



# National Gazette

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*Independent Consumer and Competition Commission Act 2002*

## DECLARATION (*CERTAIN UNSAFE BUNK BEDS*)

I, AVI HUBERT, Acting Chief Executive Officer, by virtue of the powers conferred by Section 108 (5) of the *Independent Consumer and Competition Commission Act 2002* and all other enabling powers, hereby declares as unsafe in Papua New Guinea, bunk beds of the type described in this Notice. A bunk bed for the purpose of this Notice is a set of components that are assembled or are ready for assembly into single beds or double/single combination beds that will be stacked one over the other, or any single bed other than a hospital bed-where the top of the mattress base is at least 700mm above the floor surface.

Such a bunk bed cannot be supplied in Papua New Guinea:

- if it has sharp edges or points; and
- if it has protrusions of more than 8mm capable of catching in clothing; and
- if the materials used in construction or the design is not sufficiently strong to support the weight of a person who would normally occupy such a bed; and
- where the minimum access opening (if provided) for the upper bunk is less than 300mm or greater than 400mm in width, unless the opening is between 300mm and 400mm; and
- where the gaps in the guard rails, for the upper bunk, are greater than 95mm and less than 230mm excluding the access opening to the upper bunk.

### Exemptions.

This declaration does not apply to bunk beds that, without breaching the above prohibitions or requirements:

1. have adequate/permanent guard rail protection around all four sides that are not detachable without significant force;
2. have adequate and safe means of accessing the upper bunk; and
3. the minimum vertical distance between the top of the mattress and the top of the guard rail is no less than 260mm. If the bed is sold without a mattress, there should be a distinct mark along one side or at the end to indicate **MAXIMUM MATTRESS HEIGHT**. That mark must be no less than 260mm below the height of the top rail.

Declaration (Certain Unsafe Bunk Beds)—*continued*

## Summary of Reasons:

Certain bunk beds pose a risk of strangulation and entrapment, and children can suffer serious injuries and death if they fall from a raised upper bed. These bunk beds that do not comply are still being supplied within the market as identified through a survey conducted by the Independent Consumer and Competition Commission.

Subject to the above, any person or persons supplying bunk beds banned by this Notice shall be in breach of this Notice and Section 108 (1) of the *Independent Consumer and Competition Commission Act 2002* and may be liable to a penalty of up to K100,000.00 or imprisonment of up to 2 years, if found guilty by the court. Further, pursuant to Section 111 (1) of the *Independent Consumer and Competition Commission Act 2002*, action may be taken by the Independent Consumer and Competition Commission to recall these products. The Independent Consumer and Competition Commission therefore advises that these products should not be supplied in Papua New Guinea.

This Notice supersedes the Notice published in the *National Gazette* No. G14 dated 16th January, 2018.

The Independent Consumer and Competition Commission pursuant to Section 114 of the *Independent Consumer and Competition Commission Act 2002* invites any person (who supplies or proposes to supply bunk beds of the kind described in this Notice) to notify the ICCC within ten (10) days of the publication of this Notice in the *National Gazette*, if they wish for the ICCC to hold a conference in relation to this Notice.

This notification should be addressed or hand delivered to:

Independent Consumer and Competition Commission,  
Consumer Protection Division,  
1st Floor Garden City, Angau Drive,  
P. O. Box 6394,  
**BOROKO**  
National Capital District

Telephone: (675) 325 2144

Facsimile: (675) 3253980

Dated this 11th day of December, 2019.

A. HUBERT,  
Acting Chief Executive Officer