



Australian Government
**Australian Communications
and Media Authority**

Australia's regulator for broadcasting, the internet, radiocommunications and telecommunications

www.acma.gov.au

Telecommunications Labelling and Compliance

Information for suppliers of telecommunications
equipment and cabling in Australia
August 2005

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ABOUT THIS BOOKLET

This booklet details the telecommunications regulatory arrangements applicable to the supply of **telecommunications equipment** and **cabling** to the Australian market. It explains the requirements that a supplier needs to follow before supplying equipment and cabling to the market in Australia.

Sections in this booklet include information in question and answer format on the following topics:

- telecommunications regulatory arrangements;
- labelling equipment;
- labelling requirements;
- alternative labelling arrangement for certain cabling products;
- compliance arrangements;
- compliance records;
- previously approved items;
- disability customer equipment;
- other regulatory arrangements;
- enforcement;
- compliance marks;
- forms;
- more information;
- quick guide to compliance and labelling;
- contact details; and
- glossary.

This is the third edition of *Telecommunications Labelling and Compliance* and should be read in conjunction with the *Telecommunications Labelling (Customer Equipment and Customer Cabling) Notice 2001*, as amended from time to time.

Introduction

The Australian Communications and Media Authority (ACMA) is responsible for regulating telecommunications, broadcasting, radiocommunications and online content. ACMA has responsibility, under Part 21 of the *Telecommunications Act 1997*, for the technical regulation of telecommunications **customer equipment** and **customer cabling** (collectively referred to as 'items' throughout this booklet).

The Australian Communications Authority (ACA), ACMA's predecessor, introduced industry self-regulatory arrangements based on compliance with applicable technical standards and labelling. ACMA regulates these arrangements through the *Telecommunications Labelling (Customer Equipment and Customer Cabling) Notice 2001* (the Labelling Notice), as amended from time to time.

These regulatory arrangements aim to ensure that items meet minimum mandatory technical standards and are appropriately labelled before supply or connection to a telecommunications network. The technical standards are designed to protect the health and safety of users and operators of a telecommunications network or facility, protect the integrity of a telecommunications network or facility, ensure interoperability with a telecommunications network for the supply of a standard telephone service and ensure access to emergency call services.

The Labelling Notice identifies applicable technical standards and the required compliance level for specific items. The compliance level relates to the risk associated with an item being non-compliant with applicable technical standards.

Australian manufacturers and importers of telecommunications items, or their Australian authorised agents acting on behalf of manufacturers and importers (collectively referred to as '**suppliers**' throughout this booklet), are required to label each item with either a compliance label or non-compliance label. Items not specified by the Labelling Notice must not be labelled.

For compliant items, the supplier must make a declaration that the item complies with applicable technical standard(s). The supplier must also apply a compliance label, comprising of the A-Tick mark and the supplier identification, to the item and hold records supporting claims of compliance. These compliance records are often referred to as compliance folders. Items that are specified by the Labelling Notice, but do not comply with applicable technical standard(s), must be labelled with the non-compliance label and specified warning documentation.

During 2002, an amendment to the Labelling Notice resulted in the introduction of an alternative labelling arrangement for suppliers of certain cabling products. This arrangement only applies to a very limited range of cabling products and is not applicable for 'consumer' products. The alternative labelling arrangement enables eligible suppliers to maintain a publicly available register on the internet, listing each of their compliant cabling products individually, in lieu of labelling the items with the A-Tick compliance mark.

Early in 2003, new compliance arrangements were introduced to the Labelling Notice for suppliers of disability customer equipment to simplify compliance arrangements and minimise the compliance costs for this type of equipment. This arrangement only applies to equipment supplied in low quantities (not more than 50 items from each supplier per calendar year).

Under the *Radiocommunications Act 1992*, ACMA has regulatory arrangements relating to electromagnetic compatibility (EMC), electromagnetic radiation (EMR) and radiocommunications matters which may also apply to the supply of telecommunications items.

Note: *The Telecommunications Labelling (Customer Equipment and Customer Cabling) Notice 2001*, including all amendments, is on the ACMA website at www.acma.gov.au (go to Industry, Standards & Compliance, Telecommunications). The Labelling Notice is amended regularly. Summaries of all the changes incorporated in the Labelling Notice are also on the ACMA website.

Contents

1. TELECOMMUNICATIONS REGULATORY ARRANGEMENTS

Am I affected?	8
Why control these items?	8
What standards apply in Australia?	8

2. LABELLING EQUIPMENT

What is the Labelling Notice?	9
What does the Labelling Notice require me to do?	9
What items are identified in the Labelling Notice?	9
Do all suppliers of telecommunications items need to comply with the Labelling Notice?	9
What standards apply to my telecommunications items?	9
What happens if standards are amended or replaced?	9
What happens if an existing item is labelled as compliant under an expired standard?	10

3. LABELLING REQUIREMENTS

What is the purpose of the A-Tick compliance label?	11
What does the A-Tick compliance label consist of?	11
What is the A-Tick compliance mark?	11
Can I use the A-Tick compliance mark?	11
What are the acceptable methods of supplier identification?	11
Who is responsible for applying labels to an item?	11
Can imported items be labelled by the overseas manufacturer?	12
What is an agency agreement?	12
What are the labelling requirements for compliant customer equipment?	12
What are the labelling requirements for compliant customer cable?	12
What are the labelling requirements for non-compliant items?	13
What if my item was previously labelled with the 'A-Cross' non-compliance mark?	13

4. ALTERNATIVE LABELLING FOR SUPPLIERS OF CERTAIN CABLING PRODUCTS

What are the alternative arrangements for suppliers of certain cabling products?	14
What cabling products are eligible for the alternative labelling arrangement?	14
What are the requirements for suppliers using the alternative labelling arrangement?	14

5. COMPLIANCE ARRANGEMENTS

What are compliance levels?	16
What are the requirements of each compliance level?	16
What is a recognised testing authority?	16
What is a certification body?	16
What is a competent body?	17
Who should test my item?	17
What other compliance documentation is acceptable?	17
Are there any items to which the Labelling Notice does not apply?	17

6. COMPLIANCE RECORDS

What are compliance records?	18
What information is required as the item's description?	18
What is a Declaration of Conformity?	18
Does each new item or modification to an item require a new set of compliance records?	18
Do I need the original test report?	18
Where do I keep the compliance records?	18
Can I store my compliance records electronically?	19
How long should I keep the compliance records?	19

7. PREVIOUSLY APPROVED ITEMS

What if my item has already been approved under previous arrangements?	20
What happens if an item has already been A-Ticked by someone else?	20

What should I do if I transfer responsibility for a telecommunications item?	20
--	----

8. DISABILITY CUSTOMER EQUIPMENT

What is disability customer equipment?	21
What are the compliance arrangements for suppliers of disability customer equipment?	21
How does the compliance scheme operate for suppliers of disability customer equipment?	21
What are the requirements for suppliers of disability customer equipment?	21
What is a disability representative body?	21
What is the role of the disability representative body in assessing disability customer equipment?	22
Additional notes for suppliers of disability customer equipment	22

9. OTHER REGULATORY ARRANGEMENTS

What if my item must also have the C-Tick label?	23
What is the Regulatory Compliance Mark?	23

10. ENFORCEMENT

Will ACMA inspect the compliance records?	24
How does ACMA decide who is to be audited?	24
What constitutes an offence?	24
What penalties apply?	24

11. COMPLIANCE MARKS

How do I obtain the artwork for the A-Tick compliance mark?	25
---	----

12. FORMS

How do I obtain permission to use regulatory compliance marks?	26
How do I obtain permission to use the alternative labelling arrangement for certain cabling products?	26

How do I obtain a Declaration of Conformity form?	26
---	----

How do I obtain a Declaration of Conformity form for disability customer equipment?	26
---	----

13. MORE INFORMATION

Where do I obtain a copy of the Telecommunications Labelling Notice?	27
Where do I obtain copies of the EMC, EMR or Radiocommunications Labelling Notices?	27
Where do I obtain a copy of the information booklets about the EMC, EMR and radiocommunications regulatory arrangements?	27
Where do I obtain information about agency agreements?	27
Where do I obtain copies of standards?	27
Who do I contact if I have further enquiries?	27

14. QUICK GUIDE TO LABELLING AND COMPLIANCE

Quick guide	28
-------------------	----

APPENDIX A: ACMA REGIONAL OFFICES

New South Wales Region	29
Northern Australia Region	29
Southern Australia Region	29
Western Australia Region	29

APPENDIX B: STANDARDS-MAKING BODIES

Australian Communications Industry Forum	30
Standards Australia	30

APPENDIX C: ACCREDITATION BODIES

National Association of Testing Authorities, Australia	31
--	----

**APPENDIX D:
CERTIFICATION BODIES**

Certification bodies32

**APPENDIX E:
DISABILITY REPRESENTATIVE BODIES**

Deafness Telecommunications Access
and Networking Project Reference Group33

Blind Citizens Australia33

Communication Aid Users Society33

Deafness Forum of Australia33

Physical Disability Council of Australia33

**APPENDIX F:
FORMS**

Forms34

GLOSSARY35

1. Telecommunications regulatory arrangements

Am I affected?

The telecommunications regulatory arrangements apply to any person, business or company that is the initial point of supply of telecommunications items to the Australian market. This includes:

- Australian manufacturers or importers of telecommunications items; or
- authorised agents in Australia acting on behalf of manufacturers or importers of telecommunications items.

There are penalty provisions within the *Telecommunications Act 1997* that relate to incorrect labelling and compliance record keeping for items. If you are in doubt as to whether an item needs labelling, you should contact an ACMA regional office (see Appendix A for contact details).

Why control these items?

The telecommunications regulatory arrangements aim to:

- protect the health and safety of users and operators of a telecommunications network;

- protect the integrity of a telecommunications network;
- ensure interoperability with a telecommunications network for the supply of a standard telephone service; and
- ensure access to emergency call services.

The telecommunications regulatory arrangements require suppliers to ensure that items meet applicable technical standard(s) and are appropriately labelled before supply.

What standards apply in Australia?

The applicable technical standards are listed in Schedule 1 of the Labelling Notice. A list of the technical standards is on the ACMA website at www.acma.gov.au (go to Industry, Standards & Compliance, Telecommunications, Standards).



2. Labelling equipment

What is the Labelling Notice?

The Labelling Notice specifies, among other things, the form and placement of labels (compliance label and non-compliance label), marks and information that must be applied to an item. Schedule 1 of the Labelling Notice specifies the types of items to which the arrangement applies and generally groups items according to the type of carrier service to which the item is designed to connect or a particular function of an item. It also identifies applicable technical standard(s) and the compliance level required for the standard(s).

What does the Labelling Notice require me to do?

The telecommunications regulatory arrangements detailed within the Labelling Notice require suppliers in general to:

- **apply for registration** with ACMA for permission to use the A-Tick compliance mark—the application form is included in the Labelling Notice;
- collect and **maintain supporting documentation** as required by the applicable compliance level, which then becomes the **compliance records for the item**;
- **complete** and sign a **Declaration of Conformity**—the declaration is included in the Labelling Notice;
- **affix a label** to the item; and
- **maintain these records**, including details of changes if the item is modified.

Suppliers, in the first instance, need to refer to Schedule 1 of the Labelling Notice to identify:

- the item category according to the carrier service to which the item is designed to connect or the function of the item;
- the applicable technical standard(s) for the item; and
- the compliance level required.

If the item is scoped by more than one category, that item must comply with all the applicable technical standard(s) that are identified for each category.

What items are identified in the Labelling Notice?

The Labelling Notice identifies items either based on the type of carrier service to which the item is designed to connect, or its functionality. Items identified in the Labelling Notice include, but are not limited to:

- telephone handsets (including cordless phones and handsets designed for voice over internet protocol services);
- modems (including dial-up, ADSL and cable modems);

- answering machines;
- mobile phones;
- ISDN items;
- headsets and their associated amplifiers; and
- cabling products and cable.

Generally, telecommunications items that can connect to a telecommunications network are covered by the Labelling Notice.

Do all suppliers of telecommunications items need to comply with the Labelling Notice?

Only suppliers of items specified in Schedule 1 of the Labelling Notice need to comply. Suppliers of items not specified in Schedule 1 of the Labelling Notice are **not** subject to the telecommunications regulatory arrangements. These suppliers may still be subject to the EMC regulatory arrangements, and possibly the EMR or radiocommunications regulatory arrangements.

What standards apply to my telecommunications items?

Items must meet the requirements of the applicable technical standard(s) detailed in Schedule 1 of the Labelling Notice. There are different technical standards for different types of items and, in many cases, more than one technical standard will apply to a particular item. In most instances, items will also need to comply with an EMC standard. Some items may also have to meet EMR or radiocommunications standards.

If an item labelled as compliant is modified, it must continue to meet the requirements of the applicable technical standard(s) and may require additional testing if it is to continue being labelled with the A-Tick compliance label and supplied to the market.

What happens if standards are amended or replaced?

Items must meet the requirements of applicable technical standard(s) detailed in Schedule 1 of the Labelling Notice. A technical standard is applicable until the expiry date listed for that standard in Schedule 1.

Where a standard is amended or a replacement standard created, Schedule 1 will usually provide for an overlap period during which both the old standard and the replacement standard apply. The overlap period will vary depending on the nature of the changes made in the replacement standard. Suppliers of new items may select either standard during the overlap period. The item must comply with either the old standard or the replacement standard and must not be tested against a combination of the two. After the old standard expires, all new items first supplied after the expiry date must comply with the replacement standard.

What happens if an existing item is labelled as compliant under an expired standard?

A supplier may continue to label an existing item with the A-Tick compliance label even though a standard has been amended or replaced and the old standard has expired. This means that the supplier is not required to re-test an item to the amended or replacement standard where an item is labelled as compliant with a technical standard that applied when it was first manufactured or imported.

However, these arrangements do not apply where:

- the item is subsequently modified; or
- continued supply of items that complied with the requirements of a previous standard would have significant adverse effects on safety or on the integrity of a telecommunications network or facility; or
- where another importer commences importing that item after the old standard has expired.



3. Labelling requirements

What is the purpose of the A-Tick compliance label?

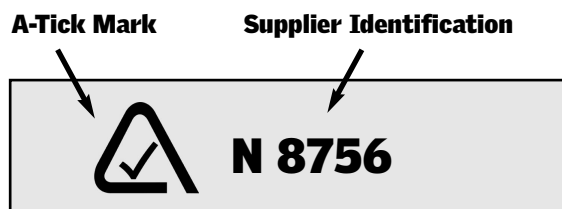
The A-Tick compliance label indicates that the item complies with the applicable standard(s) and establishes a traceable link between the item and the supplier responsible for compliance and for placing it on the Australian market. It is also an indication to the user that the item can legally be connected to a telecommunications network or facility.

What does the A-Tick compliance label consist of?

The A-Tick compliance label consists of:

- the A-Tick compliance mark; and
- the supplier identification.

For example:



The example of the A-Tick compliance label format is shown in a larger size than the minimum required. In the example, the supplier identification depicted is the supplier code number issued by ACMA.

What is the A-Tick compliance mark?

The A-Tick compliance mark is the symbol specified in Schedule 3 of the Labelling Notice. No variation to the specified form is permitted.



Can I use the A-Tick compliance mark?

The A-Tick compliance mark is a protected symbol and is only to be used in accordance with conditions laid down by ACMA.

A company or person wishing to use the A-Tick compliance mark must make a written application to ACMA using the form set out in the Labelling Notice. No fee is required to register with ACMA for permission to use the A-Tick compliance mark. On receipt of an application, ACMA will issue the applicant a supplier code number.

An electronic version of the A-Tick compliance mark is available free of charge from the ACMA website at www.acma.gov.au (go to Industry, Standards & Compliance, Compliance Marks).

Registration to use the A-Tick compliance mark will only be granted to manufacturers in Australia or importers in Australia, or their agent in Australia.

What are the acceptable methods of supplier identification?

The acceptable methods of supplier identification include:

- the supplier's business name and business address in Australia;
- the supplier's business name registered on the national business names register;
- the supplier's personal name and the address in Australia of the supplier's place of business;
- the supplier's Australian Company Number (ACN);
- the supplier's Australian Registered Body Number;
- the supplier's Australian Business Number (ABN);
- any Australian registered trademark; or
- the supplier's supplier code number.

Note: If the trademark option is to be used, the supplier must hold a copy of the Australian trademark registration certificate, including a true representation of the trademark with their compliance records.

Who is responsible for applying labels to an item?

ITEMS MANUFACTURED IN AUSTRALIA

The Australian manufacturer, or their authorised agent, must label items manufactured in Australia. Any person who applies labels must be authorised to do so either by ACMA or by a registered supplier. Persons who apply labels without such authorisation may be subject to prosecution for the misuse of a protected symbol. Copies of this authorisation should be kept by the person applying labels and with the compliance records.

ITEMS MANUFACTURED OVERSEAS

The importer, or their authorised agent in Australia, must ensure that items manufactured overseas are labelled accordingly. This can be achieved by labelling the item on its arrival in Australia or the supplier may authorise the overseas manufacturer to apply the label. Copies of this authorisation must be kept with the compliance records. Suppliers should take adequate precautions to ensure that their compliance label is not misused by the overseas manufacturer.

Can imported items be labelled by the overseas manufacturer?

Items may be labelled at any stage before being supplied to the Australian market. ACMA recognises that it may be more cost-effective for many imported items to be labelled at the time of manufacture rather than at the time of importation. Suppliers must provide a written authorisation to the original manufacturer of the item. Copies of this authorisation must be kept with the compliance records.

What is an agency agreement?

There is an obligation on a supplier to test and label telecommunications items. Suppliers can meet this obligation by either labelling the item or by entering into an agency agreement with another person who labels the item. Agency agreements for the purposes of the telecommunications regulatory arrangement are those agreements that are required between persons that have an obligation to label but who enter into an arrangement whereby a separate entity takes responsibility for labelling.

Given the potentially severe consequences arising from a prosecution for failing to label, ACMA takes the issue of agency agreements very seriously. The agency agreement must address all aspects related to the responsibility to label and must be laid down in clear and unambiguous language.

ACMA recommends that both parties to an agency agreement seek independent legal advice on the content of that agreement. There are guidelines on the issues that should be considered in the agreement on the ACMA website at www.acma.gov.au (go to Industry, Standards & Compliance, Telecommunications, Information for manufacturers and importers, Agency agreements).

There is no defined form of an agency agreement. Agency agreements can be stand-alone documents of a form agreed to by the parties involved or incorporated into other agreements between those parties. A copy of the agency agreement must be kept with the compliance records of the item. A further copy of the agency agreement should be held by each party mentioned in the agreement.

What are the labelling requirements for compliant customer equipment?

- **Location**—the A-Tick compliance label must be applied to the external surface of the item, as close as possible to the product identification code. Where this is not practicable, due to the size or physical nature of the item, the A-Tick compliance label must be applied to the external surface of the item's packaging and to the documentation that accompanies the item when it is supplied to a user. If the A-Tick compliance label is placed on the external surface of the packaging, the label must be clearly visible and take up an area that is greater than one per cent of that external surface.
- **Method of marking**—the A-Tick compliance mark and supplier identification may be applied by any suitable means, including printing, painting, moulding, etching or engraving.
- **Scale**—the A-Tick compliance mark must be at least three millimetres in height and the supplier identification characters must be legible and at least one millimetre in height.
- **Colour**—the A-Tick compliance label may be reproduced in any colour, or marked in relief, for example, moulding or engraving, on the item.

The A-Tick compliance mark may also be placed on promotional material associated with the item.

What are the labelling requirements for compliant customer cable?

- **Location**—the A-Tick compliance label must be applied at least once on the cable sheath, as close as possible to the product identification code. Where this is not practicable, due to the size or physical nature of the cable, the A-Tick compliance label must be applied to the external surface of the packaging used for the cable—for example, the drum, spool or box. If the A-Tick compliance label is placed on the external surface of the packaging, the label must be clearly visible and take up an area that is greater than one per cent of that external surface.
- **Additional requirements for marking cable**—customer cable must also be identified on the sheath, at regular intervals of not more than two metres, with a company name, trade name or trademark, as well as with a part number, identification number, name or part name.
- **Requirements for suppliers using the alternative labelling arrangement**—details of the requirements for suppliers using the alternative labelling arrangement are specified in Chapter 4 of this booklet and Part 2A of the Labelling Notice.

- **Method of marking**—the A-Tick compliance mark and supplier identification may be applied by any suitable means, including printing, painting, moulding, etching or engraving.
- **Scale**—if applied to the cable sheath, the A-Tick compliance mark must be at least three millimetres in height and the supplier identification characters must be legible and at least one millimetre in height.
- **Colour**—the A-Tick compliance label may be reproduced in any colour, or marked in relief, for example, moulding or engraving, on the cable.

The A-Tick compliance mark may also be placed on promotional material associated with the item.

What are the labelling requirements for non-compliant items?

If an item covered by the Labelling Notice does not comply with the applicable technical standard(s) and is not a 'previously permitted item' as detailed in the Labelling Notice, it is regarded as a non-compliant item. Items that do not meet the applicable technical standard(s), or have not been tested against the requirements of each applicable technical standard(s), must be labelled with the non-compliance label.

The non-compliance label must consist of an acceptable means of the supplier identification as specified in the Labelling Notice. In addition, the supplier must also print the statements set out in Schedule 9 of the Labelling Notice on the packaging and the documentation supplied with the item.

For example:

The **non-compliance label** consists of the **supplier identification** placed on the item—the identification depicted is the supplier's ACN.

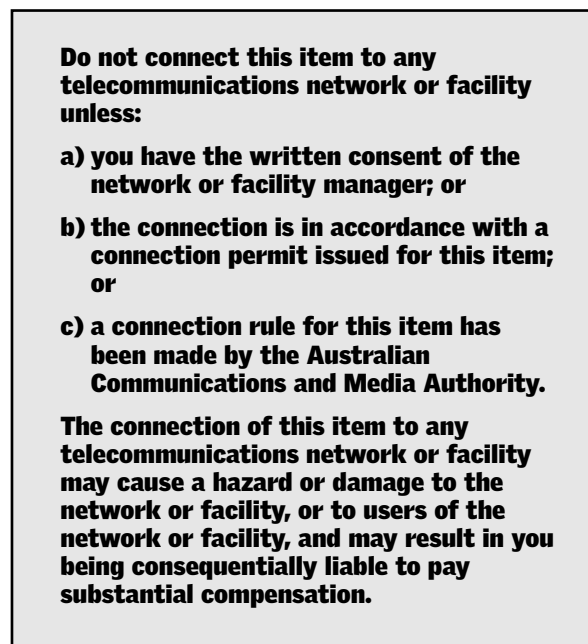
Supplier identification



In addition to the supplier identification on the item, the **following statement must be printed** in capital letters of at least five millimetres high on the external surface of the packaging supplied with the item:



In addition to the above statement, the **following statement must also be printed** in letters of at least 12 point (three millimetres) on the external surface of the packaging and incorporated into the documentation supplied with the item:



What if my item was previously labelled with the 'A-Cross' non-compliance mark?

The 'A-Cross' non-compliance mark was previously removed from the Labelling Notice and should not be used.

Suppliers must label non-compliant items according to the labelling requirements for non-compliant items set out in the Labelling Notice.

4. Alternative labelling for suppliers of certain cabling products

What are the alternative arrangements for suppliers of certain cabling products?

During 2002, new regulations were introduced into the Labelling Notice that provide an alternative arrangement for the labelling of a range of certain products—some customer cabling and associated customer equipment. This arrangement provides suppliers with an alternative to applying the compliance label (A-Tick compliance mark and supplier identification) to certain cabling products.

Suppliers who are eligible to use the alternative labelling arrangement, and not required to place the compliance label on their product, are required to maintain a publicly available register on the internet, listing each of their compliant cabling products that are supplied under the alternative labelling arrangement. These products will be identified in the marketplace by their unique markings and labels applied during the manufacturing process.

What cabling products are eligible for the alternative labelling arrangement?

Broadly speaking, for a cabling product to be eligible for the alternative labelling arrangement it must:

- be compliant with the standard ACMA TS008-1997 or AS/ACIF S008;
- be a type of product that can only be installed by a licensed or registered cabler (under section 420 of the *Telecommunications Act 1997*); and
- be marked with the manufacturer's identification.

These cabling products include cable, connectors, distributors and patch panels.

Cabling products intended for the consumer market must continue to be marked with the A-Tick compliance label irrespective of whether the products meet the criteria for the alternative labelling arrangement. Examples of such products include pre-terminated (terminated with plugs and sockets) telephone extension cords, plug-in socket adaptors and pre-terminated patch leads.

What are the requirements for suppliers using the alternative labelling arrangement?

Details of the requirements for suppliers using the alternative labelling arrangement are specified in Part 2A of the Labelling Notice. It is important that suppliers read the requirements in the Labelling Notice and consult ACMA (see Appendix A for contact details).

Suppliers who wish to use the alternative path and not place the A-Tick compliance label on certain cabling products must:

- **Apply for permission with ACMA to use the alternative labelling arrangement**

The supplier must apply to ACMA for permission to use the alternative labelling arrangement. The supplier must obtain a supplier code number from ACMA if it does not already have one and must give ACMA notice of its intention not to apply a compliance label to exempt items. The application form is in the Labelling Notice and also on the ACMA website at www.acma.gov.au (go to Industry, Standards & Compliance, Telecommunications, Forms). Completed applications should be forwarded to an ACMA office (see Appendix A for contact details).

- **Test and hold proof that the product complies with ACMA TS008-1997 or AS/ACIF S008**

Testing of cabling products is a mandatory requirement under the telecommunications regulatory arrangement. Compliance requirements for cabling products are set at compliance level 2. This means that testing against the applicable technical standard ACMA TS 008:1997 or AS/ACIF S008 can be completed by a NATA-accredited test house (see Appendix C for contact details), non-accredited test house or in-house, provided you have the required test facilities.

For more information about testing, refer to **Compliance arrangements** in this booklet.

- **Ensure the product bears identification and labels**

Cabling products supplied under the alternative labelling arrangement will be identified in the marketplace by markings and labels applied in the course of manufacturing. A supplier of cable must ensure that identification is displayed on the sheath of the cable at regular intervals of not more than two metres.

- **Maintain compliance records**

The supplier must hold compliance records for all items of cabling products supplied to the Australian market, even cabling products that use the alternative labelling arrangement. For more information about compliance records refer to **Compliance records** in this booklet.

- **Establish a register on the internet**

Suppliers wishing to use the alternative labelling arrangement must establish a publicly accessible register on the internet that:

- states the name of the supplier;

- clearly identifies each product subject to the alternative labelling arrangement; and
- provides the details of each product.

The product details must include:

- identification such as a company name, trade name or trademark; a part number, identification number, product name or part name; and
- the number of pairs within a cable (where appropriate).

In addition to these requirements, the internet register must:

- be maintained for five years after ceasing supply;
- include only products that do not bear a compliance label; and
- list the exempt cabling products in groups of like products, according to the technical

characteristics of the product; the function of the product; the purpose for which the product is used, or for which it is intended that the product be used; the location of the product; and be separated from any other lists of products.

- **Advise ACMA**

ACMA will establish a link to the supplier's web page of non-labelled cabling product based on the information supplied in the application form by the supplier. The supplier must advise ACMA within 21 days by email to comply.label@acma.gov.au of any changes to its web page. Where a supplier fails to notify ACMA of changes, the cabling product will be treated by ACMA as product that should have been labelled but was not. In this event, the supplier will be liable to prosecution for supplying an unlabelled product.

Compliance records are subject to audit by ACMA.



5. Compliance arrangements

What are compliance levels?

The Labelling Notice specifies the requirements for three 'compliance levels'. Each of these relates to the extent of evidence required to give confidence in the compliance of items to the technical standard(s) identified in the Labelling Notice. The compliance level, in a given instance, relates to the risk associated with non-compliance with an applicable technical standard(s). In simple terms, the higher the compliance level the greater the risk presented by a non-compliant product. Therefore:

- **Level 1**—applies where non-compliance has limited consequences for the safety of persons or the integrity of a telecommunications network or facility;
- **Level 2**—additional requirements are applied at this level, above that required for compliance level 1, because non-compliance may have adverse consequences for personal safety or the integrity of a telecommunications network or facility; and
- **Level 3**—incorporates the most stringent requirements for compliance with the applicable technical standard(s) because non-compliance may have serious adverse consequences for personal safety or the integrity of a telecommunications network or facility.

What are the requirements of each compliance level?

COMPLIANCE LEVEL 1

To comply with compliance level 1, the supplier must:

- prepare a description of the item; and
- complete and sign a declaration of conformity in relation to the item.

COMPLIANCE LEVEL 2

To comply with compliance level 2, the supplier must:

- comply with the requirements for compliance level 1; and
- hold enough information, as appropriate, to show the item meets the requirements of each applicable technical standard(s) for that item.

A list of the types of alternative information that can be used to meet compliance level 2 is specified in the Labelling Notice. For example, documents that may be used to demonstrate compliance are:

- a test report about one or more requirements of an applicable technical standard(s);
- a written statement by a certification body about one or more requirements of an applicable technical standard(s); and
- an 'overseas type approval', or an 'attestation of conformity', or a 'certificate of approval or suitability'

together with additional supplementary documentation that proves the item meets the differences between the applicable technical standard(s) and the standard for which the 'overseas type approval' or 'attestation of conformity' or 'certificate of approval or suitability' was issued. The additional documents may be a compliant test report or written statement from a certification body or written statement from a competent body.

Note: Details of acceptable alternate compliance documentation are specified in Schedule 7 of the Labelling Notice.

COMPLIANCE LEVEL 3

To comply with compliance level 3, the supplier must:

- comply with the requirements for compliance level 1; and
- hold enough information, as appropriate for compliance level 2, to show the item meets the requirements of each applicable technical standard(s) for that item.

The difference between compliance level 2 and 3 is that **all** test reports for compliance level 3 must be obtained from a recognised testing authority (RTA) (see Appendix C for contact details).

What is a recognised testing authority?

National Association of Testing Authorities (NATA) has been determined as an accreditation body under the *Telecommunications Act 1997*. NATA has determined a number of test houses, including overseas laboratories, to be RTAs. An RTA is a laboratory that has the technical knowledge, skills and testing expertise to test to the Australian standards for telecommunications items.

A list of RTAs and the standards they are accredited to are available from the NATA website at www.nata.asn.au/publications/downloads/rtalist.pdf. NATA can provide further details of the scope of the accreditation for each RTA if necessary (see Appendix C for more information about NATA, including contact details).

What is a certification body?

A certification body is determined by an approving body under the *Telecommunications Act 1997*. Currently, ACMA has a determined in-house approving body. This approving body has determined three industry certification bodies. A certification body is a person or association that has the technical knowledge, skills and experience to make statements regarding the compliance of certain telecommunications items against Australian standards.

A certification body issues a statement certifying that an item complies with an applicable technical standard(s).

A certification body can issue a statement of compliance where there is no RTA to test to a standard. Though certification bodies are generally asked to issue statements regarding compliance of items to the applicable technical standard(s) at compliance level 3, they may issue statements regarding compliance at any compliance level. Suppliers should discuss this further with a certification body. The certification body must follow the guidelines issued by ACMA's in-house approving body.

The certification guidelines and details of the determined certification bodies are on ACMA website at www.acma.gov.au (go to Industry, Standards & Compliance, Telecommunications, Testing and Certification, Certification Bodies).

What is a competent body?

Under the current telecommunications regulatory arrangements, NATA has been appointed as an accreditation body to assist in the operation of that regulatory arrangement. An accreditation body can determine persons as RTAs and competent bodies for the purposes of the regulatory arrangement.

While competent bodies may be determined by an accreditation body under the *Telecommunications Act 1997*, to date there are no appointed competent bodies for the purposes of the telecommunications regulatory arrangement. Competent bodies have been appointed under the *Radiocommunications Act 1992* for the purposes of the EMC regulatory arrangements, but these should not be confused with competent bodies or certification bodies appointed under the *Telecommunications Act 1997*.

Note: Persons can be appointed as accreditation bodies, approving bodies, competent bodies or certification bodies under various provisions in both the *Telecommunications Act 1997* and the *Radiocommunications Act 1992*.

Who should test my item?

There is no requirement to hold a test report for compliance level 1 items. Compliance level 2 items can be tested by any test house or even tested in-house. Testing organisations for compliance level 2 do not need to be accredited by NATA. However, for compliance level 3, test reports **must** be obtained from an RTA.

What other compliance documentation is acceptable?

In addition to the above arrangements, for compliance level 2 and compliance level 3, ACMA also recognises the following type approvals:

- approvals issued by identified foreign administrations relating to Global System for Mobile Communications mobile phone handsets, Personal Handyphone System handsets, Digital Enhanced

Cordless Telecommunications terminal equipment, cordless telephone terminal equipment, ISDN terminal equipment, Advanced Mobile Phone System customer equipment and Code Division Multiple Access customer equipment;

- reports for European Telecommunications Standards Institute (ETSI) ISDN telecommunications terminal equipment;
- attestations of conformity issued by designated conformity assessment bodies under the Mutual Recognition Agreement between Australia and the European Union; and
- electrical safety certificates of approval or certificates of suitability, given by an Australian state or territory electrical safety authority.

An item, having any of the above approvals, is only required to be tested to the differences between the type approvals standard(s) and the applicable technical standard(s).

Note: Details of acceptable overseas approvals, reports, attestations of conformity or electrical safety certificates are specified in Schedule 7 of the Labelling Notice.

Are there any items to which the Labelling Notice does not apply?

Some general exemptions from the labelling requirements apply, although items listed in Schedule 1 of the Labelling Notice must comply with the applicable technical standard(s).

The Labelling Notice does not apply to the items listed in Schedule 2 of the Labelling Notice. Currently the following items are identified:

- cellular mobile phones imported for personal use that meet the applicable technical standard(s);
- equipment manufactured or imported solely for use by criminal law enforcement agencies, defence force agencies or Australian security agencies that meet the applicable technical standard(s);
- test equipment for telecommunications networks;
- handsets or headsets manufactured or imported solely for use with internet or voice modem connections to a telecommunications network;
- televisions, video cassette recorders or FM stereo amplifiers that do not have a network termination unit as part of their design;
- set-top boxes used solely to provide subscription broadcasting or narrowcasting services; and
- an item that is manufactured or imported solely to be exported.

6. Compliance records

What are compliance records?

Compliance records comprise information compiled by a supplier about an item. Compliance records include the required documentation that supports the declaration that an item complies with the Labelling Notice and the applicable technical standard(s). The range and extent of the specified documents will depend on the compliance levels (that is, compliance level 1, 2 or 3) that apply to the item.

What information is required as the item's description?

In broad terms, a description of an item must include the following information:

- the current model number, and any related model numbers, for the item;
- photograph(s) of the item showing the item's internal and external aspects (including printed circuit boards);
- a reference to the version of any software that is incorporated in the item;
- sufficient information for a person to determine whether the item labelled is the same as the item for which:
 - a Declaration of Conformity, test report, accredited test report or statement by a competent body or certification body was prepared; or
 - an AUSTEL permit or Telecom authorisation was granted before 1 July 1997; and
- if the item is disability customer equipment, a description of the relevant features of the item.

What is a Declaration of Conformity?

The Declaration of Conformity is the document signed by the supplier to certify that the item meets the applicable technical standard(s). A person who holds a senior position in the company or organisation must sign the declaration. The person signing the declaration will have sighted the evidence that supports the declaration and must be satisfied that the evidence contained within the compliance records is sufficient to demonstrate compliance. The Declaration of Conformity must be kept with the compliance records and may be in electronic form.

The Declaration of Conformity is included in Schedule 5 of the Labelling Notice and is also on the ACMA website at www.acma.gov.au (go to Industry, Standards & Compliance, Telecommunications, Forms).

Does each new item or modification to an item require a new set of compliance records?

Each new item requires a new set of compliance records. If the item is a modified version of, or part of a 'family' of the original item, the gathered information can be held together as the compliance records for that family of items.

Where changes to a compliant model are made, the supplier must make a new Declaration of Conformity. The supplier, in addition to making the new declaration, needs to make a written statement:

- identifying the modified item;
- identifying the modification; and
- describing the differences between the modified item and the unmodified item.

This written statement will need to be signed by the responsible person.

The supplier must ensure that the modified item is tested against each applicable technical standard(s) relevant to the modification and the supplier must keep a record of the results of each test carried out.

The supplier must not apply the A-Tick compliance label to the modified item unless the item meets the requirements of each applicable technical standard(s) at the required compliance level.

Do I need the original test report?

It is not necessary to hold the original test report with the compliance records. Certified copies of the original test report may be included as part of the compliance records. These must be endorsed as a true and complete copy by the:

- holder of the original test report; or
- original test house.

Where do I keep the compliance records?

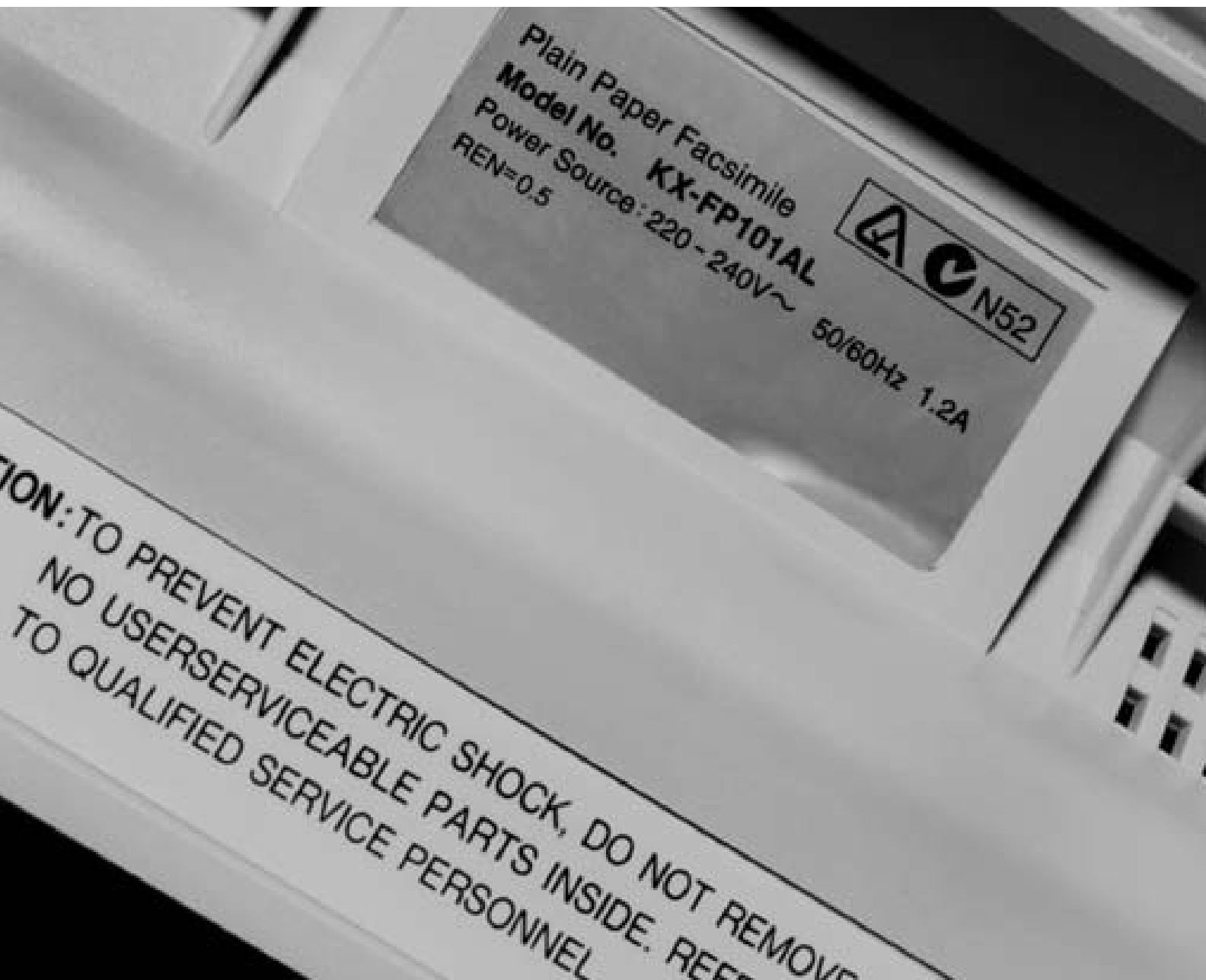
ACMA does not specify a location for the storage of the compliance records. Documentation, forming part of a set of compliance records, must be available in English and needs to be stored at a location, or locations, which will allow retrieval within the notification period prior to an audit being carried out. The compliance records must be made available to ACMA, for audit or investigation purposes, on written advice from ACMA.

Can I store my compliance records electronically?

The ACMA auditor can view the information in electronic form, provided these records meet all the requirements for compliance records, including appropriate signatures on test reports. If, as a result of the initial audit, a more in-depth audit is required, the compliance records must be provided to the ACMA auditor in the format specified by ACMA.

How long should I keep the compliance records?

Compliance records for an item must be retained for five years after the supplier ceases to supply the item in Australia.



7. Previously approved items

What if my item has already been approved under previous arrangements?

The current telecommunications regulatory arrangements came into effect in July 1997. Customer equipment approved for supply before that date was issued a permit—an equipment item approved under these previous regulatory arrangements is commonly known as a ‘permitted item’. The current regulatory arrangements allow the continued supply of most permitted items to the market. While most of these permitted items can continue to be supplied without additional testing or modification, a small number of permitted items need additional testing to meet current requirements.

ACMA Technical Standard TS102-1998 (TS102-1998) specifies additional requirements for some items of previously permitted customer equipment and customer cabling. If an item of customer equipment was first supplied after 1 July 1997, it is subject to the current regulatory arrangement and any requirements within TS102-1998 will not be relevant. Supply of a permitted item can continue providing it is compliant with the technical standard(s) it was originally tested against and complies with any additional requirements detailed in TS102-1998.

As with items supplied under the current regulatory arrangements, permitted items must be labelled in accordance with the terms of the original permit. The current regulatory arrangements allow suppliers who originally supplied permitted items labelled with the permit number to also include the A-Tick compliance mark on those items.

AUSTEL PERMIT
A93/23A/0000

or



AUSTEL PERMIT
A93/23A/0000

Telecom Australia Authorisation
No. C87/23/000

or



Telecom Australia
Authorisation
No. C87/23/000

Examples of acceptable compliance labels for previously permitted items are:

TS102-1998 is available for purchase from the SAI Group (see Appendix B for contact details) or from the ACMA website (go to Industry, Standards & Compliance,

Telecommunications, Standards).

Note: A reference to TS102-1998 includes all subsequent amendments.

What happens if an item has already been A-Ticked by someone else?

If an importer or authorised agent in Australia wishes to supply an item identical to that already on the Australian market, the importer or authorised agent in Australia must obtain the appropriate documentation to establish and keep their own compliance records, and subsequently apply compliance labels to each item they supply. Each importer or authorised agent in Australia is responsible for ensuring that the imported item complies with the relevant applicable technical standard(s).

It is possible for an importer or other person to act as an agent for many importers of the same item. In this case, depending on the agency agreement, the agent may establish and maintain the compliance records relevant to the item. Information on agency agreements is available from the ACMA website at www.acma.gov.au (go to Industry, Standards & Compliance, Telecommunications, Information for manufacturers and importers, Agency agreements).

What should I do if I transfer responsibility for a telecommunications item?

Where a supplier transfers responsibility for a telecommunications item to another supplier, the new supplier, if not already registered with ACMA to use the A-Tick compliance mark, must apply to ACMA to use the A-Tick compliance mark. ACMA will issue a supplier code number to the new supplier.

The new supplier must ensure that the item is compliant before labelling the item. The new supplier must label the item with their own A-Tick compliance label indicating their involvement, including their own supplier identification. For more information about the acceptable methods of supplier identification, refer to **Labelling requirements** in this booklet. The new supplier must also ensure the availability of the compliance records applicable to the item and sign and hold a Declaration of Conformity relating to the item.

The new supplier is responsible for the compliance of all items supplied from the date that the new supplier takes control. The old supplier may be responsible for the maintenance of all previously supplied items and the maintenance of compliance records for the item, unless the responsibility for these issues is specifically dealt within the legal arrangement between the old supplier and the new supplier. ACMA recommends that both parties seek legal advice regarding their responsibilities.

8. Disability customer equipment

What is disability customer equipment?

Disability customer equipment for the purposes of this compliance scheme means equipment that:

- is for use by persons with disabilities;
- has a feature or features designed for the purpose of assisting a person with a disability access a service supplied over the analogue public switched telephone network, and that the feature is not one of the features specified in the standard AS/ACIF S040;
- has been identified by a disability representative body as having a feature that will assist a person with a disability to access services supplied over the analogue public switched telephone network;
- is not supplied in quantities greater than 50 items in a calendar year (where more than 50 items of specific equipment is supplied in a calendar year, it will no longer be eligible for the reduced compliance arrangement); and
- can only connect to the analogue public switched telephone network.

What are the compliance arrangements for suppliers of disability customer equipment?

In 2003, a compliance scheme was introduced into the Labelling Notice to reduce compliance arrangements for suppliers of specific equipment. The reduced compliance arrangements aim to minimise compliance costs for suppliers of specific equipment with one or more features designed to assist persons with disabilities access services supplied over the analogue public switched telephone network. This arrangement only applies to equipment supplied in low quantities (not more than 50 items from each supplier per calendar year).

How does the compliance scheme operate for suppliers of disability customer equipment?

Under this compliance scheme, the equipment supplied must be endorsed by a disability representative body. The equipment must have a feature or features that, in the opinion of the disability representative body, are specifically designed to assist a person with a disability to access a service supplied over the analogue public switched telephone network.

The feature or features that meet the special needs of persons with disabilities cannot be a feature which is addressed in the standard AS/ACIF S040. The standard AS/ACIF S040 specifies features catering for persons with a disability that must appear on all equipment used in accessing the standard telephone service. Currently the two features covered by this standard are a raised pip

key on the key associated with the digit '5' and the incorporation of hearing aid coupling into the handset.

What are the requirements for suppliers of disability customer equipment?

In brief, the Labelling Notice requires suppliers to:

- **identify the feature or features of the equipment** specifically designed to cater for the needs of persons with disabilities. If the equipment has more than one feature, each of the features must be listed on the Declaration of Conformity—this form is included in the Labelling Notice;
- **obtain a written statement from a disability representative body** that the feature or features will assist a person with a disability to access a service supplied over the analogue public switched telephone network;
- **sign a Declaration of Conformity** stating that not more than 50 items of equipment are supplied in a calendar year;
- **test the equipment** to the reduced compliance arrangements as specified in Category 51 of Schedule 1 of the Labelling Notice and **maintain the required compliance records**. Compliance level 3 (testing by an RTA) still remains for electrical safety requirements;
- **hold the original Declaration of Conformity** with the compliance records and return a copy of the signed declaration to ACMA—contact details are listed on the form; and
- **label the equipment** with the A-Tick compliance label.

The disability representative bodies participating in this compliance scheme are listed on the ACMA website at www.acma.gov.au (go to Industry, Standards & Compliance, Telecommunications, Telecommunications labelling and compliance, Disability Customer Equipment).

The Declaration of Conformity (Schedule 5A) is in the Labelling Notice and also on the ACMA website at www.acma.gov.au (go to Industry, Standards & Compliance, Telecommunications, Forms).

What is a disability representative body?

A disability representative body, for the purpose of this arrangement, means a body that:

- represents a group of persons with a disability;
- is funded by the department responsible for family and community services; and
- is listed on the ACMA website as a disability representative body.

What is the role of the disability representative body in assessing disability customer equipment?

The supplier must seek the endorsement of the disability representative body that the equipment has a feature or features that would assist a person with a disability to access a service supplied over the analogue public switched telephone network.

The equipment may have many features, but the disability representative body is only required to identify one of the features in order for the equipment to be classified as disability customer equipment. Features which may be considered as suitable by a disability representative body include, but are not limited to, larger buttons, non-slip buttons, larger display screens and voice recognition incorporated into equipment.

The supplier may present the Declaration of Conformity for endorsement by the disability representative body. In assessing when an item is disability customer equipment, the disability representative body should be satisfied that the feature, in conjunction with the equipment in which that feature is incorporated, would assist a person with a disability access a service supplied over the analogue public switched telephone network.

For this compliance scheme to be effective, the disability representative body must ensure that contact details appearing on the ACMA website are correct.

Additional notes for suppliers of disability customer equipment

Suppliers should consider early in the process whether the equipment they are manufacturing, importing or modifying will be recognised as disability customer equipment by a disability representative body. Equipment that is not acceptable to a disability representative body is not eligible for the reduced compliance arrangements and must meet **all** applicable technical standard(s) specified in the appropriate categories of Schedule 1 of the Labelling Notice. Equipment listed in Schedule 1 of the Labelling Notice, other than Category A1 or A2, cannot be disability customer equipment.

9. Other regulatory arrangements

What if my item must also have the C-Tick label?

ACMA also has regulatory arrangements for:

- EMC—applies to a wide range of electrical and electronic goods;
- EMR—applies to many radiocommunications transmitters; and
- radiocommunications—applies to most radiocommunications equipment.

The C-Tick label is used to show compliance with the EMC, EMR and radiocommunications regulatory arrangements.

Telecommunications items may also be required to comply with one or more of the above regulatory arrangements, for example, cordless and mobile telephone handsets. Where an item is subject to one or more of these regulatory arrangements, there is no requirement to label an item of equipment with both the A-Tick compliance mark and the C-Tick compliance mark—the A-Tick mark is adequate for indicating compliance with all applicable regulatory arrangements.

More information about the EMC, EMR and radiocommunications regulatory arrangements is provided in similar booklets to this one. The booklets are available from ACMA regional offices (see Appendix A for contact details) or the ACMA website at www.acma.gov.au (go to Industry, Standards & Compliance).

An item that does not comply with the telecommunications regulatory arrangements cannot be connected to a telecommunications network without written authorisation from the manager of the network. Despite this, there are some rare circumstances where

non-compliant telecommunications items can be supplied. Non compliant items must:





- be labelled with the telecommunications non-compliance label;
- comply with any relevant EMC, EMR or radiocommunications standards; and
- be labelled with the C-Tick compliance label.

For example, the label placed on the item would consist of the C-Tick mark and the supplier identification, together with statements printed on the packaging and documentation indicating non-compliance with the telecommunications regulatory arrangements. A detailed description of the labelling requirements is in the Labelling Notice. The different labelling scenarios for the above situation are illustrated below:

What is the Regulatory Compliance Mark?

The Regulatory Compliance Mark (RCM) is a trademark owned by Australian and New Zealand regulators. It is not an alternative mark to the telecommunications A-Tick compliance mark. The RCM may be used to indicate EMC compliance. If the RCM is used as a replacement for the C-Tick mark, the product must comply with the other applicable regulations, such as electrical safety, that are covered by the RCM standard AS/NZS 4417.

More information about the conditions of use for the RCM is in the RCM standard AS/NZS 4417. Suppliers who intend to use the RCM should register with Standards Australia and notify ACMA of their intention to use this trademark. The registration form is available from the SAI Global website at www.standards.com.au/rcm/.

	EMC /EMR standards Most telecommunications customer equipment would have requirements under ACMA's EMC scheme; specified customer equipment would have requirements under ACMA's EMR scheme	Radiocommunications standards Radiocommunications standards apply to CT 0 cordless phones
Compliant with telecommunications requirements	 + supplier identification	 + supplier identification
Non-compliant with telecommunications requirements	 + supplier identification In addition, suppliers must also print non-compliance statements on packaging and documentation.	 + supplier identification In addition, suppliers must also print non-compliance statements on packaging and documentation.

10. Enforcement

Will ACMA inspect the compliance records?

Although the compliance arrangements are based on industry self-regulation, ACMA backs this up with an auditing program that includes review of technical and non-technical compliance records and testing of items. This program is part of ACMA's regulatory obligation to industry and consumers under the *Telecommunications Act 1997*.

How does ACMA decide who is to be audited?

Suppliers are selected for audit in various ways. These include:

- by random selection from the registered supplier database;
- as part of an investigation following a written complaint;
- by identifying items at retail outlets;
- by identifying items in advertising material; or
- as part of an investigation following complaints from carriers about interference or disruption to networks.

When a supplier is selected for audit, ACMA will issue a written notice to that supplier indicating that an audit will occur. This notice will nominate an audit date, which will allow the recipient at least 10 working days to prepare for the audit or provide any requested documentation.

At the time of audit, the auditor will examine any compliance records provided and may also make a detailed inspection of the item. When the auditor is satisfied that all the documentation and reports are correct, the supplier will be given an 'Audit Completion Statement'.

Note: The Audit Completion Statement does not indicate compliance of the item(s). It only means that the compliance records were complete at the time of the audit.

When an auditor requires further evidence of compliance for the item, additional information will be requested. This information may range from producing further documentation to the submission of three randomly selected samples of the item for evaluation by an RTA. Samples for testing will only be required where compliance of the item is in question.

What constitutes an offence?

Offences outlined in various legislation provisions include but not limited to:

- use of the A-Tick compliance mark without permission;
- supply of unlabelled items for sale or use, where the item is required to be labelled;
- making a false Declaration of Conformity;
- failure to establish and maintain compliance records;
- connection of unlabelled items to a telecommunications network, where the items are required to be labelled; and
- connection of items carrying the non-compliance label to a telecommunications network without network manager approval.

Note: If a supplier is unsure whether an act constitutes an offence, the supplier should seek legal advice.

What penalties apply?

Penalties, including fines, are specified in the *Telecommunications Act 1997*, the *Radiocommunications Act 1992* and other Commonwealth legislation applying to the supply or connection of an item that does not comply with the Labelling Notice. Suppliers should also be aware that:

- consumers who have been supplied non-compliant or unlabelled items may take civil action against the suppliers of those items; and
- in the event of non-compliant items causing damage to the network, carriers may also take action against suppliers to recover costs resulting from that damage.

It is very important that suppliers make every effort to ensure an item is compliant at the time it is first imported and that all subsequent items imported are also compliant.

11. Compliance marks

How do I obtain the artwork for the A-Tick compliance mark?

The A-Tick compliance mark is the consumers' guarantee that an item meets the safety and other applicable technical standard(s) set by ACMA and is able to be connected to the network. As a supplier, you should ensure your items are appropriately labelled to take advantage of ACMA's promotion of the A-Tick.

The A-Tick compliance mark is on the ACMA website at www.acma.gov.au (go to Industry, Standards & Compliance, Compliance Marks).



12. Forms

How do I obtain permission to use regulatory compliance marks?

The application form to obtain permission to use the A-Tick compliance mark is in the Labelling Notice and also on the ACMA website at www.acma.gov.au (go to Industry, Standards & Compliance, Telecommunications, Forms).

An application to ACMA must be in writing. The application may be in the form set out in Schedule 4 of the Labelling Notice. Suppliers may create and submit their own forms, but these must contain, as a minimum, the information mentioned in the Labelling Notice form.

The completed application must be returned to ACMA by mail, facsimile or email (contact details are on the form).

Suppliers only need to register once with ACMA. Registration will allow you to use both the A-Tick and C-Tick compliance marks, where appropriate, together with your supplier identification.

How do I obtain permission to use the alternative labelling arrangement for certain cabling products?

The application form to **not** apply a compliance label to certain exempt cabling products is in the Labelling Notice and is also on the ACMA website at www.acma.gov.au (go to Standards & Compliance, Telecommunications Regulatory Arrangements, Forms).

An application to ACMA must be in writing. The application may be in the form set out in Schedule 4A of the Labelling Notice. Suppliers may create and submit their own forms, but these must contain, as a minimum, the information mentioned in the Labelling Notice form.

The completed application must be returned to ACMA by mail, facsimile or email (contact details are on the form).

Suppliers must obtain permission to **not** apply a compliance label to certain exempt cabling items only once.

How do I obtain a Declaration of Conformity form?

The Declaration of Conformity form is in the Labelling Notice and is also on the ACMA website at www.acma.gov.au (go to Industry, Standards & Compliance, Telecommunications, Forms).

The Declaration of Conformity may be in the form set out in Schedule 5 of the Labelling Notice. Suppliers may create their own forms, but these must contain, as a minimum, the information mentioned in the Labelling Notice form.

The completed declaration must remain with the supplier as part of the documentation required for the compliance records.

How do I obtain a Declaration of Conformity form for disability customer equipment?

The Declaration of Conformity form for disability customer equipment is in the Labelling Notice and is also on the ACMA website at www.acma.gov.au (go to Industry, Standards & Compliance, Telecommunications, Forms).

The Declaration of Conformity may be in the form set out in Schedule 5A of the Labelling Notice. Suppliers may create their own forms, but these must contain, as a minimum, the information mentioned in the Labelling Notice form.

The completed declaration must remain with the supplier as part of the documentation required for the compliance records. However, a copy of the declaration must also be sent to ACMA by mail, facsimile or email (contact details are on the form).

13. More information

Where do I obtain a copy of the Telecommunications Labelling Notice?

The *Telecommunications Labelling (Customer Equipment and Customer Cabling) Notice 2001* is on the ACMA website at www.acma.gov.au (go to Industry, Standards & Compliance, Telecommunications, Telecommunications labelling and compliance) or may be obtained from ACMA regional offices (see Appendix A for contact details).

Where do I obtain copies of the EMC, EMR or Radiocommunications Labelling Notices?

Labelling Notices applicable to EMC, EMR or radiocommunications are on the ACMA website at www.acma.gov.au:

- EMC Labelling Notice—*Radiocommunications (Compliance Labelling – Incidental Emissions) Notice 2001*—go to Industry, Standards & Compliance, EMC, Legislation and Standards
- EMR Labelling Notice—*Radiocommunications (Compliance Labelling – Electromagnetic Radiation) Labelling Notice 2003*—go to Industry, Standards & Compliance, EMR, Information for Manufacturers and Importers of Portable Transmitters, Legislation; and
- Radiocommunications Labelling Notice—*Radiocommunications Devices (Compliance Labelling) Notice 2003*—go to Industry, Standards & Compliance, Radiocommunications, Legislation and Standards.

The Labelling Notices are also available from ACMA regional offices (see Appendix A for contact details).

Where do I obtain a copy of the information booklets about the EMC, EMR and radiocommunications regulatory arrangements?

The booklets about the EMC, EMR and radiocommunications regulatory arrangements are on the ACMA website at www.acma.gov.au:

- EMC booklet—*Electromagnetic compatibility - information for suppliers of electrical and electronic products in Australia and New Zealand*—go to Industry, Standards & Compliance, EMC;
- EMR booklet—*Information for Manufacturers and Importers of mobile and portable radiocommunications equipment*—go to Industry, Standards & Compliance, EMR, Information for manufacturers and importers of radiocommunications equipment; and

- Radiocommunications booklet—*Radiocommunications Standards - Information for manufacturers and importers of radiocommunications equipment for the Australian market*— go to Industry, Standards & Compliance, Radiocommunications.

The booklets are also available from ACMA regional offices (see Appendix A for contact details).

Where do I obtain information about agency agreements?

Information about issues that must be considered in making an agency agreement between people importing or manufacturing goods for supply to the Australian market, subject to ACMA compliance arrangements, is on the ACMA website at www.acma.gov.au (go to Standards & Compliance, Telecommunications, Information for manufacturers and importers, Agency agreements).

Where do I obtain copies of standards?

Applicable technical standards are available from the SAI Group (see Appendix B for contact details).

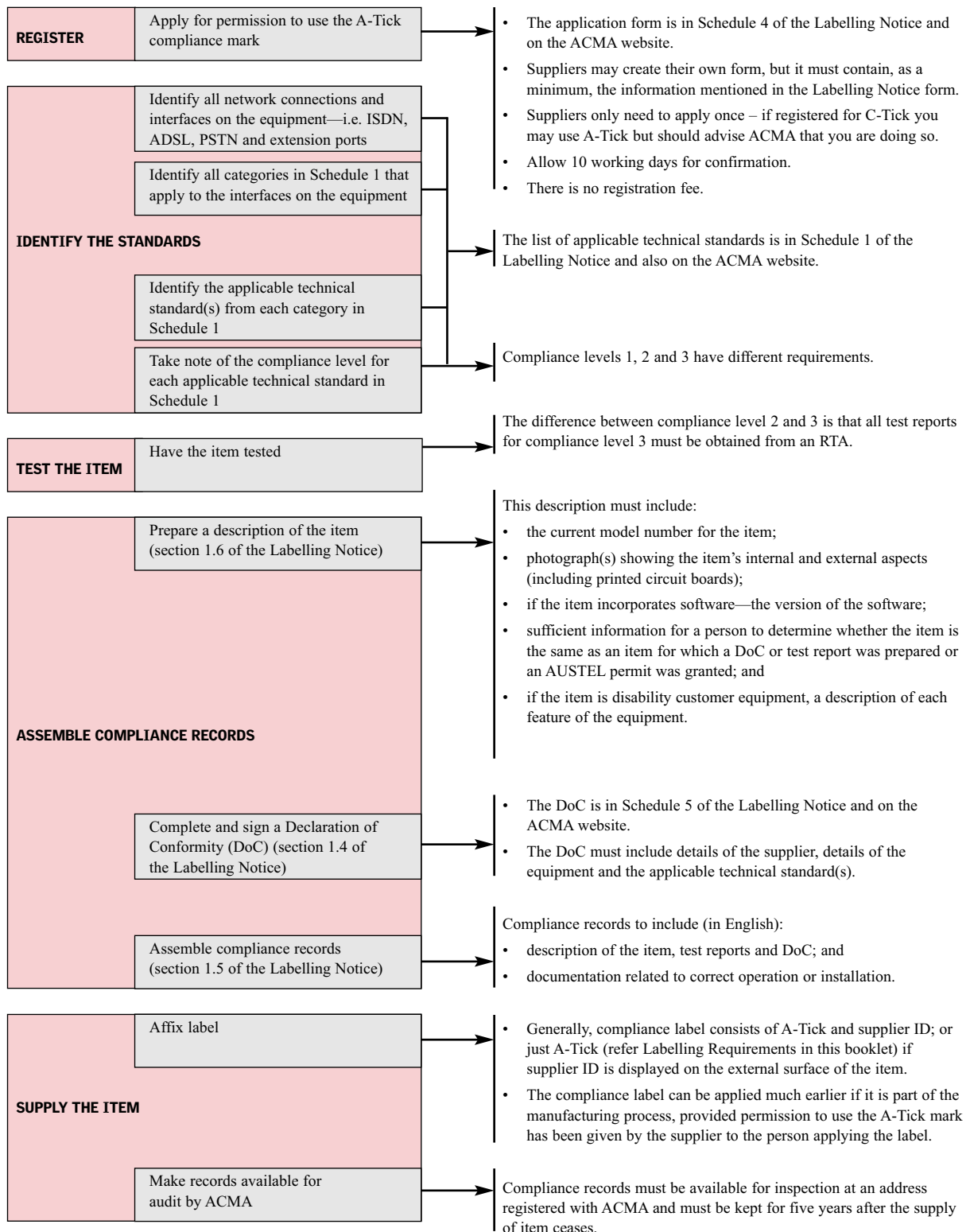
The AS/ACIF SXXX series of technical standards are also available free of charge from the ACIF website at www.acif.org.au/publications/standards.

Who do I contact if I have further enquiries?

For more information about the telecommunications regulatory arrangements, contact an ACMA regional office (see Appendix A for contact details).

14. Quick guide to labelling and compliance

The chart below provides a summary of the requirements of the Labelling Notice



Please note: this is intended as a guide only. Manufacturers and importers should refer to the Labelling Notice for more detailed information or seek assistance from the ACA (see Appendix A for contact details).

Appendix A:

ACMA regional offices

New South Wales

PO Box Q500, Queen Victoria Building NSW 1230
Telephone: 1300 850 115
Facsimile: (02) 9245 4099
Email: nswro@acma.gov.au

Southern Australia

PO Box 13120 Law Courts, Melbourne Vic 8010
Telephone: 1300 850 115
Facsimile: (03) 9963 6989
Email: saro@acma.gov.au

Northern Australia

PO Box 288, Red Hill Qld 4059
Telephone: 1300 850 115
Facsimile: (07) 3247 7100
Email: naro@acma.gov.au

Western Australia

PO Box 3061, Perth Adelaide Terrace WA 6832
Telephone: 1300 850 115
Facsimile: (08) 9461 2100
Email: waro@acma.gov.au

Appendix B:

Standards-making bodies

Australian Communications Industry Forum

Under arrangements between ACMA and the Australian Communications Industry Forum (ACIF), ACIF manages the preparation of new standards or variations to existing standards, including consultation on proposed standards or variations.

Copies of draft standards issued for public comment or final versions of AS/ACIF SXXX series of technical standards are available free of charge from the ACIF website (www.acif.org.au).

Telephone: (02) 9959 9111

Website: www.acif.org.au

Standards Australia

Australian standards, handbooks and other documents developed by Standards Australia are printed and distributed under licence by SAI Global Limited.

For information regarding the development of standards contact:

Telephone: 1300 65 46 46

Website: www.standards.org.au

For information regarding the sale and distribution of standards contact:

Telephone: 13 12 42

Website: www.saiglobal.com

Appendix C:

Accreditation body

National Association of Testing Authorities, Australia

The National Association of Testing Authorities, Australia (NATA) is recognised by the Commonwealth as the national authority for accreditation of laboratories. NATA has been determined by ACMA as an accreditation body under the *Telecommunications Act 1997*.

Mutual recognition agreements (MRAs) exist between NATA and accreditation bodies of other countries for recognition of test results from accredited laboratories covered by MRAs.

A number of test houses, including overseas laboratories, have been determined by NATA to be recognised testing authorities for the purposes of the *Telecommunications Act 1997*.

Details of recognised testing authorities (www.nata.asn.au/publications/downloads/rtalist.pdf) and their scope of accreditation are on the NATA website (www.nata.asn.au).

Telephone: (02) 9736 8222

Website: www.nata.asn.au

Appendix D

Certification bodies

Details relating to the appointment of certification bodies (CBs) and a list of appointed CBs are available on the ACMA website at www.acma.gov.au (go to Industry > Equipment Standards & Compliance > Telecommunications > Testing and Certification).

Appendix E

Disability representative bodies

Disability customer equipment must be endorsed by a disability representative body. The disability representative bodies participating in the compliance scheme are listed below.

Deafness Telecommunications Access and Networking Project Reference Group

Phil Harper,
Australian Association of the Deaf
C/o 23 Yarralumla Drive, Langwarrin VIC 3910
Email: Andrew.wiltshire@aad.org.au

Blind Citizens Australia

Maryanne Diamond, Executive Officer
Mail: PO Box 24, Sunshine VIC 3020
Telephone: (03) 9372 6400
Facsimile: (03) 9372 6466
Email: mdiamond@bca.org.au

Communication Aid Users Society

Hank Wyllie
37 Walker Street, Rippleside VIC 3215
Telephone/TTY: (03) 5278 1409
Email: ettrick@ncable.net.au

Deafness Forum of Australia

Brian C Rope, OAM, Chief Executive Officer
218 Northbourne Avenue, Braddon ACT 2612
Telephone: (02) 6262 7808
TTY: (02) 6262 7809
Fax: (02) 6262 7810
Email: brian.rope@deafnessforum.org.au
Website: www.deafnessforum.org.au

Physical Disability Council of Australia

Sue Egan, Executive Officer
Mail: PO Box 77, Northgate QLD 4013
Telephone: (07) 3267 1057
Email: pdca@ozemail.com.au

Appendix F

Forms

The following forms are available in the Schedules of the Labelling Notice:

- Schedule 4 of the Labelling Notice;
Application for permission to use regulatory marks and for issue of supplier code number
- Schedule 4A of the Labelling Notice;
Notice of intention NOT to apply a compliance label to exempt items
- Schedule 5 of the Labelling Notice;
Declaration of conformity
- Schedule 5A of the Labelling Notice;
Declaration of conformity – disability customer equipment

The form is also available on the ACMA website at www.acma.gov.au (go to industry > Equipment Standards & Compliance > Telecommunications > Forms).

Glossary

ACA means the Australian Communications Authority – ACMA’s predecessor

ACMA means the Australian Communications and Media Authority.

ACIF means the Australian Communications Industry Forum.

A-Tick compliance mark means the mark shown in Schedule 3 of the Labelling Notice.

accreditation body means a specified person or association determined by ACA or ACMA, under subsection 409(1) of the *Telecommunications Act 1997*, to be an accreditation body for section 409 of that Act. (Note: Currently the National Association of Testing Authorities, Australia is the only accreditation body.)

agent means a person authorised in writing by a manufacturer or importer to act in Australia on behalf of the manufacturer or importer for Division 7 of Part 21 of the *Telecommunications Act 1997*.

applicable technical standards means those standards mentioned in Schedule 1 of the Labelling Notice.

approving body means a specified person or association determined by ACA or ACMA, under subsection 410(1) of the *Telecommunications Act 1997*, to be an approving body for section 410 of that Act.

AUSTEL means the Australian Telecommunications Authority, the Commonwealth regulator for telecommunications from July 1989 to June 1997.

AUSTEL permit means a permit issued by AUSTEL for connection of customer equipment to a telecommunications network under section 118 of the *Telecommunications Act 1989* or section 258 of the *Telecommunications Act 1991*.

compliance label means a label that must be applied to an item in accordance with section 3.1 of the Labelling Notice, which incorporates the A-Tick compliance mark and acceptable supplier identification.

compliance level relates to the extent of evidence required to engender confidence in the compliance of items mentioned in Division 4.2 of the Labelling Notice.

compliance records means the records mentioned in section 1.5 of the Labelling Notice.

customer cabling means a line used, installed ready for use or intended for use on the customer side of the boundary of a telecommunications network (refer to section 20 of the *Telecommunications Act 1997*).

customer equipment means any equipment used, installed ready for use or intended for use on the customer side of the boundary of a telecommunications network (refer to section 21 of the *Telecommunications Act 1997*).

declaration of conformity means a declaration in the form set out in Schedule 5 of the Labelling Notice; or contains the information required in the form set out in Schedule 5 (whether or not the declaration includes other material).

description of the item has the meaning given by section 1.6 of the Labelling Notice.

disability customer equipment means equipment that is for use by a person with a disability and has at least one feature that is designed to assist a person with a disability access a service supplied over the analogue public switched telephone network.

disability representative body means a body that represents a group of persons with a disability; and is funded by the department responsible for family and community services; and is listed on the ACMA website as a disability representative body.

importer means a person or company that imports an item manufactured outside Australia into Australia.

item means an item of customer equipment or customer cabling, and includes a modified item.

Labelling Notice means the *Telecommunications Labelling (Customer Equipment and Customer Cabling) Notice 2001* and all subsequent amendments.

manufacturer means a person or company that manufactures an item in Australia or modifies it in Australia (whether or not the item was manufactured in Australia).

modified item means an item previously compliant with the applicable standard(s), or ACMA TS102-1998 and since modified.

NATA means the National Association of Testing Authorities, Australia.

non-compliance label means a label that must be applied to an item in accordance with section 3.2 of the Labelling Notice, where the item is not compliant with the applicable standard(s).

product identification code means the written information used by the supplier of the item to identify that item.

recognised testing authority means a specified person determined by an accreditation body, under subsection 409(2) of the *Telecommunications Act 1997*, to be a recognised testing authority for Division 7 of Part 21 of that Act.

supplier means the manufacturer or importer in Australia, or an agent of the manufacturer or importer in Australia, of the item.

supplier code number means the number issued to a person by ACA or ACMA upon application for registration to use the compliance marks (A-Tick or C-Tick).

supply includes supply (including re-supply) by way of sale, exchange, lease, hire or hire-purchase.

technical standards means standards made by ACA or ACMA under section 376 of the *Telecommunications Act 1997*.

Telecom authorisation means an authorisation issued by Telecom Australia for connection of customer equipment to a telecommunications network prior to July 1989.

test report means a report in English that shows the results of a test against the applicable standard(s) of a sample of the item.

