

Proposal to amend equipment regulation for electric vehicles

Consultation paper

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Executive summary

We are proposing to amend the [Radiocommunications Equipment \(General\) Rules 2021](#) (General Equipment Rules) to provide new exemptions from compliance with the [Radiocommunications \(Electromagnetic Compatibility\) Standard 2017](#) (EMC standard) and labelling requirements.

The proposal will exempt Electric Vehicle Council (EVC) members from:

- Labelling certain motor vehicle parts, components and aftermarket vehicle equipment that comply with our mandated electromagnetic energy (EME) and radiocommunications general standards (where applicable).
- Requirements in the EMC standard and the [Radiocommunications Labelling \(Electromagnetic Compatibility\) Notice 2017](#) (EMC labelling notice) if their vehicle complies with a Voluntary Code of Practice for Electromagnetic Compatibility of Motor Vehicles developed by the EVC (the EVC code).

The aim of this proposal is to ensure regulatory neutrality in our equipment regulation and to remove potential barriers to trade for electric vehicle suppliers by expanding existing exemptions to cover EVC members.

You are invited to provide a submission on the proposal.

Issues for comment

We invite comments on the issues set out in this paper:

1. Do you have any comments on our proposal to amend section 54 of the General Equipment Rules to expand our labelling exemptions in relation to the EME standard and general standards to cover EVC members?
2. Do you have any comments on our proposal to create a new exemption in Part 8 of the General Equipment Rules to exempt an EVC member from requirements in the EMC standard and EMC labelling notice if the vehicle complies with the EVC code? The code is available in the key documents section of this consultation.

Background

Existing regulatory framework

The Radiocommunications Act

In 2021, the [Radiocommunications Legislation Amendment \(Reform and Modernisation\) Act 2020](#) (the Reform Act) replaced Part 4.1 of the [Radiocommunications Act 1992](#) (the Act), which provided for the ACMA to make labelling notices and standards.

The Reform Act introduced the power for us to, by legislative instrument, make equipment rules under subsection 156(1) of the Act.

Items 42 and 44 of Schedule 4 to the Reform Act set out transitional arrangements to save the following electromagnetic compatibility (EMC) legislative instruments as if they had been made as equipment rules:

- the EMC standard
- the EMC labelling notice.

General Equipment Rules

We made the General Equipment Rules under subsection 156(1) of the Act. The General Equipment Rules, among other things, impose prohibitions and obligations on a person relating to the EME standard, general standards, EMC standard and labelling requirements, unless an exemption applies or a person holds a relevant permit.

Prohibitions in relation to technical standards and labelling requirements

Part 2 of the General Equipment Rules sets out prohibitions related to the operation, possession and supply of equipment that does not comply with each prescribed general standard. Schedule 5 to the General Equipment Rules sets out the radiocommunications general standards.

Part 3 of the General Equipment Rules sets out prohibitions related to the operation, possession and supply of equipment that does not comply with the EMC standard. The EMC standard requires a device to comply with an applicable industry standard included in the ACMA's [list of mandated EMC standards](#).

Part 4 of the General Equipment Rules sets out the prohibitions related to the operation, possession and supply of equipment that does not comply with the EME standard. Clause 3 of Schedule 4 to the General Equipment Rules prescribes the EME standard and sets the exposure limits for applicable devices with reference to the Radiation Protection Standard for Limiting Exposure to Radiofrequency Fields – 100 kHz to 300 GHz (2021) published by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).

Part 5 of the General Equipment Rules sets out prohibitions and obligations in relation to:

- supplying unlabelled devices
- applying labels without satisfying requirements
- obligations to be met after applying a label.

These prohibitions and obligations relate to requirements set out in the EMC labelling notice and Schedule 3 to the General Equipment Rules. The labelling notice includes requirements to be met before and after labelling because of the EMC standard, including:

- testing
- making a declaration of conformity
- registering on the national database
- keeping compliance records.

Similarly, Schedule 3 to the General Equipment Rules provides labelling requirements, as well as requirements to be met before and after labelling, because of the EME standard and the general standards.

Exemptions

Part 8 of the General Equipment Rules provides exemptions to the prohibitions and obligations in relation to technical standards and labelling requirements.

The EMC standard and EMC labelling notice do not apply to devices mentioned in Schedule 2 to the EMC Labelling Notice.

Vehicle exemptions

The ACMA and its predecessor, the Australian Communications Authority, have provided exemptions from EMC requirements and labelling for vehicles or machinery supplied by members of specified industry bodies since 1998. The exemptions were first introduced for Federal Chamber of Automotive Industries Association (FCAI) members in relation to EMC requirements. Over time, these exemptions have been expanded to cover additional industry bodies and labelling for EME and radiocommunications standards.

The current vehicle exemptions are contained in the provisions listed below in Table 1.

Table 1: Vehicle exemptions in the equipment rules

Legislative provision	Scope of exemption
Section 54 of the General Equipment Rules	<ul style="list-style-type: none">• Labelling exemption in relation to the EME standard and general standards.• Applies to devices that are an integral part of a motor vehicle or can only be operated in a motor vehicle.• The device must be manufactured, imported or installed by a member of a specified industry body.
Item 13 of Schedule 2 to the EMC labelling notice	<ul style="list-style-type: none">• EMC exemption (EMC standard and EMC labelling notice) does not apply.• Applies to vehicles or machines supplied by a member of a specified industry body.• Vehicle or machine must comply with a voluntary code of practice for EMC (industry code) developed by the specified industry body.

The primary benefit of these arrangements is that labelling of vehicles and vehicle-related equipment is not mandated for members of specified industry bodies. The exemptions recognise that it is not cost-effective, and it can be impractical, for suppliers to label vehicles and individual parts or components of a vehicle.

Motor vehicle suppliers in Australia have typically relied on the EMC and labelling exemptions available to FCAI members, as the peak industry body for companies that supply new passenger vehicles, light commercial vehicles, motorcycles and all-terrain vehicles in Australia.

With the introduction of electric vehicles to the Australian market, the EVC has emerged as a national body representing the electric vehicle industry. EVC members include suppliers of vehicles and non-road vehicles, including motorcycles or motor-scooter derived and/or propelled vehicles, off-road or utility vehicles, all-terrain vehicles, personal watercraft, snowmobiles and other vehicles.

The EVC has approached the ACMA to request equivalent EMC and labelling exemptions for its members to those available to other industry bodies such as the FCAI.

Existing labelling exemption for the EME standard and general standards

Section 54 of the General Equipment Rules has the effect of exempting a person from the obligation to label motor vehicle parts/components or aftermarket vehicle equipment in relation to compliance with the EME standard and any relevant general standards. The exemption applies if the device is manufactured, imported or installed by a member of the FCAI, Construction & Mining Equipment Industry Group Inc (CMEIG) or the Tractor & Machinery Association of Australia (TMA).

Devices are still required to comply with the EME standard and any relevant general standards. Suppliers of these devices are still required to satisfy certain requirements as if they had labelled the device, such as making a declaration of conformity, keeping compliance records and registering on the national database.

Existing EMC exemption

Item 13 of Schedule 2 to the EMC labelling notice sets out the basis for the EMC exemption for vehicles. The EMC standard and EMC labelling notice do not apply to a device mentioned in Schedule 2 to the EMC labelling notice.¹

The EMC exemption applies if the vehicle or machine is supplied by a member of the FCAI, Truck Industry Council (TIC), CMEIG and/or TMA and the vehicle or machine complies with all broadband and narrowband emission standards and requirements in their industry code.

The EMC exemption recognises self-regulatory arrangements imposed by the specified industry bodies via their industry codes. Each industry code imposes equivalent or higher-level requirements than the EMC standard. For example, both the FCAI code and the EMC standard recognise CISPR 12² or UN ECE R10³ as applicable industry standards for vehicles. However, the FCAI code requires a vehicle to fully comply with CISPR 12 or UN

¹ Section 9 of the EMC standard and section 2.2 of the EMC labelling notice.

² *CISPR 12: Vehicles, boats and internal combustion engines – Radio disturbance characteristics – Limits and methods of measurement for the protection of off-board receivers* is included in serial 4 of Part 2 of the ACMA's list of mandated EMC standards.

³ United Nations Economic Commission for Europe's Regulation 10 – Uniform provisions concerning the Approval of Vehicles, which is included in serial 58 of Part 2 of the ACMA's list of mandated EMC standards

ECE R10 including any immunity, emissions, harmonics and flicker requirements, whereas the EMC standard only requires compliance with the emissions requirements.⁴

If a supplier is not a member of a specified industry body, or the vehicle or machine does not comply with the emission standards in the relevant industry code, the ACMA's EMC standard and EMC labelling notice will apply.

⁴ See the note in section 10 of the EMC standard.

Proposed amendments

In response to the request from the EVC, we are proposing to introduce exemptions for EVC members to ensure regulatory neutrality in our regulatory framework.

The proposal consists of 2 amendments to the General Equipment Rules:

1. Expansion of the existing labelling exemption in section 54 of the General Equipment Rules to cover EVC members.
2. Creation of a new EMC exemption in Part 8 of the General Equipment Rules to cover vehicles and devices in vehicles to which an industry code applies, with the EVC code proposed to be the only code mentioned in the exemption at this time.

We are aiming to ensure that our equipment rules are not a barrier to supply and provide a level playing field for all vehicle suppliers in Australia. The proposed amendments are intended to provide EVC members with equivalent exemptions from EMC and labelling requirements to those available to other industry bodies specified in the General Equipment Rules and the EMC labelling notice.

The proposal is intended to provide greater choice and flexibility for vehicle suppliers to access exemptions. For instance, suppliers may choose to access these exemptions as a member of an industry body currently specified in legislation, or under the proposal, as a member of the EVC. It is anticipated that the proposal will help support long-term growth and innovation in an automotive industry evolving due to technological developments.

The proposed amendments will have the practical effect of removing administrative, delay and information costs associated with understanding and applying labels to vehicles or motor vehicle-related devices. It is anticipated that the proposal will streamline the time to market for EVC members that are not members of another industry body specified in the General Equipment Rules or the EMC labelling notice.

The proposed exemptions still require devices to comply with the EME standard and any relevant general standards under the General Equipment Rules. Vehicles would effectively comply with the EMC standard by virtue of complying with the EVC code. We do not anticipate that the proposed amendments will result in significant risks of interference to radiocommunications, uses or functions of equipment, or result in any risks to the health and safety of individuals.

Amendments to the labelling exemption in section 54

The proposed amendments to section 54 of the General Equipment Rules are minimal and will duplicate existing exemption provisions available to other industry bodies for EVC members. No substantive change is being proposed to the exemption.

The effect of our proposal is that EVC members will be exempt from the requirement to label certain motor vehicle devices because of the EME standard and relevant general standards, placing EVC members in the same position as members of the FCAI, CMEIG and TMA.

EVC members would also be required to satisfy certain requirements as if they had labelled the device, such as making a declaration of conformity, registering on the national database and keeping compliance records.

Question 1

Do you have any comments on our proposal to amend section 54 of the General Equipment Rules to expand our labelling exemptions in relation to the EME standard and general standards to cover EVC members?

Incorporating an EMC exemption into the General Equipment Rules

Changes to our EMC arrangements need to be made as equipment rules under subsection 156(1) of the Act.

We are proposing to create a new exemption in Part 8 of the General Equipment Rules to exempt vehicles and devices in vehicles to which an industry code applies. As the EVC code is the only code proposed to be listed in the exemption at this time, this will have the effect of exempting EVC members from prohibitions and obligations relating to the EMC standard and EMC Labelling Notice, provided their vehicles comply with the EVC code. A copy of the EVC code is available in the key documents section of the consultation page.

The EVC code is substantially similar to the FCAI code. As with the FCAI code, the EVC code requires vehicles to fully comply with CISPR 12 or UN ECE R10.⁵ The proposal effectively imposes compliance requirements on EVC members that are equivalent to, or higher than, the EMC standard.

The proposed EMC exemption is intended to replicate the effect of item 13 of Schedule 2 to the EMC labelling notice. There is a minor difference to the extent that the proposed exemption applies to a person rather than a device, however this is necessary due to changes to Part 4.1 of the Act resulting from the Reform Act.

While item 13 of Schedule 2 to the EMC labelling notice applies to vehicles or machines, the proposed exemption will only apply to vehicles to which the EVC code is expressed to apply. We note the scope of the EVC code is limited to vehicles and consequently we consider that it is not necessary for the proposed exemption to cover 'machines' at this time.

Vehicle parts and components that are manufactured or imported by a member of the EVC and can only be operated if installed in a vehicle are included in the proposed new exemption. For other vehicle parts and components, existing exemptions in Schedule 2 to the EMC labelling notice would likely apply. Item 7 of Schedule 2 to the EMC labelling notice also provides an exemption for spare parts, and item 9 of Schedule 2 to the EMC labelling notice provides an exemption for a device that is for incorporation into another device and not supplied to an end-user.

Aftermarket vehicle equipment and vehicle accessories are not included in the existing or proposed exemptions.

Under the proposal, record-keeping requirements in the EMC labelling notice will not apply, and instead EVC members must comply with record-keeping requirements in the EVC code. We note that the proposal will not prevent us from conducting an audit or investigation, or any other utilisation of our investigation and information-gathering powers under the Act.

⁵ CISPR 12 does not cover immunity but UN ECE R10 does.

The proposed EMC exemption could serve as a foundation for exemptions in the General Equipment Rules for members of industry bodies currently specified in item 13 of Schedule 2 to the EMC labelling notice when we complete our planned move of the EMC arrangements into the General Equipment Rules framework.

Question 2

Do you have any comments on our proposal to create a new exemption in Part 8 of the General Equipment Rules to exempt an EVC member from requirements in the EMC standard and EMC labelling notice if the vehicle complies with the EVC code? The code is available in the key documents section of the consultation.

Invitation to comment

Making a submission

We invite comments on the issues set out in this consultation paper.

- [Online submissions](#) can be made by uploading a document. Submissions in PDF, Microsoft Word or Rich Text Format are preferred.
- Submissions by post can be sent to:
The Manager
Infrastructure and Equipment Safeguards Section
Australian Communications and Media Authority
PO Box 13112 Law Courts
Melbourne VIC 8010

The closing date for submissions is **COB, Friday 10 October 2025**.

Consultation enquiries can be emailed to techreg@acma.gov.au.

Publication of submissions

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Confidential information will not be published or otherwise released unless required or authorised by law.

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