

Response to: "Proposal to include QR codes in the Telecommunications Labelling Notice and repeal 3 telecommunications standards Consultation paper" of JUNE 2022.

I only intend to address the first question:

"The ACMA proposes to amend the Telecommunications Labelling Notice to specify that a label must be in the form of the Regulatory Compliance Mark (RCM) or a QR code, or similar thing, if the relevant hyperlink is to information on a website that displays the RCM prominently. This proposed amendment is consistent with the requirements in Schedule 3, Part 2, subclause 5(1) of the General Equipment Rules. Do you have any comments on this proposed amendment?"

I note that the consultation paper states:

"We will consider the treatment of grey imports as part of a review into modern supply chains."

My first comment is that labelling implies display. On my Android mobile handset, to display the Regulatory Compliance Mark (RCM), I have to swipe down, touch the gear wheel symbol for settings, touch "System", then touch "Regulatory information", which gives the model identification, and part way through a list of different jurisdictions' regulatory statements is "Australia" followed by the RCM. Although not on the level of "The Hitch-hiker's Guide to the Galaxy" by Douglas Adams:

"But the plans were on display..."

"On display? I eventually had to go down to the cellar to find them."

"That's the display department."

"With a flashlight."

"Ah, well, the lights had probably gone."

"So had the stairs."

"But look, you found the notice, didn't you?"

"Yes," said Arthur, "yes I did. It was on display in the bottom of a locked filing cabinet stuck in a disused lavatory with a sign on the door saying 'Beware of the Leopard'."

It is not possible to see the RCM on a new mobile handset without first buying it, charging the battery, agreeing to licence conditions and going through the process I described above.

For my second comment, short of non-trivial effort, it is not possible to remove the electronically displayed RCM from a working mobile handset.

In contrast, there is no mention of how long the proposed QR code alternative has to resolve to a web page with the RCM, whether each model of device eligible for labelling that receives a QR code needs that QR code to resolve to a unique web page for that particular model of device (and whether the web page indicates the device model that the RCM applies to), or if there is any breach of law if a company applies a QR code to a device which may lead purchasers to believe that the device is compliant, when the QR code does not necessarily resolve to a web page with an RCM on it.