



# Trade Practices (Consumer Product Safety Standard) (Motor Vehicle Recovery Straps) Regulations 2010<sup>1</sup>

**Select Legislative Instrument 2010 No. 213**

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I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Trade Practices Act 1974*.

Dated 8 July 2010

QUENTIN BRYCE  
Governor-General

By Her Excellency's Command

CRAIG EMERSON  
Minister for Competition Policy and Consumer Affairs

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### 1 Name of Regulations

These Regulations are the *Trade Practices (Consumer Product Safety Standard) (Motor Vehicle Recovery Straps) Regulations 2010*.

### 2 Commencement

These Regulations commence on the day after they are registered.

### 3 Purpose

For subsection 65C (2) of the Act, these Regulations prescribe a consumer product safety standard for motor vehicle recovery straps.

### 4 Application

- (1) These Regulations apply to motor vehicle recovery straps that are:
  - (a) manufactured in Australia on or after 1 October 2010; or
  - (b) imported into Australia on or after that day.

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2	<i>Trade Practices (Consumer Product Safety Standard) (Motor Vehicle Recovery Straps) Regulations 2010</i>	2010, 213
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- (2) On and after 1 January 2011, these Regulations apply to all motor vehicle recovery straps:
- (a) manufactured in Australia, no matter when they were manufactured; and
  - (b) imported into Australia, no matter when they were imported.

## 5 Definitions

In these Regulations:

*Act* means the *Trade Practices Act 1974*.

*gross vehicle mass* or *GVM*, for a motor vehicle, means the maximum loaded mass of the vehicle as stated:

- (a) on the compliance plate, registration certificate or build plate for the vehicle; or
- (b) in the handbook for the vehicle; or
- (c) in documentation for the vehicle available from the vehicle's manufacturer.

*minimum breaking strength*, for a motor vehicle recovery strap, means the minimum load necessary to cause the strap to fail.

*motor vehicle recovery strap* means a strap, commonly called a snatch strap, for attaching to a bogged vehicle to tow it clear of the bogged situation.

## 6 Packaging information

The following information must appear on the packaging of a motor vehicle recovery strap or on a label attached to the packaging:

- (a) the strap's brand name or the logo of the strap's supplier;
- (b) the name and contact details of the strap's Australian manufacturer, importer, distributor or other supplier;
- (c) the strap's minimum breaking strength, expressed in metric units;
- (d) a recommendation that the minimum breaking strength of the strap should be between 2 and 3 times the gross vehicle mass (GVM) of any vehicle it is used with.

**7 Information permanently fixed to motor vehicle recovery strap**

The following information must be permanently fixed to a motor vehicle recovery strap, so that it is clearly visible and legible when the strap is being used:

- (a) the name or logo of the strap's Australian manufacturer, importer, distributor or other supplier;
- (b) the strap's batch code or serial number;
- (c) the strap's minimum breaking strength, expressed in metric units;
- (d) a recommendation that the minimum breaking strength of the strap should be between 2 and 3 times the gross vehicle mass (GVM) of any vehicle it is used with;
- (e) advice that the strap must be suited to the GVM of the lighter of the 2 vehicles used in the recovery process;
- (f) the warning set out in regulation 9.

**8 Instructions on use**

- (1) A motor vehicle recovery strap must be accompanied by instructions on how to use and maintain the strap.
- (2) Without limiting subregulation (1), the instructions must state that:
  - (a) persons intending to use the strap should consider completing a nationally recognised four wheel drive training course, or contact a four wheel drive club for comprehensive advice on the proper selection and use of the strap; and
  - (b) the strap must not be used for lifting or conventional towing; and
  - (c) persons intending to use the strap must ensure that the strap is not damaged and is in usable condition; and
  - (d) the strap's strength and stretch are reduced when the strap is saturated with water; and
  - (e) an object such as a recovery damper, heavy bag or blanket must be draped over the strap during use to reduce any unintentional rebound of the strap; and

- (f) while the strap is being used, persons outside the motor vehicles involved in the recovery process:
  - (i) must be kept at a safe distance from the motor vehicles, recommended to be at least 1.5 times the length of the unstretched strap; and
  - (ii) must never place themselves in the path of the vehicle performing the recovery.
- (3) The instructions must also include:
  - (a) a recommendation that the minimum breaking strength of the strap should be between 2 and 3 times the gross vehicle mass (GVM) of any vehicle it is used with; and
  - (b) advice that the strap must be suited to the GVM of the lighter of the 2 vehicles used in the recovery process; and
  - (c) the warning set out in regulation 9.

## **9 Warning to appear on motor vehicle recovery strap and instructions**

For regulations 7 and 8, the warning to be set out is the following:

‘WARNING — Always follow product instructions. It is important to correctly attach the motor vehicle recovery strap to a motor vehicle. A standard tow ball or vehicle tie-down point is not designed for this purpose and may result in the strap or a vehicle component detaching from a motor vehicle and striking and seriously injuring or killing a person. Only attach the strap to a vehicle recovery point or device that is suitably rated for use with the strap. Incorrect use has previously resulted in serious injury and death.’

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### **Note**

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.