

**COMMUNICATIONS
ALLIANCE LTD**



**ACMA consultation paper – Consolidated compliance mark
Proposed implementation arrangements**

Submission by Communications Alliance

Australian Communications and Media Authority's

Consolidated compliance mark - Proposed implementation arrangements

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1 INTRODUCTION

Communications Alliance is pleased to have the opportunity to comment on the ACMA's consultation paper on the *Consolidated compliance mark - Proposed implementation arrangements* proposing changes to labelling arrangements to implement a consolidated compliance mark (RCM) covering telecommunications, radiocommunications, electromagnetic compatibility (EMC) and electromagnetic energy (EME).

Communications Alliance

Communications Alliance is the primary telecommunications industry body in Australia. Its membership is drawn from a wide cross-section of the communications industry, including service providers, content providers, vendors, consultants and suppliers. Its vision is to provide a unified voice for the telecommunications industry and to lead it into the next generation of converging networks, technologies and services. The prime mission of Communications Alliance is to promote the growth of the Australian communications industry and the protection of consumer interests by fostering the highest standards of business ethics and behaviour through industry self-governance. For more details about Communications Alliance, see <http://www.commsalliance.com.au>.

2 EXECUTIVE SUMMARY

The members of Communications Alliance who have contributed to the review of the ACMA Consultation Paper have indicated that they support the proposal for the consolidation of the C-Tick, A-Tick and RCM into a single compliance mark, subject to specific issues raised in this paper.

Communications Alliance understands the intent of the proposed legislative changes is to reduce the costs associated with the supply of electrical and electronic devices, radiocommunications products, telecommunications customer equipment and cabling, vehicles and devices with internal combustion engines to the Australian market.

3 SPECIFIC COMMENTS

Communications Alliance convened an industry meeting with representatives from carriers, equipment suppliers, test laboratories and member associations. As the ACMA consultation paper did not include specific questions, the comments provided in bullet form below represent the views of the members either in support of certain aspects of the arrangements or raising areas for consideration or clarification.

- It is understood that ERAC is currently developing the scheme rules that will specify how the proposed compliance scheme will be implemented. As these rules are not currently available for review by the telecommunications industry, it is difficult to know how the new arrangements will operate and thus to assess how successful the take up of the RCM mark is likely to be. Examples include details of what would comprise the compliance folder under the ERAC scheme rules and the details of the transition arrangements.
- Important that sufficient lead time is provided to the telecommunications industry to consider the details as they develop, to ensure adequate stakeholder feedback.
- Important that there is sufficient coordination between ERAC and the ACMA so that the ACMA does not implement the new arrangements ahead of ERAC.
- Support the retention of electronic labelling under the new arrangements. We would like to emphasise the importance of electronic labelling acceptance, particularly in mitigating labelling costs for manufacturers and importers.
- Support that the RCM is to be free of registration fees for devices that only require compliance under ACMA regulation. Examples of these include devices that are only battery-operated and line-powered devices.
- Support the removal for the requirement for a unique ACMA supplier identification. We believe that the introduction of the EESS database registration will provide adequate means for identifying suppliers. It was felt that this approach would not introduce any new problems.
- Suggest that the application of transition times in differing scenarios be clarified. It is understood that although the ACMA requirements allow current suppliers (e.g. those currently permitted to use the C-Tick or A-Tick compliance marks) up to three years to register on the EESS database, if one of their devices is required under the EESS to be registered, the EESS requires that a supplier register within six months. As such, by default, most suppliers will have to register within six months and the three year transition period seems moot.
- Support for agents to be allowed under the new arrangements to register on the EESS database as the supplier and to also register those products requiring registration under the EESS arrangements.
- Clarify that there is no requirement for devices that only require compliance under ACMA regulations to be registered on the EESS database and that the EESS registration requirement is only for registration of the supplier of these devices.
- Clarify what is definition of 'low' risk electrical items.

Further comments in relation to the EESS database:

- Support for access to the EESS database to be platform-independent and user friendly. For example, users should be able to equally access the information via any of the commonly used internet browsers.
- Accessing the EESS database requires authentication but should not require the use of digital certificates. It is recommended to seek learnings from other online database implementations, such as the ACMA's NUMB database.
- Information on the EESS database for devices that only require compliance under ACMA regulations that is to be made publicly available should be restricted to limited information, e.g. supplier numbers. If any other information is to be included on the EESS database for devices that only require compliance under ACMA regulations, then it should require the ACMA's prior consultation and agreement with the telecommunications industry in view of concerns that such information should be restricted from the public.
- Test reports and other product information should not, under any circumstances be made publicly available on the EESS database.
- There should also be provision of an embargo date to restrict the release of sensitive commercial information prior to the supplier's public release of the product.

4 CONTACTS

Communications Alliance

Mike Johns

02 9959 9125

m.johns@commsalliance.com.au

www.commsalliance.com.au



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**COMMUNICATIONS
ALLIANCE LTD**

Level 9
32 Walker Street
North Sydney
NSW 2060 Australia

PO Box 444
Milsons Point
NSW 1565

T 61 2 9959 9111
F 61 2 9954 6136
TTY 61 2 9923 1911
E info@commsalliance.com.au
www.commsalliance.com.au
ABN 56 078 026 507

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