

9 June 2015

Trading Standards
Ministry of Business, Innovation and Employment
PO Box 1473
Wellington 6140

By email: tradingstandards@mbie.govt.nz

**SUBMISSION on
Children's Nightwear Regulations**

1. Introduction

Thank you for the opportunity to make a submission on the Children's Nightwear Safety Standards Discussion Document. This submission is from Consumer NZ, New Zealand's leading consumer organisation. It has an acknowledged and respected reputation for independence and fairness as a provider of impartial and comprehensive consumer information and advice.

Contact: Sue Chetwin
Consumer NZ
Private Bag 6996
Wellington 6141
Phone: 04 384 7963
Email: sue@consumer.org.nz

2. Submission

Our answers to the questions in the Discussion Document are set out below.

Q1. Do you consider that the Product Safety Standards (Children's Nightwear and Limited Daywear Having Reduced Fire hazard) Regulations 2008 should be updated to reference AS/NZS 1249:2014

Consumer NZ supports MBIE's proposal to amend the current regulations to incorporate AS/NZS1249:2014 into New Zealand law. However, the regulations will only be effective if they are adequately enforced by the Commerce Commission.

Q2. MBIE considers that amending the regulations to incorporate the updated standard will provide benefits in terms of avoiding confusion, providing additional protection for consumers, and referring suppliers to a more workable standard. Do you agree and are there any additional benefits to incorporating the updated standard?

Yes, we agree with the stated benefits. In particular, we agree that use of the "Low Fire Danger" label should be discontinued as this label appears to confuse some consumers.

Q3. What additional costs will retailers and suppliers face if the regulations are amended to incorporate the updated standard?

No comment.

Q4. How important is Trans-Tasman alignment? What are the costs and benefits if Australia and New Zealand adopt different standards?

We think Trans-Tasman alignment is important but in our view, protecting consumers is the most important aspect of these changes. Therefore, if Australia implements a slightly different regime, New Zealand should only consider changes to our regime if such changes provide the best protection for consumers.

Q5. If regulations are amended, what length of transition period is suitable to enable retailers and suppliers to comply without causing undue delay to full implementation of the regulations?

We support a shorter transition period, such as six months, as we think this is enough time for retailers and suppliers to comply with the regulations.

Q6. Do you agree that second hand goods that are sold in trade should be subject to these regulations?

Yes, we agree that second hand goods sold in trade should be subject to these regulations. If consumers cut tags from the goods, and then on-sell them, the person buying the goods is unlikely to know whether the garment is a high fire hazard or not.

Q7. Do you agree that how the garment's size is represented on a garment label (e.g. by size number, age, height etc.) should not affect whether or not the garment is subject to the regulations?

Yes, we agree that how the garment's size is represented should not affect whether or not the garment is subject to the regulations.

3. Other comments

Finally, we requested a copy of the standard from MBIE and Standards New Zealand but were told we would have to purchase the standard or use the reference copy in the central library. In our view, if standards are being incorporated into law, they should be publicly available during the consultation process.

Thank you for the opportunity to make a submission on the Children's Nightwear Discussion Document. If you require any further information, please do not hesitate to contact me.

Yours sincerely



Sue Chetwin
Consumer NZ
Chief Executive