



Our ref A27475946  
Enquiries Anika Moore  
6251 2333  
anika.moore@dmirs.wa.gov.au

Mr Davin Phillips  
Director  
Quad Bike Safety Taskforce  
Consumer Product Safety Branch  
Australian Competition and Consumer Commission  
GPO Box 3131  
CANBERRA ACT 2601

Email: [gbtaskforce@accc.gov.au](mailto:gbtaskforce@accc.gov.au)

Dear Mr Phillips

## **SUBMISSION COMMENTING ON QUAD BIKES SAFETY STANDARD EXPOSURE DRAFT**

The Safety Regulation Group of the Department of Mines, Industry Regulation and Safety (DMIRS) has considered the proposed options in the *Quad Bike Safety – Final Recommendation to the Minister* report (Quad Bike Recommendation Report) and the *Consumer Goods (Quad Bikes) Safety Standard* (Safety Standard), released by the Australian Competition and Consumer Commission (ACCC) on 6 April 2019.

With respect to the three options outlined in the Quad Bike Recommendation Report, there are no objections to Option 3, however please consider the following comments:

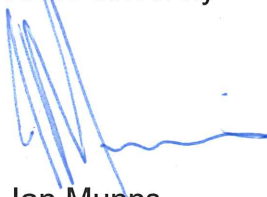
- there are concerns about a Government instrument using private sector entities as a standard. Specifying two products (ATV Lifeguard and Quadbar) as manufacturing standards will create issues, including:
  - uncertainty about the standards;
  - a perceived endorsement of the two products by regulators; and
  - the availability of intellectual property regarding the two products enabling competitors to manufacture a product that offers the same or better level of protection for operators.

- there should be consideration that the Consumer Goods (Quad Bikes) Safety Standard makes reference (in the form of a hang tag) as to the need for an approved helmet that complies with the Australian Standard (AS/NZS 1698:2006); and
- Section 13 of the Safety Standard be amended from 'effect' to 'affect'.

Thank you for providing DMIRS with the opportunity to provide comments in relation to proposed measures to improve quad bike safety in Australia.

Should you require any further information, please contact Ms Priscilla Bignoux, Acting Manager Policy, on 6251 1517.

Yours sincerely



Ian Munns  
Deputy Director General Safety Regulation

7 June 2019