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Safer restraint of children

New child restraint laws approved by Australia's Transport ministers will provide a safe pathway from capsules to adult seatbelts

Current laws for child seat restraint

The current law requires children over one year old to use a suitable approved child restraint or wear a suitable seatbelt that is properly fastened and adjusted.

In practice, this means the seatbelt or restraint must be approved, match the child's size and weight, be fitted correctly to the vehicle and adjusted to fit the child's body. Educational material is widely available to provide guidance and assist compliance.

Why the laws were reviewed

Research suggests children are moving too early into bigger seats, which are not appropriate for their weight and height and increases the risk of injury. About 500 children a year are killed or seriously injured in car accidents.

This reform responds to calls from road safety experts, police and the community for updated laws which clearly articulate stronger minimum standards.

The reform in a nutshell

The approved reform will provide a safe pathway from rear child seats to boosters and adult seatbelts.

Children up to 6 months old should be restrained in a rearward facing infant capsule; then a forward facing child seat until the age of 4; and a booster seat from 4 to 7 years old.

Why age is the best guide

Research by the Centre for Automotive Research shows setting rules by age, rather than by height or weight, will result in the most children properly restrained. This is because all parents know their child's age, but many would not be aware of their weight and height.



Current child restraint ratings

- Infant capsule (9kgs)
- Child restraint (8 to 18kgs)
- Booster (14 to 26 kgs)

A child restraint is technically safe for 97% of children up to 4 years old based on their 22kg test rating.

Boosters rated at 26kg are generally suitable for children up to 7 years old.

Moving to an adult seat belt

Children aged over 7 years can use an adult seat belt if they are properly restrained.

Some children over 7 years old are too short (less than 1.45m) for the safe use of an adult belt and too heavy (over 26kgs) for a booster seat.

Australian Standards are developing a standard for large booster seats suitable for children up to 36kgs and 1.35 metres tall. This will help close the technical gap between boosters and adult seatbelts (accommodating about 50% of children at their ninth birthday).

The regulations could, therefore, be further updated to mandate booster seats for older children.

What if my child is too tall/heavy?

Regulating for child restraints by age becomes more difficult as children grow older because the variability in the height and weight increases.

If your child is too tall or heavy, provisions are in place to go to the next level **as long as they are properly restrained**.

The same applies for smaller children, who may need to stay longer in their existing restraint.

Front seat restrictions

Children up to four years old must be restrained in the rear of a vehicle (using an approved child seat, fitted with an inbuilt harness)

If the child is aged 4 to 7 years old, he/she can only be restrained on a booster in the front seat if all the rear seat positions are occupied by children under 7.

The back seats are safer than the front seat.

Exemptions will apply

Taxis will continue to be exempt (for children up to 7 years old). Parents and carers can bring their own child restraint and/or booster or ask the taxi company to provide one.

The impact on parents and carers

If you are carrying children, you will need to plan seating arrangements and use the right size child seat – as you do under the current laws.

The reform simply provides more guidance on what the right child restraint should be.

When will the new laws be implemented?

The agreed national reform will be progressed by States and Territories for implementation.