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STATUTORY INSTRUMENTS

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**1997 No. 2866**

**CONSUMER PROTECTION**

**The Wheeled Child Conveyances (Safety) Regulations 1997**

*Made* - - - - *3rd December 1997*  
*Laid before Parliament* *4th December 1997*  
*Coming into force* - - *29th December 1997*

Whereas the Secretary of State has, in accordance with section 11(5) of the Consumer Protection Act 1987<sup>(1)</sup>, consulted such organisations as appear to her to be representative of interests substantially affected by these Regulations and such other persons as she considers appropriate:

Now, therefore, the Secretary of State in exercise of her powers under section 11 of the said Act, read with article 6 of the Consumer Protection Act 1987 (Commencement No. 1) Order 1987<sup>(2)</sup>, hereby makes the following Regulations:—

**Citation, commencement and revocation**

1.—(1) These Regulations may be cited as the Wheeled Child Conveyances (Safety) Regulations 1997 and shall come into force on 29th December 1997.

(2) The Perambulators and Pushchairs (Safety) Regulations 1978<sup>(3)</sup>, the Perambulators and Pushchairs (Safety) Regulations (Northern Ireland) 1978<sup>(4)</sup>, the Pushchairs (Safety) Regulations 1985<sup>(5)</sup> and the Perambulators and Pushchairs (Safety) Regulations (Northern Ireland) 1986<sup>(6)</sup> are hereby revoked.

**Interpretation**

2.—(1) In these Regulations—

“BS 4139” means the British Standard Specification for safety requirements for perambulators (baby carriages) BS 4139: 1967 published on 22nd March 1967 as amended by Amendment Slips No. 1, 2, 3, 4 and 5, published on 4th December 1970, 14th February 1972, 3rd September 1974, 30th June 1976 and 31st March 1978 respectively;

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(1) 1987 c. 43.  
(2) S.I.1987/1680.  
(3) S.I. 1978/1372.  
(4) S.R. (N.I.) 1978 No. 329.  
(5) S.I. 1985/2047.  
(6) S.R. (N.I.) 1986 No. 37.

“BS 4792” means the British Standard Specification for safety requirements for pushchairs BS 4792: 1984 published on 31st May 1984 as amended by Amendments No. 1 and 2, published on 31st March 1987 and 28th February 1990 respectively;

“BS 7409” means the British Standard Specification for safety requirements for wheeled child conveyances BS 7409: 1996 published on 15th April 1996 as amended by Amendment No. 1, published on 15th November 1996;

“perambulator” means (subject to paragraph (2) below) a wheeled vehicle designed for the transport in a seated or recumbent position of one or two babies or infants who are placed inside a body of boat-or box-like shape, but does not include any carry-cot or any transporter for a carry-cot;

“pushchair” means (subject to paragraph (2) below) a wheeled vehicle designed for the transport in a seated or reclining position of one or two infants or young children, distinguished from a perambulator by the absence of a body of boat-or box-like shape, but does not include any vehicle designed for children with physical disabilities;

“supply” includes offering to supply, agreeing to supply, exposing for supply and possessing for supply; and

“wheeled child conveyance” means (subject to paragraph (2) below) a wheeled vehicle, including a perambulator or pushchair, designed for the transport of one or more babies, infants or children, but does not include any vehicle designed for children with physical disabilities.

(2) In these Regulations, “perambulator”, “pushchair” and “wheeled child conveyance” do not include—

- (a) any toy;
- (b) any bicycle or similar vehicle; or
- (c) any vehicle designed to be used by a baby, infant or child to move himself about or to aid such movement.

(3) In these Regulations—

- (a) where any standard is referred to, that reference is a reference to that standard as it has effect when these Regulations are made, provided that where any such standard is amended or revised after these Regulations are made and the amendment or revision is approved by the Secretary of State, that reference shall be construed at any time after such approval as a reference to that standard as so amended or revised; and
- (b) where any standard mentioned in these Regulations specifies relevant requirements by reference to another standard, that reference is to be construed as a reference to that other standard as it has effect when these Regulations are made, provided that where any such other standard is amended or revised after these Regulations are made and the amendment or revision is approved by the Secretary of State, that reference shall be construed at any time after such approval as a reference to that other standard as so amended or revised.

(4) Where there is a requirement in any provision of these Regulations that a wheeled child conveyance, perambulator or pushchair shall conform to a British Standard (in whole or in part), such requirement shall be satisfied if the wheeled child conveyance, perambulator or pushchair conforms to any standard or specification recognised for use in a member State of the European Economic Community or any other State within the European Economic Area, provided that conformity to such a standard or specification provides a level of safety at least equivalent to that which would be provided by conformity to the relevant British Standard (or to the relevant part of such Standard), and any reference to such a requirement shall be construed accordingly.

### **Requirements for wheeled child conveyances**

3.—(1) Subject to paragraph (2) below, no person shall supply any wheeled child conveyance which does not conform to BS 7409.

- (2) Paragraph (1) above shall not prohibit the supply before 1st January 1999 of—
- (a) any perambulator which does not conform to BS 7409 but which complies with the requirements of paragraph (3) below; or
  - (b) any pushchair which does not conform to BS 7409 but which conforms to BS 4792.
- (3) The requirements for perambulators referred to in paragraph (2)(a) above are that—
- (a) a perambulator shall have a parking device which complies with the requirements of clause 3.3 of BS 4139 when tested in accordance with Appendix D thereof;
  - (b) a perambulator shall comply with the requirements for stability contained in clause 3.4 of BS 4139 when tested in accordance with Appendix E thereof;
  - (c) a perambulator shall have harness anchorage points which comply with the requirements of clause 3.6 of BS 4139 when tested in accordance with Appendix A thereof; and
  - (d) a perambulator having a folding chassis shall have a main locking device and an additional safety device, the actions of which shall be such that, if either is operated independently when the perambulator contains a test dummy constructed to the specifications set out in Appendix F to BS 4139, the degree of folding of the perambulator which occurs does not cause or permit movement of the handle to such an extent that its uppermost part passes over the seat of the perambulator.

3rd December 1997

*Nigel Griffiths*  
Parliamentary Under-Secretary of State for  
Competition and Consumer Affairs,  
Department of Trade and Industry

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations consolidate with amendments the Perambulators and Pushchairs (Safety) Regulations 1978, the Perambulators and Pushchairs (Safety) Regulations (Northern Ireland) 1978, the Pushchairs (Safety) Regulations 1985 and the Perambulators and Pushchairs (Safety) Regulations (Northern Ireland) 1986.

Regulation 3 provides that wheeled child conveyances (which include perambulators and pushchairs) must conform to British Standard Specification 7409:1996. Until 1st January 1999, however, pushchairs may be supplied which do not conform to that standard, provided that they conform to British Standard Specification 4792:1984. Further, until the same date, perambulators may be supplied which do not conform to British Standard 7409:1996, provided that they comply with certain specified requirements relating to brakes, stability, harness anchorage points and, for folding perambulators, locking devices.

Regulation 2(4) provides that, where these Regulations require wheeled child conveyances, perambulators and pushchairs to conform to specified British Standards or to comply with specified provisions of British Standards, these requirements are to be regarded as satisfied where the wheeled child conveyances, perambulators and pushchairs conform to standards or specifications recognised for use in any member State of the European Community or any other State within the European Economic Area, so long as those standards or specifications provide for equivalent levels of safety.

These Regulations were notified in draft to the European Commission in accordance with Council Directive [83/189/EEC](#) (O.J. No. L109, 26.4.1983, p.8), as amended.

Copies of the British Standards referred to in these Regulations may be obtained from any of the sales outlets operated by the British Standards Institution (BSI), by post from the BSI at 389 Chiswick High Road, London W4 4AL or from any of the bookshops operated by the Stationery Office Limited.