

ADTIA response to ACMA Consultation Paper
December 2024

To:
The Manager
Infrastructure and Equipment Safeguards Section
Australian Communications and Media Authority
PO Box 13112 Law Courts
Melbourne VIC 8010

Re: Proposal to remake the Sunsetting Telecommunications (Labelling Notice for Customer Equipment and Customer Cabling) Instrument 2015 and 8 telecommunications standards

Introduction

The ***Australian Digital & Telecommunications Industry Association*** (ADTIA) is a registered Industry Association active in the Digital and Telecommunications sectors of the industry with representatives from a wide range of the Telecommunications and IT industry stakeholders. ADTIA works closely with its organisational members, Communications Advisory Group (CAG) network, technical committees, Governments and other stakeholders to implement strategies within the ICT industry. ADTIA emphasises' is on ***Knowledge, Opportunity and Growth*** for the Industry and its workers.

Based upon this background, the ADTIA is responding to this ACMA consultation survey questionnaire on the 'sunsetting' process of components of the TLN, are as follows for each question.

Question 1

a) Is it necessary and appropriate for the ACMA to remake the 7 technical standards due to sunset?

The ADTIA supports the ACMA in that the changes proposed to 7 Standards:

- i. AS/CA S002-2015 and
- ii. AS/CA S003-2015, (parts 1, 2 and 3) and
- iii. AS/CA S004-2015 and
- iv. AS/CA S008-2015 and
- v. AS/CA S041-2015 (parts 1, 2 and 3) and
- vi. AS/CA S043-2015 (parts 1, 2 and 3) and
- vii. The Telecommunication Labelling Notice

These are all both appropriate and necessary to maintain currency of equipment into the future.

The ADTIA agrees that the proposed change in terminology will provide better clarity than those technical standards that currently apply to an item of customer equipment or customer cabling, used for connection to a telecommunications network.

The ADTIA acknowledges and applauds ACMA effort to better align the definitions of specified customer cabling and specified customer equipment with subsections 20(4) and 21(4) of the Act respectively.

b) Should the ACMA allow AS/ACIF S016-2015 to sunset? If no, please explain your reasons why the standard should be remade.

The ADTIA agrees with the proposal to let the Standard AS/ACIF S016.2015 to sunset, as the telecommunications network within Australia has progressed past solely 'copper-connected' systems. Further it is acknowledged that technological change is becoming so rapid it is almost impossible to mandate in Standards fast enough to be relevant.

Question 2

Do you have any comments on our proposal to change terminology to clarify the items to which the technical standards apply and to align with the definitions of customer cabling and customer equipment in subsections 20(4) and 21(4) of the Act?

The ADTIA agrees with the proposal to updates to terminology used in the various Standards and their alignment to the subsections of the relevant Act.

Question 3

Do you have any comments on our proposal to remove the provisions in Part 6 of the TLN?

The ADTIA agrees with the proposal for removal of Part 6 provisions and streamlining the document.

Question 4

Do you have any comments on our proposed amendments to Schedule 1 to the TLN?

The ADTIA agrees with the proposal for amendments of schedule 1 to provide better clarity for manufactures and installers.

Question 5

Do you have any comments on our proposal to align particular pre-labelling and record-keeping requirements in the new TLN with the General Equipment Rules (where possible and as proposed above)?

The ADTIA agrees with the proposal for amendments of the TLN to provide better clarity for manufactures and suppliers.

Question 6

Do you have any comments on our proposed amendments to item 3 of Schedule 2 to the TLN? If so, please specify your reasons and provide evidence to support your position.

The ADTIA agrees with the proposal for amendments of item 3 of schedule 2 to provide and believes the Option 4 as listed in the consultation document does indeed offer the best outcome to ensure risks of both electrical and acoustic shock due to over voltages and network transients are regulated.

Question 7

Do you have any comments on our proposed amendments to labelling cabling items?

The ADTIA supports the ACMA proposal to:

- clarify that specified information displayed on the sheath of the item is a form of a compliance label

- remove clauses 8 to 10 of Schedule 4 to the TLN, which provide the alternative option to establish a public available internet register
 - provide a one-year transitional period for manufacturers or importers of cabling items.
- The ADTIA believes these changes will be of benefit to installers, suppliers and manufacturers, overall improving the supply chain requirements of major contract conditions which exist.

Question 8

Do you have any comments on our proposal to remake the Disability Standard?

The ADTIA supports the ACMA proposal to maintain the Disability Standard requirements as it is still very relevant for a significant number of individuals and organisations across Australia.

ADTIA Additional Comments

ADTIA stakeholders have provided the additional comments that the ACMA may take into consideration when remaking the Telecommunications (Labelling Notice for Customer Equipment and Customer Cabling) Instrument 2015:

1. Challenges in Enforcement:

- The system is complaint-driven, with minimal proactive enforcement by regulatory bodies like the Energy regulators and the Australian Communications and Media Authority (ACMA).
- Concerns are raised about gaps in the database of responsible suppliers, and inconsistencies in applying compliance measures.

2. Telecommunications Equipment:

- Debate arises over whether telecommunication cabling and infrastructure fall under EESS. Some argue they should not, as these are regulated under separate standards like ACMA's Section 376 and AS/NZS 3820.

3. Compliance Advocacy:

- Industry participants discuss raising awareness through newsletters and professional associations to ensure adherence to regulations.
- Emphasis is placed on the risks of non-compliance, such as invalid insurance claims and potential lawsuits.

4. Proposed Actions:

- Encouragement of filing complaints to drive enforcement.
- Suggestions to publish guidance and engage directly with regulatory bodies for clarity on supplier responsibilities.

Contact

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