

9 November 2018

Colin Payne

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Dear Colin,

RE: Amendment to the TLN regarding IECEE CB Test Reports and Certificates

Communications Alliance welcomes the opportunity to provide this submission in response to the proposed changes to the *Telecommunications (Labelling Notice for Customer Equipment and Customer Cabling) Instrument 2015* (the TLN) to amend section 20(2)(a)(i)(C) to remove the requirement to have a statement from a National Certification Body (NCB) or a Recognised Test Authority (RTA) in relation to *IEC System of Conformity Assessment Schemes for Electrotechnical Equipment and Components Certification Body* (IECEE CB) Test Reports and Certificates.

In general Communications Alliance supports the proposed approach from the perspective of reducing regulatory processes and costs to industry. In reviewing the arrangements however, our members were unsure whether that proposed amendment adequately addresses compliance with Australian national differences under the IECEE CB process. The following alternate wording to section 20(2)(a)(i)(C) has been suggested for the ACMA's consideration to overcome this perceived shortcoming:

20 Declaration of conformity

- (1) A manufacturer or importer of an item must, before supplying the item, ensure that a declaration of conformity for the item has been completed in accordance with section 6.

Note 1 These documents are to be kept in accordance with this Part and made available in accordance with Part 6.

Note 2 If the item is a modified item, Division 4 also applies.

- (2) For the purposes of subparagraphs 6(b)(vi) and (vii):
- (a) a person can only be reasonably satisfied that an item complies with a high risk applicable technical standard if:
- (i) there is:
- (A) an endorsed test report;
- (B) a statement prepared by a certification body;
- (C) an IECEE CB Test Report that is accompanied by an IECEE CB Test Certificate, which includes test results that confirm compliance with the base IEC standard plus additional test results that confirm compliance with those Australian national differences as recognised in the IECEE CB Bulletin for that base IEC standard, ~~as well as a statement prepared by an Issuing and Recognizing NCB that operates in Australia or a recognised testing authority;~~ or
- (D) a certificate issued under a law of a State or Territory that deals with the safety of electrical equipment; containing information that indicates that the

- item or (if the item is included in a class of items) an item of the class complies with the high risk applicable technical standard; and
- (ii) the person has had regard to the document or documents;

In addition during the development of this submission, a concern was brought to our attention which potentially has a bearing on the expectation of the accuracy of IECEE CB reports. Evidence has been presented of a report, with a CB certificate and with Australian national differences listed where not all Australian national differences were addressed - in this case the electric strength of telecommunications ports only being tested at 1000 Vac when the requirement for Australia is for both 1500 Vac and 1500 V impulse or 7 kV for a handset when relevant.

We are led to believe that this is not an isolated case. A certification body accredited by JAS ANZ to issue certificates in accordance with the *ACMA Telecommunications Equipment Certification Scheme* would identify this non-compliance. It was noted that in having no review process for unendorsed AS/NZ requirements included in an IECEE CB report essentially lowers these requirements to Level 1 Low Risk. This is being brought to the attention for the ACMA for consideration.

If you have any questions with respect to this submission, please contact Mike Johns on (02) 9959 9125.

Yours sincerely,



Mike Johns
Project Manager