person (the **consumer**) in relation to the supply, in a secondary market, of a ticket for admission to an event hosted or located in Australia;
- (b) the information is supplied by means of an electronic platform whose sole or dominant purpose is to facilitate a market in tickets for admission to events.

(2) The person providing the service must ensure that the following is continuously displayed to the consumer, by means of the electronic platform, in a legible, prominent and unambiguous way—

- (a) a statement in the form “This is a ticket resale service. You are not buying from a primary ticket provider.”; and
- (b) the total price, excluding a charge that is payable in relation to sending the ticket to a person, that the consumer would reasonably be expected to pay to purchase the ticket from a person who is authorised to provide the first supply of tickets for the event.

Example: A ticket to an Australian event is sold by a primary ticket provider for \$108 including \$8 postage. The total price a person would reasonably be expected to pay to purchase the ticket from someone who is authorised to provide the first supply of tickets, excluding postage, is \$100.

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The following instrument is published under the *Fair Trading Act 2010* Section 21



Consumer Goods (Button/Coin Batteries) Amendment Safety Standard 2022

I, Michael Sukkar, Assistant Treasurer, Minister for Housing and Minister for Homelessness, Social and Community Housing, make the following safety standard.

Dated: 30 March 2022.

Michael Sukkar

Assistant Treasurer, Minister for Housing and Minister for Homelessness, Social and Community Housing

CONTENTS

1 Name	2841
2 Commencement	2841
3 Authority	2841
4 Schedules	2841
 Schedule 1—Amendments	 2841
Consumer Goods (Button/Coin Batteries) Safety Standard 2020	2841

1 Name

This instrument is the *Consumer Goods (Button/Coin Batteries) Amendment Safety Standard 2022*.

2 Commencement

(1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	6 April 2022

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

(2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under subsection 104(1) of the Australian Consumer Law.

Note: The reference to the Australian Consumer Law is a reference to Schedule 2 to the Competition and Consumer Act 2010 as it applies as a law of the Commonwealth, States and Territories: see section 140K of that Act and corresponding provisions of Acts of States and Territories applying that Schedule.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Consumer Goods (Button/Coin Batteries) Safety Standard 2020

1 Section 4 (paragraph (b) of the definition of *applicable button/coin battery*)

Repeal the paragraph, substitute—

- (b) a small, single cell battery of a chemistry other than lithium with—
 - (i) a diameter of 16 mm or greater; and
 - (ii) a diameter greater than the battery's height.

2 Section 4 (definition of *hearing aid*)

Omit “to the ear canal”, substitute “for human hearing”.

3 Sections 7 and 8

Repeal the sections, substitute—

7 Child accessibility requirements—all packaging types

Core requirement

(1) The packaging of an applicable button/coin battery must be designed to be resistant to being opened by young children.

Note: There is an additional requirement that applies to applicable button/coin batteries that are packaged in blister packaging (see subsection 8(1)), but both requirements can be satisfied by complying with Annex E of the Primary Batteries Standard (see paragraph (2)(a) of this section and subsection 8(2)).

Testing requirements—non-reclosable packaging

(2) If the applicable button/coin battery is packaged in non-reclosable packaging, the packaging complies with the requirements in subsection (1) if, and only if—

- (a) both of the following apply—
 - (i) before the supply of the applicable button/coin battery to a consumer, representative samples of the packaging are tested in accordance with Annex E of the Primary Batteries Standard (as modified by section 9);
 - (ii) those samples comply with that Annex; or
- (b) the packaging complies with clause 3.2.1 of the Australian (Non-reclosable Packaging) Standard; or
- (c) the packaging complies with clause 3.2.1 of the European (Non-reclosable Packaging) Standard; or
- (d) the packaging complies with clause 4.2.1 of the International (Non-reclosable Packaging) Standard; or

- (e) the packaging complies with paragraphs 1700.15(a) and (b)(1) of the US Poison Prevention Packaging Standard.

Note: On request by the regulator, a supplier of applicable button/coin batteries packaged in non-reclosable packaging may be required to nominate the applicable requirements under subsection (2): see section 108 of the Australian Consumer Law.

Testing requirements—reclosable packaging

(3) If the applicable button/coin battery is packaged in reclosable packaging, the packaging complies with the requirements in subsection (1) if, and only if—

- (a) both of the following apply—
 - (i) before the supply of the applicable button/coin battery to a consumer, representative samples of the packaging are tested in accordance with Annex E of the Primary Batteries Standard (as modified by section 9);
 - (ii) those samples comply with that Annex; or
- (b) the packaging complies with clause 4.3.1 of the Australian (Reclosable Packaging) Standard; or
- (c) the packaging complies with clause 3.3.1 of the International (Reclosable Packaging) Standard.

Note: On request by the regulator, a supplier of applicable button/coin batteries packaged in reclosable packaging may be required to nominate the applicable requirements under subsection (3): see section 108 of the Australian Consumer Law.

8 Additional child accessibility requirements—blister packaging

Core requirement

(1) If one or more applicable button/coin batteries are packaged in blister packaging, the packaging must be designed so that only a single applicable button/coin battery is released at a time.

Note: This requirement is in addition to the requirement in subsection 7(1) (which applies to all applicable button/coin batteries), but both requirements can be satisfied by complying with Annex E of the Primary Batteries Standard (see subsection (2) of this section and paragraph 7(2)(a)).

Testing requirement

- (2) The packaging complies with the requirements in subsection (1) if, and only if—
 - (a) before the supply of the applicable button/coin battery to a consumer, representative samples of the packaging are tested in accordance with Annex E of the Primary Batteries Standard (as modified by section 9); and
 - (b) those samples comply with that Annex.

9 Modification of the Primary Batteries Standard

Annex E of the Primary Batteries Standard is subject to the following modifications—

- (a) a reference to consumer type coin cells with a diameter of 16 mm and larger is taken to be a reference to applicable button/coin batteries;
 - (b) a reference to each of the following terms is taken to be a reference to an applicable button/coin battery—
 - (i) cell;
 - (ii) coin cell.
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FAIR TRADING ACT 2010

The following instrument is published under the *Fair Trading Act 2010* Section 21



Consumer Goods (Products Containing Button/Coin Batteries) Amendment Safety Standard 2022

I, Michael Sukkar, Assistant Treasurer, Minister for Housing and Minister for Homelessness, Social and Community Housing, make the following safety standard.

Dated: 30 March 2022.

Michael Sukkar

Assistant Treasurer, Minister for Housing and Minister for Homelessness, Social and Community Housing

CONTENTS

1 Name	2845
2 Commencement	2845
3 Authority	2845
4 Schedules	2845
Schedule 1—Amendments	2845
Consumer Goods (Products Containing Button/Coin Batteries) Safety Standard 2020	2845

1 Name

This instrument is the *Consumer Goods (Products Containing Button/Coin Batteries) Amendment Safety Standard 2022*.

2 Commencement

(1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

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3 Authority

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Note: The reference to the Australian Consumer Law is a reference to Schedule 2 to the Competition and Consumer Act 2010 as it applies as a law of the Commonwealth, States and Territories: see section 140K of that Act and corresponding provisions of Acts of States and Territories applying that Schedule.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Consumer Goods (Products Containing Button/Coin Batteries) Safety Standard 2020

1 Section 4 (definition of *hearing aid*)

Omit “to the ear canal”, substitute “for human hearing”.
