
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations (“the Regulations”) which revoke the Upholstered Furniture (Safety) Regulations 1980 as amended by the Upholstered Furniture (Safety) (Amendment) Regulations 1983 impose requirements in relation to new domestic furniture, including garden furniture which may be used indoors and furniture for use in caravans, subject to exceptions from some of the Regulations for certain furniture. Some of the requirements apply to second-hand furniture. The Regulations do not apply to goods for export or to the supply of goods made before 1st January 1950 or to the supply of materials intended for re-upholstering furniture made before that date.

The main provisions of the Regulations are as follows:–

- (a) no furniture (other than mattresses, bed-bases, pillows and cushions) may include upholstery which does not pass the cigarette test as defined in regulation 3(1) (regulation 5);
- (b) no furniture (other than pillows and cushions) may include any filling material which fails the relevant ignitability test as defined in regulation 3(1) and no furniture may include as filling any crumb foam which is not derived from combustion-modified foam (regulation 6);
- (c) loose filling material may not be supplied for filling pillows or cushions or upholstering or re-upholstering furniture if it fails the relevant ignitability test or if it contains crumb foam which is not derived from combustion-modified foam (regulation 7);
- (d) if furniture (other than mattresses, bed-bases, pillows and cushions) is supplied with a permanent cover the cover must pass the match test as defined in regulation 3(1) unless the cover is made of a specified material and the furniture has an interliner which passes the test in Schedule 3 (regulation 8(1) to (3));
- (e) a cover or fabric intended to replace the permanent cover on furniture mentioned in regulation 8(1) may not be supplied unless the cover or fabric passes the match test or the furniture has an interliner which passes the test in schedule 3 and the cover or fabric is of a specified material (regulation 8(4));
- (f) covers other than permanent covers for furniture except mattresses, bed-bases, pillows and cushions must pass the appropriate match test (regulation 9);
- (g) the appropriate display label as set out in Schedule 6 is to be attached to furniture other than mattresses, bed-bases, pillows and cushions which is exposed for supply by retail (regulation 10);
- (h) permanent labels are to be attached to furniture (except mattresses and bed-bases) which include upholstery and to covers other than permanent covers (regulation 11) and if the label is not in the longer form (as specified in Part II of Schedule 7) the additional information set out in regulation 12 must be supplied to an enforcement authority, if required;
- (i) manufacturers and importers must supply the information specified in regulation 13 to an enforcement authority, if required to do so;
- (j) second-hand furniture is required to comply with regulations 5, 6 and 8(1) to (3) from 1st March 1993 (regulation 14(2); regulation 1(2)(j)) and in the period from 1st March

Changes to legislation: *There are currently no known outstanding effects for the The Furniture and Furnishings (Fire) (Safety) Regulations 1988. (See end of Document for details)*

1990 until 1st March 1993 second-hand furniture may only be supplied subject to the requirements of regulation 14(3) taken with regulation 14(4);

- (k) the supply (including the offering and agreeing to supply and the exposing and possessing for supply) of any furniture or other article in respect of which any of the requirements of the Regulations is not satisfied is prohibited, subject to an exception for goods which are supplied as part of a caravan which is being supplied second-hand (regulation 15).

The provisions of the Regulations come into force on various dates between 1st November 1988 (when regulation 6 insofar as it relates to foam comes into force as regards the duties of manufacturers and importers, subject to a postponement for garden furniture and furniture for caravans) and 1st March 1993 (regulation 1(2)).

The Regulations refer to the provisions of the British Standards set out in regulation 3. The Regulations do not require testing to be carried out by a United Kingdom test house. If equivalent Standards giving the appropriate level of protection are adopted in other member States or by other bodies the Regulations may be amended so as to refer also to such Standards.

Copies of the British Standards referred to in the Regulations may be obtained from any of the sales outlets operated by the British Standards Institution (BSI) or by post from the BSI at Linford Wood, Milton Keynes, MK14 6LE.

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