



Review of the mandatory safety standard for bunk beds

Consultation document

29 February 2016

Introduction

The ACCC is reviewing the mandatory safety standard that sets out minimum requirements for construction, design and labelling of bunk beds. This regulation is being reviewed because:

- the bunk bed market and products have changed since the mandatory safety standard was introduced in 2002, and there are a number of emerging safety hazards
- the mandatory safety standard does not address these hazards since it is based on the 1994 version of the voluntary Australian standard (AS/NZS 4220:1994), which has been reviewed and updated several times, most recently in 2010
- the ACCC is considering whether trusted international standards could be used as the basis for safety requirements in Australia.

The purpose of this review is to assess whether the mandatory safety standard remains effective and whether there are more efficient ways of achieving the same level of safety.

Have your say

The ACCC previously consulted on changes to the mandatory safety standard in 2014. The ACCC is consulting again because government policy now requires regulators to consider adopting trusted international standards.

If you responded to the 2014 consultation your feedback has been noted and will be taken into account. You are also invited to give feedback on this consultation if you have additional comments that the ACCC should consider.

The ACCC invites interested parties to comment on the issues and policy options summarised in this consultation document. For further detail please refer to the attached draft Regulation Impact Statement (RIS).

Consultation is open from 29 February 2016 to 11 April 2016. The ACCC prefers submissions to be provided via the [ACCC consultation hub](#).

Alternatively, interested parties can email submissions to productsafety.regulation@acc.gov.au

Submissions can also be made via post to:

Director
Standards, Policy and Liaison
Consumer Product Safety Branch
Australian Competition and Consumer Commission
GPO Box 3131
CANBERRA ACT 2601

Emerging safety hazards

Market surveillance by the ACCC and information supplied by stakeholders has identified three main categories of emerging safety hazards: fall hazards, gaps and entrapment hazards and warnings on the safe age for use.

1. Fall hazards

- **Elevated beds where the upper surface of the mattress is less than 800mm above the floor surface**

These are not subject to the mandatory safety standard even though they present similar fall hazards to elevated beds where the upper surface of the mattress base is at least 800mm from the floor surface. The updated voluntary Australian standard changes the definition of a bunk bed to include elevated beds where the upper surface of the mattress is 700mm from the floor. The European standard¹ applies to elevated beds where the upper surface of the bed base is 600mm from the floor. The ASTM standard² defines a bunk bed as any structure with one sleeping surface where the underside is 762 mm (30 in) from floor. Like the mandatory safety standard, the ISO standard³ applies to elevated beds where the upper surface of the mattress is 800mm from the floor.

- **Mattress base supports**

The mandatory safety standard does not include requirements for the strength of mattress base supports (such as slats). The updated voluntary Australian standard, and the ISO, ASTM and European standards all have performance requirements and tests for mattress base support, although the testing methods differ.

- **Provision of access device**

The mandatory safety standard does not require bunk beds to have a dedicated access device, such as a ladder. The updated voluntary Australian standard, and the ISO, ASTM and European standards all require the provision of an access device.

- **Guardrail height**

The mandatory safety standard requires a guardrail to be 260mm or more above the mattress base and for bunk beds to include a marking indicating maximum mattress height. The ISO and European standards have similar requirements, including that a guardrail must be ≥ 260 mm above the mattress base while the ASTM standard specifies that a guardrail must be ≥ 130 mm above the mattress surface. The updated voluntary Australian standard requires guardrails to be ≥ 360 mm above the mattress base, meaning the rail will typically be effective irrespective of mattress height.

- **Guardrail stability**

The mandatory safety standard does not include test requirements for guardrail stability. The updated voluntary Australian standard, and the ISO, ASTM and European standards all require tests for the stability and durability of guardrails under actual use conditions.

- **Number of access openings**

¹ BS EN 747-2012

² ASTM F1427-13

³ ISO 9098:1994

The mandatory safety standard does not regulate the number of access openings on the upper bunk. The ISO, ASTM and European standards all allow for a single access opening on the top bunk. The updated voluntary Australian standard allows for more than one access opening (with a total of four openings permitted).

2. Gaps and entrapment hazards

The ACCC is aware of interpretation issues with the provisions of the mandatory safety standard relating to hazardous gaps and entrapment hazards. The updated voluntary Australian standard has clarified requirements for identifying hazardous gaps. The requirements of the ISO and European standards are similar to the voluntary standard and testing takes place with the mattress included. However, they do not include requirements for gaps with reducing configurations, which may pose an entrapment hazard. The requirements of the ASTM standard are more complex and do not have specific requirements for entrapment hazards.

3. Warnings on the safe age for use

The mandatory safety standard does not require any warning about safe use ages for bunk beds. The ISO, ASTM and European standards all require bunk beds to be supplied with a warning stating that they are not suitable for children under six years of age. The updated voluntary Australian standard requires bunk beds to have a warning stating that bunk beds are not recommended to children under the age of nine.

Questions

1. Do you think that the issues identified above represent emerging safety hazards in relation to bunk beds?
2. Are there any other safety hazards that need to be addressed by the mandatory safety standard?

International standards

In accordance with the Australian Government objective to reduce duplicative regulation, this review considers the adoption of current international standards.⁴ The ACCC considers that the following international standards are suitable to be included in a policy option allowing compliance with trusted international standards:

- ISO 9098:1994 (**the ISO standard**)
- ASTM F1427-13 (**the ASTM standard**)
- BS EN 747-2012 (**the European standard**).

The ACCC has assessed these standards as suitable using its published criteria for reviewing mandatory safety standards.⁵

Question

3. Do you agree with the ACCC's assessment of international standards relating to bunk

⁴ Department of Prime Minister and Cabinet, *Industry Innovation and Competitiveness Agenda*, Department of Prime Minister and Cabinet, 2014, Canberra
https://www.dpmc.gov.au/sites/default/files/publications/industry_innovation_competitiveness_agenda.pdf

⁵ ACCC, International standards for the safety of consumer products: criteria for acceptance, ACCC policy principles, 22 July 2015.

beds?

Policy options

The ACCC is considering four policy options for dealing with the current mandatory safety standard:

- Option 1** Keep the current mandatory safety standard (status quo).
- Option 2** Revoke the mandatory safety standard.
- Option 3** Amend the mandatory safety standard by adopting sections of the updated voluntary Australian standard.
- Option 4** Amend the mandatory safety standard by allowing compliance with either the updated voluntary Australian standard or trusted international standards.

A detailed discussion of the options is set out in the attached draft RIS.

Questions

4. Which policy option do you support?
5. Are there any other policy options that the ACCC should consider?
6. Do you agree with the ACCC estimates of costs set out in Appendix E of the attached draft RIS? Are there additional costs for your business that have not been included?
7. Do you have any other comments?