



Obligations of landlords - Corded internal window coverings

*What types of internal window coverings are a safety hazard for children?
Blinds and curtains with loose cords or chains can strangle young children.*

Since the early 1990s, at least 18 children have tragically died in Australia this way. A child can place a loop over their head or get tangled in loose cords or chains when:

- sleeping in a cot or bed where cords or chains are hanging;
- playing near cords or chains; or
- standing on furniture (chair, sofa, bed, table etc.) or climbing using something like an overturned toy box/crate to look out of a window that has blind or curtain cords or chains.

Do landlords have obligations to ensure internal window coverings are safe?

Yes. Under section 42(2)(c) of the *Residential Tenancies Act 1987*, the landlord (lessor) is required to ensure that all aspects of the premises comply with laws relating to buildings, health and safety. Product safety laws for internal window coverings have applied in Western Australia since 23 January 2004, so landlords need to ensure that blind/curtain cords and chains supplied after this date meet the national product safety requirements.

If blinds/curtains were bought before January 2004, it is strongly recommended that landlords ensure blind/curtain cords or chains on their rental premises are safe for children. Under common law, a landlord has a duty of care to tenants, as well as anyone the tenant invites into the property, and must ensure the premises are safe to live in. If a child dies or is injured on the rental premises as a result of a blind/curtain cord or chain injury, the landlord may be sued for negligence. Even if the tenants do not have children, a court could consider that it was reasonably foreseeable that the tenants may have children visiting the home from time to time.

How do I know if cords or chains are unsafe?

If a cord or chain for a blind or curtain hangs lower than 1.6m from the floor then it must be secured by a safety device.

Will I have to replace all my curtains and blinds?

No. Product safety laws have required that curtain/ blind suppliers and shops provide window coverings with any necessary safety devices to secure loose cords or chains, installation instructions and a warning label and tag. If your blinds/curtains were supplied from January 2004 onwards then they should meet the product safety and installation standards.

However, if any blinds/curtains bought from January 2004 onwards are unsafe, alert your tenants, advise them to immediately tie the cords or chains out of reach and move away any furniture that children might climb on to reach the cords or chains. As soon as possible contact the supplier and Consumer Protection to discuss. If product safety standards were not met then the suppliers are required to rectify the work at no cost under the Australian Consumer Law (ACL).

What if the blinds/curtains were bought before January 2004?

If blinds/curtains were bought before January 2004, it is strongly recommended that you alert your tenants, advise them to immediately tie any cords or chains so they are out of reach and move away any furniture children might climb on to reach the cords or chains. It is also recommended that you arrange to:

- buy and install cleats or tensioning devices from a hardware store or curtain and blind shop and use at least two screws to fix them in place; or
- cut the cords or chains to prevent them causing a loop if these are not essential to the working of the blind.

How can I make loose cords or chains safe?

You can buy safety devices from hardware stores or curtain and blind shops to secure loose cords and chains.

If a “cleat” is used (i.e. a device to wind the cord or chain around to keep it out of reach) then it must be secured at least 1.6m from the floor level because children can be capable of unwinding a cord or chain from a cleat. Another option is a tie down or tension device to pull a looped cord or chain tight and secure it to the wall or floor.

The safety device must be firmly secured with at least two screws (not double-sided tape or glue) to prevent a child from being able to remove the cord or chain.

If the cord or chain is not essential to the working of the blind, you may want to consider cutting it to 1.6m above the floor.

Cords or chains that hang 1.6m or more above the floor when fully extended do not need to be secured.

Curtains and blinds without cords or chains do not require safety devices.

Are there any obligations on curtain and blind shops and other commercial suppliers of curtains and blinds to ensure they are safe?

Yes. Product safety laws have applied to suppliers in Western Australia since January 2004. The current Commonwealth product safety standard for suppliers requires that all looped cords or chains must:

- have warning labels attached;
- include installation instructions;
- have safety devices designed to withstand a 7kg force applied for 10 seconds; and
- prevent the possibility of a loop of 22 cm forming at a height less than 1.6m from the ground.

Fines may be issued if blinds are not supplied in accordance with the mandatory standard.

If traders do not supply blinds/curtains which meet the requirements of the product safety standard, they are required to meet their legal obligations under the ACL. Consumer Protection can take complaints about traders who do not follow the product safety standards.

Are there any obligations on commercial installers of curtains and blinds to ensure installation requirements are followed?

Yes. From 1 January 2015, commercial installers in Australia must follow the safe installation instructions

and install blinds so that dangerous loops and loose cords or chains cannot be formed. The Australian Competition and Consumer Commission is working with businesses and industry groups to help them to understand and comply with the new requirements.

If traders do not follow the mandatory safety standards when installing blinds/curtains, the installer is required to rectify the work at no cost under the ACL. Consumer Protection can take complaints about installers who do not follow the product safety standards. Penalties apply for non-compliance.

What are the obligations of my property manager?

As a matter of best practice when inspecting properties, property managers are advised to check that all internal window coverings in a rental property are as safe as possible for children. Where a hazard exists, the tenants should be advised to secure loose cords or chains so they are out of reach of children and the owner should be advised that a more permanent solution is needed to ensure compliance with the mandatory standards.

What if my tenant asks for permission to install curtains/blinds?

In some circumstances, a tenant may ask for permission to install curtains or blinds in your rental premises. If you provide permission, it is advisable to inform the tenant in writing to install blinds/curtains as required by the national mandatory product safety standards www.productsafety.gov.au. Alternatively, you may wish to specify that only curtains/blind without cords or chains should be installed.

How do I choose safe blinds and curtains?

- All new blinds and curtains available in Australia must now comply with safety standards.

Further information

Further information is available from:

- Department of Commerce website (www.commerce.wa.gov.au/blindcordsafety).
- Australian Competition and Consumer Commission product safety website: www.productsafety.gov.au – search for “blinds and curtains”.

National Relay Service: 13 36 77
Quality of service feedback line: 1800 30 40 59
Translating and Interpreting Service (TIS) 131 450

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