

# Fact sheet: Child restraint laws

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The major cause of child death and injury in car accidents is that the child is not in the proper restraint or wearing a seat belt. Research has shown that in many cases, a proper child restraint was in the car but not used.

By law, every child must use a suitable restraint in a car, even when only travelling a short distance.

## Birth to 6 months

Babies must travel facing toward the back of the vehicle in a capsule or a rear-facing convertible car seat until they are at least 6 months of age **and** weigh 8kg. The baby needs to be **both** 6 months or older and 8kg or more.

## 6 months to 4 years

At 6 months the baby may face forward provided they have also reached a minimum of 8kg body weight and have good, steady, full head control. Children without good head control can stay facing toward the rear until they are 9kg to 12kg, depending on the weight guidelines for the restraint used.

The weight of the child is important because all forward-facing restraints

## What does it mean for you and your child?

are tested from 8kg and, some rear-facing restraints are tested up to 12kg.

Once facing forward, children should remain in this type of child seat — anchored by a tether strap and the car seat belt with an inbuilt harness — until they are 4 years of age. If the child is not 4 but has exceeded the maximum limitations of the seat (under current Australian Standards a body weight of 18kg) **or**, when sitting on the child seat, the highest harness shoulder position is more than 2.5 cm below the child's shoulder, **or**, when sitting on the child seat, the child's eyes are level with or above the back of the child seat, then the child can graduate into a booster seat.

So, children should only graduate into a booster seat when they have exceeded the height / weight limitations of the child toddler seat. For example, if your 3-year-old weighs more than 18kg they can move into a booster, **or** if your child is at least 4 years old and has reached the MINIMUM requirements for using a

booster seat (14kg in weight) they can graduate into a booster seat.

While 14kg is around the average weight of a 2 year old, booster seats ARE NOT designed for children this young. A 2-year-old weighing 14kg will likely be a shorter, 'squatter' package than a slim 4-year-old weighing similar. Also, 2-year-olds are not mentally ready for booster seats as they do not have the level of comprehension for instructions on the wearing of seat belts.

## 4 years to 7 years

All children are required to be restrained in a booster seat until they turn 7 years of age. A child must be in a booster seat until they turn 7 **unless** their weight exceeds 26kg (currently the maximum weight to which all boosters are tested in Australia) **or** their eye level is higher than the back of the restraint or the vehicle's headrest.

If the vehicle is not fitted with a headrest then a half booster is probably not suitable as the child's head is not adequately protected.

## A guide to child restraints

### Indicative ages and weights

0–6 months	6 months–1 year	6 months–4 years	4–7 years
Less than 8 kgs	8–12 kgs	8–18 kgs	14–26 kgs
Rearward facing baby capsule or infant restraint 	Rearward or forward facing infant restraint 	Forward facing child restraint with built-in harness  	Booster seat with H-harness* <b>OR</b> Booster seat with a secured adult seatbelt  

Penalty for incorrectly securing a child: \$300 and 3 demerit points.

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