

## Unsafe Goods (Multipurpose Ladders) Notice 2021

This notice is issued pursuant to section 31 of the Fair Trading Act 1986 and declares certain multipurpose ladders to be unsafe goods.

### Notice

#### 1. Title

This notice is the Unsafe Goods (Multipurpose Ladders) Notice 2021.

#### 2. Commencement

This notice comes into force on the day after the date of publication in the *New Zealand Gazette*.

#### 3. Revocation

This notice revokes the Unsafe Goods (Multipurpose Ladders) Indefinite Prohibition Notice 2014.

#### 4. Application

This notice applies to new multipurpose ladders supplied, or offered for supply, or advertised for supply, in trade.

#### 5. Definitions

1. Unless the context otherwise requires, terms used in this notice that are defined in the Fair Trading Act 1986 have the same meaning as in that Act.
2. For the purpose of this notice:
  - a. "articulation joint" means a hinge which is capable of being locked in one or more positions;
  - b. "multipurpose ladder" means any portable ladder having one or more pairs of articulation joints which allow the ladder to be rearranged to function as a single ladder, with or without a stand-off, as a single or double sided step ladder, scaffold or work platform.

#### 6. Certain Multipurpose Ladders Declared to be Unsafe Goods

1. New multipurpose ladders that do not comply with either test described in the following standards are declared to be unsafe goods:
  - a. AS/NZS 1892.1:1996, *Portable ladders, Part 1: Metal*, as modified by Schedule 1 of this notice; or
  - b. AS 1892.1:2018, *Portable ladders, Part 1: Performance and geometric requirements*, as modified by Schedule 2 of this notice.

Dated at Wellington this 30th day of September 2021.

HON DR DAVID CLARK, Minister of Commerce and Consumer Affairs.

#### Explanatory Note

*This note is not part of the notice but is for explanatory purposes only.*

This notice revokes the Unsafe Goods (Multipurpose Ladders) Indefinite Prohibition Notice 2014 and replaces it with the Unsafe Goods (Multipurpose Ladders) Notice 2021. The notice declares new multipurpose ladders that do not comply with clause 6 to be unsafe goods. It is an offence under the Act to supply, or offer to supply, or advertise to supply, goods which are declared to be unsafe goods. This notice is issued under section 31 of the Fair Trading Act 1986 ("Act") and will remain in force for 18 months after the date of publication of the notice in the *New Zealand Gazette* unless previously revoked by the Minister.

Under the Act, a supplier includes an importer.

#### New Zealand Customs Service Requirements

*Under section 33 of the Act and section 96 of the Customs and Excise Act 2018, it is prohibited to import into New Zealand multipurpose ladders that are declared unsafe goods by clause 6 of this notice.*

*Any person seeking to import a new multipurpose ladder after the date of this notice may need to provide the New Zealand Customs Service with acceptable documentation demonstrating that the import of that multipurpose ladder is not prohibited by this notice.*

#### Commerce Commission Requirements

*Section 31(5) of the Act prohibits the supply, or offer to supply, or advertisement to supply goods in respect of which there is in force an unsafe goods notice. Any person who supplies, offers to supply, or advertises to supply a new multipurpose ladder to which this notice applies after the date on which this notice commences may be required to provide an officer of the Commerce Commission with acceptable documentation demonstrating that the multipurpose*

*ladder is not declared to be unsafe goods by clause 6 (section 47G of the Act).*

**Acceptable documentation** will usually consist of:

- a. *a certificate of compliance with either AS/NZS 1892.1:1996, Portable ladders, Part 1: Metal or AS 1892.1:2018, Portable ladders, Part 1: Performance and geometric requirements that sets out:*
  - i. *the name and address of the importer, or the manufacturer; and*
  - ii. *the make and model number of the multipurpose ladder; and*
  - iii. *the date of the test and the results of the test; or*
- b. *a statement that the multipurpose ladder complies with AS/NZS 1892.1:1996 Portable ladders, Part 1: Metal or AS 1892.1:2018 Portable ladders, Part 1: Performance and geometric requirements that sets out:*
  - i. *the name and address of the supplier; and*
  - ii. *the make and model number of the multipurpose ladder; and*
  - iii. *the date of the statement; and*
  - iv. *the statement that: "The statement above is true to the best of my knowledge and belief. I am aware that a false statement may be a breach of the Fair Trading Act 1986 and may lead to a penalty of up to \$60,000.00 for an individual and up to \$200,000.00 for a company"; and*
  - v. *the signature of the supplier.*

### Schedule 1

For the purposes of clause 6(1)(a) of Unsafe Goods (Multipurpose Ladders) Notice 2021, Schedule 1 modifies the tests described in AS/NZS 1892.1:1996, *Portable ladders, Part 1: Metal* accordingly:

#### 1. Clause 2.6.2(b) Spacing

Clause 2.6.2(b) Spacing of AS/NZS 1892.1:1996, *Portable ladders, Part 1: Metal* is replaced with the following:

- b. Treads and rungs shall be uniformly spaced at a distance between centres within the range  $248 \pm 2\text{mm}$  to  $306 \pm 2\text{mm}$  as measured along the stiles of the ladder (all measurements between the centres of the tops of treads and rungs).

#### 2. Clause 2.7(a) Marking

Clause 2.7(a) Marking of AS/NZS 1892.1:1996, *Portable ladders, Part 1: Metal* is replaced with the following:

- a. The name of the New Zealand manufacturer or importer (whether the ladder has been made for sale or otherwise).

#### 3. Appendix W: Stepladder Walking Test

Appendix W of AS/NZS 1892.1:1996, *Portable ladders, Part 1: Metal* is replaced with the following:

##### Stepladder Walking Test

(Normative)

#### W1 Scope

This Appendix sets out a method for determining the resistance of a stepladder, trestle ladder or other ladder of equivalent configuration to movement relative to the supporting surface, when subjected to the fluctuating forces associated with normal use.

#### W2 Principle

A ladder is loaded with a specified mass and a lateral load (sufficient to lift the feet on one side just clear of the test surface) is applied alternately to each side of the top cap. Any resulting movement of the point of contact of the stile feet with the test surface is measured.

#### W3 Apparatus

The following apparatus is required:

- a. A horizontal, flat, rigid, smooth, dry and unwaxed vinyl tiled test surface.
- b. A means of applying the setting force equivalent to the load rating of the ladder.
- c. A 10kg mass (to apply a static load).
- d. A means of measuring the walking distance to an accuracy of  $\pm 1\text{mm}$ .

**W4 Procedure**

The procedure shall be as follows (see Figure W1):

- a. Place the ladder in the fully open position and with any spreaders fully set, on the test surface (See Note 1).
- b. Apply the setting force appropriate to the load rating of the ladder directly to the top cap or platform.
- c. Remove the setting force.
- d. Measure the length of one stile and thus determine the midpoint of the ladder.
- e. Apply the 10kg mass on to the centre of the upper surface of the tread immediately below the midpoint of the ladder.
- f. Mark the position of both the left- and right-hand stile feet on the test surface.
- g. Apply a horizontal sideways force by hand and without shock, to the right-hand side of the top cap or platform, sufficient to lift both the right-hand stile foot and right-hand back leg foot clear of the test surface by at least 5mm.
- h. Gently remove the horizontal force.
- i. Apply a horizontal sideways force by hand and without shock, to the left-hand side of the top cap or platform, sufficient to lift both the left-hand stile foot and left-hand back leg foot clear of the test surface by at least 5mm.
- j. Gently remove the horizontal force.
- k. Repeat Steps (g) to (j) a further four times.
- l. Measure and record the total distance through which both left- and right-hand stile feet have moved from the datum point established in Step (f).
- m. Examine the spreaders for unlocking.

**W5 Criteria**

The spreaders of the ladder shall have remained locked throughout the test. The average distance through which both front feet have moved, shall not exceed the permissible walking distance ( $W$ ) when determined from the following equation:

$$W = 14 + 15L^{1.8} \quad (\text{W5})$$

Where

$W$  = permissible walking distance, in millimetres

$L$  = working length of the ladder under test, in metres

(See Note 2 and Figure W2)

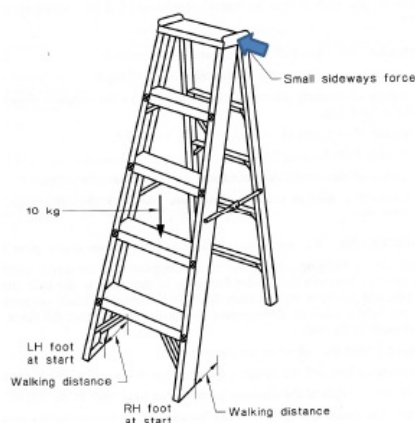
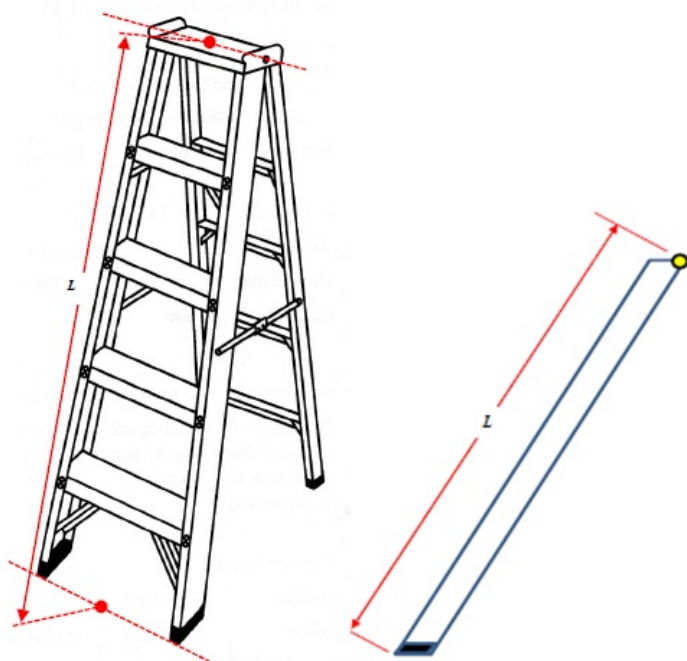


FIGURE W1 STEPLADDER WALKING TEST

**Figure W1 Stepladder Walking Test**



**Figure W2 Stepladder Walking Test, Length L**

**Notes**

1. Where there is a range of possible movement of the stiles when the ladder hinges are in the locked position, the test shall be carried out with the ladder in the most onerous position.
2. The working length  $L$  of the stepladder for the purposes of the walking test is the length from the test surface in front of the stiles to the centre of the hinge, including the feet as described in Figure W2.

**Schedule 2**

For the purposes of clause 6(1)(b) of Unsafe Goods (Multipurpose Ladders) Notice 2021, Schedule 2 modifies the tests described in AS1892.1:2018, *Portable ladders, Part 1: Performance and geometric requirements* accordingly:

**1. Clause 2.8.1(a) Marking**

Clause 2.8.1(a) Marking of AS 1892.1:2018, *Portable ladders, Part 1: Performance and geometric requirements*, is replaced with the following:

- a. The name of the New Zealand manufacturer or importer (whether the ladder has been made for sale or otherwise).